

# CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY  
City Attorney

RUDOLPH M. KONRAD  
PATRICK B. McDONNELL  
LINDA ULISS BURKE  
Deputy City Attorneys



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

BEVERLY A. TEMPLE  
THOMAS O. GARTNER  
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  
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MELANIE R. SWANK  
JAY A. UNORA  
DONALD L. SCHRIEFER  
EDWARD M. EHRlich  
LEONARD A. TOKUS  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY  
DAWN M. BOLAND  
KATHRYN M. ZALEWSKI

Assistant City Attorneys

September 15, 2004

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

Re: Communication from Attorney Laurie Eggert, Eggert Law Office, S.C.  
for legal fees for Police Officer Ted Puente  
C.I. File No. 99-S-280

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Ted Puente. The claim is in the amount of \$4,109.93, including \$457.93 in disbursements for 33.20 hours of service billed at the rate of \$110.00 per hour. **We have advised claimant's counsel, however, that claimed mileage disbursements are not reimbursable, and so the claim has been reduced to \$4,108.07.** 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 officer 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. Wis. Stat. § 895.35, *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

**EGGERT & CERMELE, S.C.**

**Attorneys at Law**

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings

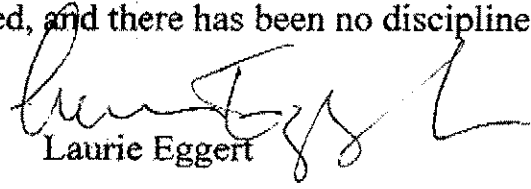
1840 North Farwell Avenue  
Suite 303  
Milwaukee, Wisconsin 53202  
(414) 276-8750  
FAX (414) 276-8906

FAX

TO: Jan Smokowicz  
FROM: Laurie Eggert  
RE: Claim regarding Ted Puente  
FPC complaint No 97-08  
DATE: September 14, 2004

Dear Mr. Smokowicz,

The FPC dismissed the complaint filed against Ted Puente by Nathaniel Jones because Mr. Jones was unavailable. You inquired whether the complaint ever was reactivated; it has not been refiled, and there has been no discipline based on this incident.

  
Laurie Eggert

9/15/04  
O.K.  
for  
4108.07  
(less mileage)  
-JAC

\*\*\*\*\*  
The information contained in this message is confidential for the named recipient only. If you have received this message in error, or have had transmission problems in receiving it, please contact this office immediately at (414) 276-8750.

↓  
Letter 2295

# 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  
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MILWAUKEE, WISCONSIN 53202-3551  
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March 30, 2001

BEVERLY A. TEMPLE  
THOMAS O. GARTNER  
LINDA ULISS BURKE  
BRUCE D. SCHRIMPF  
ROXANE L. CRAWFORD  
SUSAN D. BICKERT  
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CHRISTOPHER J. CHERELLA  
LEONARD A. TOKUS  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

Attorney Laurie A. Eggert  
Eggert Law Office, S.C.  
1840 North Farwell Avenue, Suite 303  
Milwaukee, WI 53202

**Re: Citizen Complaint of Mr. Nathaniel Jones Against P.O. Ted Puente**  
**Complaint No. 97-08**  
**Date of Incident: October 16, 1996**

Dear Ms. Eggert:

With respect to your claim regarding the above-noted matter, I note that you had provided an Order of Dismissal from the Fire and Police Commission which merely indicates that the matter was "dismissed without prejudice due to the unavailability of the Complainant . . ."

Given that particular language, we need more information. I am particularly concerned that this dismissal resulted from the incarceration or other excusable absence of complainant. If that is the case, there is always the possibility that this matter has been reopened and can result in the determination that is unfavorable to the officer.

Please provide me with further information as to your understanding of the reasons for the complainant's unavailability and any further developments that have transpired. I wish to thank you for your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jan A. Smokowicz', written over a horizontal line.

Jan A. Smokowicz  
Assistant City Attorney

JAS:kmm  
39408

OFFICE COPY

# 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  
800 CITY HALL  
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June 4, 1999

BEVERLY A. TEMPLE  
THOMAS O. GARTNER  
LINDA ULISS BURKE  
BRUCE D. SCHRIMPF  
ROXANE L. CRAWFORD  
SUSAN D. BICKERT  
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DONALD L. SCHRIEFER  
EDWARD M. EHRlich  
CHRISTOPHER J. CHERELLA  
LEONARD A. TOKUS

Assistant City Attorneys

Deputy Inspector Dale Schunk  
Milwaukee Police Department  
749 West State Street, Room 714  
Milwaukee, WI 53233

Re: C.I. File No. 99-S-280  
Communication from EGGERT LAW OFFICE

Dear Deputy Inspector Schunk:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of Officer Ted Puente.

Please determine whether this Officer was in fact involved in the matter described in Ms. Eggerts' claim, and have the officer verify Ms. Eggerts' representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:beg  
Enclosure

3/21/2001  
? terms of  
dismissal - who responsible  
due to compliance  
unavailability? What's  
about? In jail? Did  
he get refiled?

