

# 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

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  
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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

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 Branko Stojsavljevic, Daniel Dzievit and  
Matthew Goldberg; C.I. File No. 00-S-430; ELO No. 1498**

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Branko Stojsavljevic, Daniel Dzievit and Matthew Goldberg. The claim is in the amount of \$1,417.03 including \$20.03 in disbursements for 12.70 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 black ink.

GRANT F. LANGLEY  
City Attorney

Handwritten signature of Jan A. Smokowicz in black ink.

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:enm  
Enc.  
2276

**EGGERT LAW OFFICE, S.C.**

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*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele

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

November 20, 2000

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

**RE: MPD Criminal Investigation of POs Branko  
Stojsavljevic, Daniel Dziejewit and Matthew Goldberg  
Allegations Regarding Mr. Morris Kelly  
Date of Incident: February 19-20, 2000  
Location of Incident: 4300 W. Fond du Lac Ave.  
ELO No.: 1498**

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 the response to a call for police pertaining to a bar fight. 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  
STOJSAVLJEVIC.DZI

5/21/2001

O.F.  
JMS

Letter # 2276

**EGGERT LAW OFFICE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele

1840 North Farwell Avenue  
Suite 303  
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FAX(414)276-8906

November 20, 2000

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

RE: MPD Criminal Investigation re: Mr. Morris Kelly  
Regarding: POs Branko Stojsavljevic, Daniel Dzievit  
and Matthew Goldberg  
Date of Incident: February 19-20, 2000  
Location of Incident: 4300 W. Fond du Lac Ave.

Professional services

	<u>Hours</u>
1/12/00 Several telephone calls to and from IAD; review citizen complaint file re: same complainant; open file.	1.10
1/13/00 Telephone call to and from client; telephone call to IAD; meeting with PO Stojsavljevic at IAD; meeting with IAD; attend PO Stojsavljevic's statement to IAD; travel.	2.50
2/9/00 Telephone call to and from PO Dzievit; telephone call to IAD.	0.50
2/10/00 Review of file; meeting with PO Dzievit at IAD; attend PO Dzievit's statement to IAD; travel.	1.90
3/6/00 Telephone call to and from IAD; telephone call to and from PO Goldberg; memo to file; telephone call to IAD.	0.70

	<u>Hours</u>	
3/7/00 Telephone call to and from IAD.	0.30	
3/8/00 Several telephone calls to and from IAD.	0.20	
3/9/00 Review of file; meeting with PO Goldberg at IAD; attend PO Goldberg's statement to IAD; travel.	2.00	
5/5/00 Telephone call to IAD.	0.10	
5/8/00 Telephone call to and from IAD.	0.20	
6/2/00 Discussion with IAD; correspondence to clients; correspondence to MPD Open Records.	0.50	
7/28/00 Discussion with IAD; telephone call to DA.	0.20	
8/8/00 Telephone call to IAD.	0.10	
8/16/00 Correspondence to MPD Open Records.	0.30	
8/17/00 Review of correspondence from MPD Open Records; correspondence to client.	0.60	
8/23/00 Review of correspondence from MPD Open Records.	0.60	
10/4/00 Follow-up request to MPD Open Records.	0.30	
11/9/00 Review of follow-up correspondence from MPD Open Records; correspondence to clients; close file.	0.60	
		<u>Amount</u>
For professional services rendered	12.70	\$1,397.00

Mr. Ronald D. Leonhardt

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Additional charges:

	<u>Amount</u>
11/8/00 MPD Open Records request	20.03
Total costs	<u>\$20.03</u>
Total amount of this bill	<u>\$1,417.03</u>
Balance due	<u><u>\$1,417.03</u></u>

(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

CIU/Internal Affairs Division

S U M M A R Y

Monday, September 21, 2000

IN THE MATTER OF:    *CIU#99-149 - SUBSTANTIAL BATTERY  
P.O. BRANKO STOJSAVLJEVIC, PR#65183  
DISTRICT SEVEN, EARLY POWER SHIFT  
P.O. DANIEL DZIEVIT, PR#65155  
DISTRICT SEVEN, EARLY SHIFT  
P.O. CHRISTINA KOPACKA, PR#65722  
DISTRICT SEVEN, LATE POWER SHIFT  
P.O. MATTHEW GOLDBERG, PR#62927  
DISTRICT FOUR, EARLY SHIFT*

