

# CITY OF MILWAUKEE

Form CA-43

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
Deputy City Attorney

**THOMAS E. HAYES**  
**PATRICK B. McDONNELL**  
**CHARLES R. THEIS**  
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY  
200 EAST WELLS STREET, SUITE 800  
MILWAUKEE, WISCONSIN 53202-3551  
TELEPHONE (414) 286-2601  
TDD 286-2025  
FAX (414) 286-8550

October 18, 2001

BEVERLY A. TEMPLE  
THOMAS O. GARTNER  
LINDA ULISS BURKE  
BRUCE D. SCHRIMPF  
ROXANE L. CRAWFORD  
SUSAN D. BICKERT  
HAZEL MOSLEY  
HARRY A. STEIN  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
JOHN J. HEINEN  
MICHAEL G. TOBIN  
DAVID J. STANOSZ  
SUSAN E. LAPPEN  
DAVID R. HALBROOKS  
JAN A. SMOKOWICZ  
PATRICIA A. FRICKER  
HEIDI WICK SPOERL  
KURT A. BEHLING  
GREGG C. HAGOPIAN  
ELLEN H. TANGEN  
JAY A. UNORA  
DONALD L. SCHRIEFER  
EDWARD M. EHRlich  
CHRISTOPHER J. CHERELLA  
LEONARD A. TOKUS  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

To the Honorable Common Council  
of the City of Milwaukee  
Room 205 - City Hall

Re: **Communication from Attorney Kenneth Murray for legal fees for  
Detectives David Baker and Octavio Delgado  
C.I. File No. 96-S-490**


Dear Council Members:


Returned herewith is a document filed by Attorney Kenneth Murray for attorney's fees for representing Detectives David Baker and Octavio Delgado. The claim is in the amount of \$1,619.77 including \$80.77 in disbursements for 17.10 hours of service billed at the rate of \$90.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by the filing of a citizen's complaint against the detectives with the Fire and Police Commission. The complaint was dismissed by the Commission.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Sec. 895.35, Stats., Bablitch and Bablitch v. Lincoln County, 82 Wis. 2d 574 (1978).

Very truly yours,

  
GRANT F. LANGLEY  
City Attorney

  
JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:enm  
Enc.  
2295

# CITY OF MILWAUKEE

Form CA-43

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
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MILWAUKEE, WISCONSIN 53202-3551  
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FAX (414) 286-8550

September 27, 1996

BEVERLY A. TEMPLE  
THOMAS O. GARTNER  
LINDA ULISS BURKE  
BRUCE D. SCHRIMPF  
ROXANE L. CRAWFORD  
THOMAS G. GOELDNER  
SUSAN D. BICKERT  
HAZEL MOSLEY  
HARRY A. STEIN  
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THOMAS J. BEAMISH  
JOHN J. HEINEN  
MICHAEL G. TOBIN  
M. JOSEPH DONALD  
DAVID J. STANOSZ  
MARY M. KUHNMUENCH  
SUSAN E. LAPPEN  
DAVID R. HALBROOKS  
JAN A. SMOKOWICZ  
PATRICIA A. FRICKER  
HEIDI WICK SPOERL  
VINCENT J. BOBOT  
KURT A. BEHLING  
GREGG C. HAGOPIAN  
ELLEN H. TANGEN  
MELANIE R. SWANK  
TRACY M. JOHNSON  
GREGORY POWELL

Assistant City Attorneys

RECEIVED  
96 OCT -1 AM 10:29  
MILWAUKEE, WI

Deputy Inspector Donald Domagalski  
Internal Affairs Division  
6680 North Teutonia Avenue, Room 325  
Milwaukee, WI 53209

Re: Kenneth Murray's representation of  
Detectives David Baker and Octavio Delgado  
C.I. File No. 96-S-490  
Date of Incident - July 9, 1995

Dear Inspector Domagalski:

Enclosed please find a claim filed by Attorney Kenneth J. Murray for attorney's fees incurred during his representation of Detectives Baker and Delgado.

Please determine whether these officers were in fact involved in the matter described in Mr. Murray's claim and have the officers verify Mr. Murray's representation. Thank you.

Very truly yours,

Jan A. Smokowicz  
Assistant City Attorney

Enclosure

I: \COMMON\KFLORY\Wpdata\CLAIMS\MURRAY. IAD\9/27/96\JAS:  
kef

10/17/2001  
O.K.  
JAS  
Letter # 2295  
Note: Rate = \$90.00/hr.

