

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
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Assistant City Attorneys

September 7, 2001

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

Re: **Communication from Attorney Laurie A. Eggert, Eggert Law Office, S.C.
for legal fees for Police Officers Marcell Daniels and Gena Melanche
C.I. File No. 01-S-09; ELO No. 1579**

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Marcell Daniels and Gena Melanche. The claim is in the amount of \$924.43, including \$11.43 in disbursements for 8.30 hours of service billed at the rate of \$110.00 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 a criminal investigation. No criminal charges were brought against the Police Officers on whose behalf this claim was filed.

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,

Handwritten signature of Grant F. Langley in cursive script.

GRANT F. LANGLEY
City Attorney

Handwritten signature of Jan A. Smokowicz in cursive script.

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:enm
Enc.
2276

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

December 27, 2000

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

**RE: MPD Criminal Investigation of POs Marcell Daniels and
Gena Melanche
Allegations Regarding Mr. Erik Redmond
Date of Incident: August 15, 2000
Location of Incident: 9836 West Brown Deer Road
ELO No.: 1579**

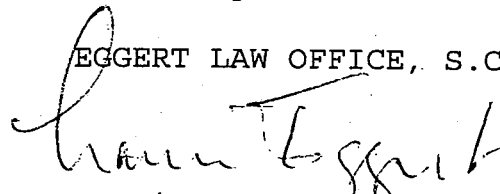
Dear Mr. Leonhardt:

The above-named police officers 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 arrest for public drinking. Charges will not be issued against the officers. Attached is a copy of the clearance report and an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.



Laurie A. Eggert
Attorney at Law

JC/ldl
DANIELS

5/24/2001

O.K.

JAS

Letter 2276

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414)276-8750
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December 27, 2000

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

RE: MPD Criminal Investigation re: Mr. Erik Redmond
Regarding: POs Marcell Daniels and Gena Melanche
Date of Incident: August 15, 2000
Location of Incident: 9836 W. Brown Deer Rd.

Professional services

	<u>Hours</u>
8/24/00 Telephone call from MPA; review Journal/Sentinel article on criminal allegations; telephone call to and from PO Daniels; open file; memo to file; telephone call to IAD.	0.90
8/25/00 Office conference with PO Daniels; memo to file; Office conference with PO Melanche; memo to file; telephone call to IAD.	2.80
8/28/00 Review of file; telephone call to PO Daniels; telephone call to IAD; meeting with PO Melanche at IAD; attend PO Melanche's statement to IAD; meeting with PO Daniels; attend PO Daniels' statement to IAD; travel; memos to file.	3.40
9/26/00 Review of file; telephone call to IAD; memo to file; correspondence to MPD Open Records; correspondence to clients.	0.50

	<u>Hours</u>	
9/28/00 Telephone call from PO Daniels.	0.20	
11/30/00 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	8.30	\$913.00
Additional charges:		
11/30/00 MPD Open Records request		11.43
Total costs		<u>\$11.43</u>
Total amount of this bill		<u>\$924.43</u>
Balance due		<u><u>\$924.43</u></u>

(Rate: \$110.00 per hour)

Captain BECK states he observed Mr. REDMOND the whole time he was there until the time he was placed in the squad car and did not observe any officer clothesline Mr. REDMOND during this incident.

Both Officers Marcell DANIELS and Gina MALANCHE made statement regarding this incident. These officers both state that Mr. REDMOND was uncooperative and refused to place his daughter off of his shoulders. These officers also state Mr. REDMOND was verbally abusive and Officer DANIELS had to call for a backup to help take Mr. REDMOND into custody. Both Officers DANIELS and MALANCHE denied that either one of them clotheslined Mr. REDMOND or sprayed his daughter with O.C. spray.

CONCLUSION:

On Friday, September 21, 2000, this case was reviewed at the Milwaukee County District Attorney's office by Deputy District Attorney Jon REDDIN for a charge of Battery allegedly against Police Officer Marcell DANIELS. Deputy DA REDDIN declined to issue charges against Officer DANIELS due to the statements of security officers and independent witnesses who all state that Officer DANIELS acted properly when taking Mr. REDMOND into custody. For said reasons this incident will be cleared as warrant refused.

Respectfully submitted:

Det. Louis Johnson 55078

**Louis JOHNSON
Police Detective
CIU/IAD, Early Shift**

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

FEBRUARY 12, 2001

TO: PO MARCELL DANIELS
DISTRICT FOUR

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney LAURIE EGGERT 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 AUGUST 15, 2000
- 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: _____

Print your name: _____

Marcell Daniels
Marcell Daniels

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

Dale T. Schunk
DALE T. SCHUNK *DS*
Commander of Police
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

FEBRUARY 12, 2001

TO: PO GENA MELANCHE
DISTRICT FOUR

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney LAURIE EGGERT 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 AUGUST 15, 2000
- 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: PO Gena Melanche

Print your name: PO Gena Melanche

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

Dale T. Schunk

DALE T. SCHUNK ¹⁴
Commander of Police
Internal Affairs Division

DTS:dnp