TO: *DALE T. SCHUNK  
POLICE COMMANDER*

SIR:

*This report was dictated by Detective Glenn ZIRGIBEL, of the Internal Affairs Division/Criminal Investigation Unit (IAD/CIU), day shift.*

ALLEGATION:

*The complainant Morris KELLY alleges that he was beaten by several unknown City of Milwaukee police officers on February 19, 1999. Mr. KELLY states that he suffered three broken ribs as a result of his beating by the City of Milwaukee police officers.*

INVESTIGATION:

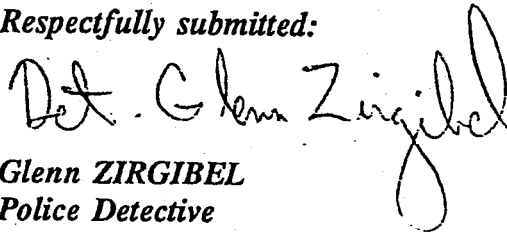
*Mr. Morris KELLY first filed his complaint in writing on June 16, 1999 and it was assigned to be investigated by Det. Glenn ZIRGIBEL by June 25, 1999. Numerous attempts to interview Mr. KELLY regarding this matter met with negative results and he was a noncooperative complainant until November 18, 1999, at which time he finally did appear at the IAD offices and give a statement in regards to this matter. In his complaint Mr. KELLY alleges that he was arrested by City of Milwaukee police officers on February 19, 1999, at approximately 11:30 p.m. as he was leaving a bar at 4322 W. Fond du Lac Avenue. Mr. KELLY indicates he was arrested for no reason at all and was beaten, kicked and raped by*

and was standing in the front door. She states that she observed police officers arrest numerous people in the two groups that were fighting and she stayed in the door the entire time the incident was going on. She stated at no time did she observe the officers act in any type of an unprofessional manner toward Mr. KELLY or any of the other people they arrested. Miss POWELL was very candid in her statement and stated that none of the officers struck anybody that she could see and she again stated the officers appeared to be very professional in their conduct while making these arrests. Mr. KELLY was charged by the City Attorney's office with Obstructing and Disorderly Conduct. He pled guilty to Disorderly Conduct on September 3, 1999, and was fined \$115.00.

CONCLUSION:

Mr. KELLY alleges that he suffered broken ribs at the hands of City of Milwaukee police officers, however there is no direct evidence other than Mr. KELLY'S statement to support his claim. Mr. KELLY further states that there were four to five friends and relatives of his who were present when this occurred, yet none of those people would come forward to be interviewed by detectives nor would they appear at the District Attorney's office regarding this matter. There is therefore no evidence to support Mr. KELLY'S claim that he was battered by City of Milwaukee police officers on February 19, 1999 and this complaint is being cleared with a "warrant refused" by Assistant District Attorney Gerald FALK.

Respectfully submitted:

  
Glenn ZIRGIBEL  
Police Detective  
CIU/IAD, Day Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 28, 2000

TO: PO MATTHEW GOLDBERG  
DISTRICT SEVEN

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 FEBRUARY 19/20, 2000
- 2) A citizen's complaint made by MORRIS KELLY
- 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: \_\_\_\_\_

GOLDBERG

MATTHEW GOLDBERG

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 *JH*  
Commander of Police  
Internal Affairs Division

DTS:dnp



MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 28, 2000

TO: PO DANIEL DZIEVET  
DISTRICT SEVEN

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 FEBRUARY 19/20, 2000
- 2) A citizen's complaint made by MORRIS KELLY
- 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 Daniel Dziejewicz DZIEVET

Print your name: PO DANIEL DZIEVET

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 JH  
Commander of Police  
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 28, 2000

TO: PO BRANKO STOJSAVLJEVIC PR# 65183  
DISTRICT SEVEN

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 FEBRUARY 19/20, 2000
- 2) A citizen's complaint made by MORRIS KELLY
- 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: *Branko Stojavljevic*

Print your name: BRANKO STOJSAVLJEVIC

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 *JD*  
Commander of Police  
Internal Affairs Division

DTS:dnp