CITY OF MILWAUKEE  
 RECORDED  
 ADELMAN, ADELMAN & MURRAY, S.C.  
 ATTORNEYS AT LAW  
 1995 SEP 25 PM 4:02  
 1995 SEP 25 PM 4:02

LYNN ADELMAN\*  
 ELIZABETH ADELMAN  
 KENNETH J. MURRAY\*\*  
 LAURIE A. EGGERT  
 JEFFREY S. HYNES  
 KATHLEEN STILLING  
 PAMELA S. MOORSHEAD  
 GRACE M. MASSON\*\*\*  
 PAUL A. OBERER\*\*\*\*

\*ALSO LICENSED TO PRACTICE IN NEW YORK  
 \*\*ALSO LICENSED TO PRACTICE IN ILLINOIS  
 \*\*\*ALSO LICENSED TO PRACTICE IN MARYLAND  
 \*\*\*\*ALSO LICENSED TO PRACTICE IN OHIO

1840 NORTH FARWELL  
 SUITE 403  
 MILWAUKEE, WI 53202  
 (414) 225-2929

CITY OF MILWAUKEE  
 96 SEP 25 PM 1:27  
 RONALD D. LEONHARDT  
 CITY CLERK

September 19, 1996

Mr. Ronald D. Leonhardt  
 Milwaukee City Clerk  
 205 City Hall  
 200 East Wells Street  
 Milwaukee, WI 53202

RE: Citizen Complaint of Mr. Alvin Mann  
 Against Detectives David Baker and Octavio Delgado  
 Complaint No.: 95-46  
 Date of Incident: July 9, 1995

Dear Mr. Leonhardt:

The above-named detectives have retained us to represent them in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent them and as they were performing the duties of their office at the time of the events giving rise to the incident, the claim is hereby made on their behalf for the indicated legal fees. This incident involved an investigation regarding public drinking on July 9, 1995. The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice.

The following is an itemization of the time and services rendered.

<u>DATE</u>	<u>NATURE OF WORK PERFORMED</u>	<u>HOURS</u>
10-02-95	Open file; review documents; correspondence to FPC and Department of Justice	0.6
10-04-95	Review documents from client; correspondence to FPC	0.7
10-05-95	Telephone call to and from clients; review of file; memo to file	1.6

Baker and Delgado Statement  
September 19, 1996  
Page Two

10-06-95	Conference with FPC; memo to file; correspondence to FPC	0.5
10-10-95	Review of correspondence from Department of Justice; correspondence to Department of Justice	0.2
10-11-95	Correspondence to MPD Open Records	0.4
10-16-95	Review of correspondence from FPC	0.1
10-18-95	Review documents	0.4
11-14-95	Review of correspondence from FPC; review of file; review of correspondence from Department of Justice (2)	0.4
11-16-95	Telephone call from Open Records; memo to file	0.1
11-17-95	Telephone call from FPC; memo to file	0.2
11-19-95	Telephone call to client	0.1
11-30-95	Telephone call from FPC; review of file; memo to file	0.3
12-04-95	Review of correspondence from MPD Open Records	0.6
12-06-95	Review of correspondence from FPC; correspondence to client	0.2
12-19-95	Preparation for and appearance at conciliation; conference with client; memo to file; travel	2.1
12-21-95	Correspondence to client; memo to file; intra-office conference	0.4
01-03-96	Review of correspondence from client	0.1
01-05-96	Review of correspondence from client	0.1
01-09-96	Review of file; correspondence to client re: medical release; correspondence to St. Joseph's Hospital; correspondence to MPD personnel; telephone call to MPD Open Records; review memo re: conciliation	1.8
01-17-96	Review documents from MPD Open Records	0.2
02-01-96	Review medical records re: Delgado; telephone call to MPD personnel	0.3
02-21-96	Review of correspondence from MPD Personnel	0.3
03-14-96	Review of file; telephone call to Probation/ Parole; FAX to PIP re: revocation hearing	0.7
03-18-96	review of correspondence from Probation/Parole; review tape of probation revocation; memo to file	1.7
03-21-96	Review tape of revocation hearing; memo to file	1.7
03-28-96	Review correspondence from FPC; memo to file; correspondence to client	0.2
04-30-96	Telephone call to FPC	0.1
05-07-96	Review file; telephone call to FPC; memo to file	0.4

Baker and Delgado Statement  
September 19, 1996  
Page Three

05-15-96	Conference with FPC	0.1
05-23-96	Review of correspondence from FPC; correspondence to client; close file	<u>0.5</u>
TOTAL HOURS		17.1

DISBURSEMENTS:

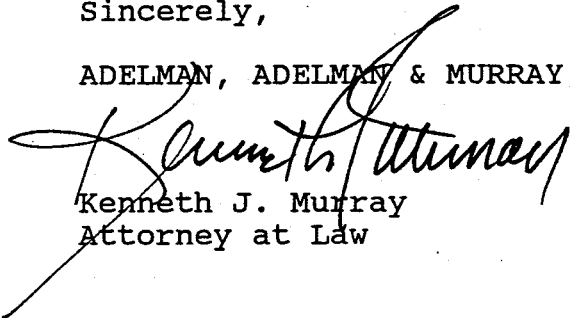
10-10-95	Department of Justice	\$ 10.00
10-26-95	Department of Justice	10.00
11-20-95	Parking	1.00
11-29-95	Open records request (A. Mann)	6.25
12-19-95	Parking	2.00
01-12-96	Open Records	9.50
02-01-96	Medical Records - Delgado	34.52
06-28-96	Copy of tape re: Thaddeus Mann	<u>7.50</u>
TOTAL		\$ 80.77

17.1 hours at \$90.00 per hour = \$ 1,539.00  
Disbursements = 80.77 ) *Actual total*

TOTAL DUE = \$ ~~1,627.77~~ \$1619.77

Sincerely,

ADELMAN, ADELMAN & MURRAY, S.C.

  
Kenneth J. Murray  
Attorney at Law

LAE/ldq  
BAKER

**R** MAY 22 1996  
RECEIVED

BOARD OF  
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

---

In Re:  
THE CHARGES OF ALVIN MANN  
AGAINST DETECTIVES OCTAVIO DELGADO  
AND DAVID BAKER

ORDER OF DISMISSAL

---

To Detective David Baker:

It is hereby ordered that the Complaint of Alvin Mann, Complaint No. 95-46, filed with the Board on August 11, 1995, is dismissed due to passivity, by the

MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

LEONARD W. ZIOLKOWSKI,  
CHAIRMAN

BY:



KENNETH MUNSON  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, MAY 17, 1996.

cc: Attorney L. Eggert ✓

**R** MAY 22 1996  
RECEIVED

BOARD OF  
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

---

In Re:  
THE CHARGES OF ALVIN MANN  
AGAINST DETECTIVES OCTAVIO DELGADO  
AND DAVID BAKER

ORDER OF DISMISSAL

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To Detective Octavio Delgado:

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CHAIRMAN

BY:



KENNETH MUNSON  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, MAY 17, 1996.

cc: Attorney L. Eggert ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

October 2, 1996

TO: DETECTIVE DAVID BAKER  
GANG CRIMES/CRIMINAL INTELLIGENCE

RE: Receipt of Legal Services from Law Firm of  
Attorney

Attorney KENNETH MURRAY has made a claim with the City,  
indicating the attached was provided with legal services arising out  
of one of the following situations:

- 1) An incident occurring on JULY 9, 1995
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES  NO

Did you receive legal representation  
in this matter?

YES  NO

Your signature: David L Baker

Print your name: DAVID L BAKER

Upon completion, please return this memorandum to the Internal  
Affairs Division at the Police Academy (Room 325) as soon as possible.

GANG CRIMES/INTELLIGENCE

Received: Capt. Meador

Referred: Det. Baker

Date 10-8-96

*Complete and return  
to me DFD:bt  
A.S.A.P.*

Donald F. Domagalski  
DONALD F. DOMAGALSKI *D.N.P.*  
Deputy Inspector of Police  
Internal Affairs Division



MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

October 2, 1996

TO: DETECTIVE OCTAVIO DELGADO  
GANG CRIMES/CRIMINAL INTELLIGENCE

RE: Receipt of Legal Services from Law Firm of  
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indicating the attached was provided with legal services arising out  
of one of the following situations:

- 1) An incident occurring on JULY 9, 1995
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES X NO \_\_\_\_\_

Did you receive legal representation  
in this matter?

YES X NO \_\_\_\_\_

Your signature: *Octavio Delgado*

Print your name: Octavio Delgado

Upon completion, please return this memorandum to the Internal  
Affairs Division at the Police Academy (Room 325) as soon as possible.

GANG CRIMES/INTELLIGENCE

Received: *Capt Meuler*

Referred: *Det. Delgado*

Date *10-8-96*

DFD:bt *Complete and return  
to me A.S.A.P.*

*Donald F. Domagaloski*  
DONALD F. DOMAGALSKI *D.N.P.*  
Deputy Inspector of Police  
Internal Affairs Division