99 JUL 13 AM 10:27  
SEARCHED  
SERIALIZED  
INDEXED  
FILED

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

**Attorneys at Law**

Laurie A. Eggert  
Jonathan Cermele

CITY OF MILWAUKEE  
99 MAY 20 PM 2:38  
RONALD D. LEONHARDT  
CITY CLERK

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

May 17, 1999

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

**RE: Citizen Complaint of Mr. Nathaniel Jones  
Against PO Ted Puente  
Complaint No.: 97-08  
Date of Incident: October 16, 1996**

Dear Mr. Leonhardt:

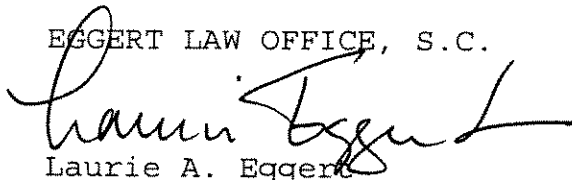
The above-named police officer has retained us to represent him in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent him, and as he was performing the duties of his office at the time of the events giving rise to the incident, the claim is hereby made on his behalf for the indicated legal fees. This incident involved a suspect fleeing from officers and resisting arrest, at or near 3375 North 26th Street. The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice.

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

Sincerely,

EGGERT LAW OFFICE, S.C.



Laurie A. Eggert  
Attorney at Law

CITY OF MILWAUKEE  
RECEIVED  
1999 MAY 20 PM 4:01  
CITY ATTORNEY

LAE:ldl  
PUENTE

**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

May 17, 1999

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

RE: Citizen Complaint of Mr. Nathaniel Jones  
Against Police Officer Ted Puente  
FPC No: 97-08  
Date of Incident: October 16, 1996  
Location of Incident: 3375 North 26th Street

Professional services

	<u>Hours</u>
7/11/97 Review document from FPC.	0.10
7/13/97 Review of file; memo to file.	0.10
7/14/97 Telephone call to Victoria; draft medical release; memo to file; correspondence to MPD Open Records.	0.90
9/4/97 Telephone call from MPD Open Records.	0.10
9/5/97 Telephone call to MPD Open Records; memo to file.	0.10
9/10/97 Telephone call from Victoria; memo to file; review documents from MPD Open Records.	0.60
9/15/97 Review of correspondence from FPC; memo to file; correspondence to client.	0.20
9/25/97 Telephone call from complainant; review of file.	0.40

	<u>Hours</u>
9/26/97 Preparation for and appearance at conciliation; conference with client; travel; memo to file.	2.20
11/19/97 Review of file; correspondence to witnesses.	0.60
11/24/97 Telephone call from witness; memo to file.	0.70
11/26/97 Memo to file.	0.10
12/2/97 Telephone call from Fronk; memo to file.	0.20
12/3/97 Memo to file; correspondence to client.	0.20
12/4/97 Telephone call from Fronk; memo to file.	0.30
12/26/97 Review of file; telephone call to witness.	0.20
1/2/98 Review of file; telephone call to witness; memo to file.	0.20
1/5/98 Telephone call to and from Sgt.; memo to file; telephone call to Pewaukee (Town and Village); telephone call to FPC; review of file; draft witness and exhibit list.	2.20
1/7/98 Telephone call from FPC.	0.10
1/9/98 Preparation for and appearance at pre-trial; conference with Fronk; memo to file; travel.	1.30
1/13/98 Review of correspondence from Department of Justice.	0.10

	<u>Hours</u>
1/15/98 Review records re: Schueren; telephone call to Schueren; correspondence to Schueren; review of file.	0.70
1/19/98 Review of correspondence from Jones; correspondence to doctors and hospital.	0.40
1/21/98 Telephone call from Fronk; memo to file.	0.20
1/23/98 Telephone call from FPC; memo to file.	0.20
1/28/98 Review of file; telephone call to FPC re: pre-trial.	0.40
1/29/98 Telephone call from FPC; memo to file; correspondence to Marquette Dental School; conference with FPC.	0.80
2/3/98 Telephone call from Fronk; memo to file; telephone call to client; telephone call to and correspondence to witness.	0.80
2/11/98 Telephone call from and to Marquette; correspondence to Dental Association.	0.50
2/13/98 Review of correspondence from Froedtert.	0.10
2/18/98 Telephone call from client; review of file; telephone call to investigator, memo to file; telephone call to witness.	0.60
2/19/98 Telephone call from Fronk; memo to file.	0.10
2/20/98 Telephone call from investigator; memo to file.	0.20



	<u>Hours</u>
3/4/98 Telephone call from FPC; memo to file.	0.20
3/10/98 Telephone call from investigator.	0.20
3/13/98 Telephone call from investigator.	0.10
3/18/98 Correspondence to Dentist, CJF.	0.10
3/24/98 Telephone call from and to Dental Association.	0.30
3/30/98 Review documents from investigator.	0.30
4/8/98 Telephone call from Dental Association and Northwest General Hospital; memo to file; correspondence to Eisenberg.	0.40
4/20/98 Review documents from North West General Hospital.	0.30
6/3/98 Telephone call from Fronk; review of file.	0.20
6/6/98 Review of file; telephone call to witness; telephone call to Schueren; memo to file; correspondence to MPD Open records; modify witness and exhibit list; telephone call to client.	1.20
6/8/98 Telephone call from witness; memo to file; telephone call to Fronk.	0.70
6/15/98 Review of file; telephone call to witness; memo to file.	0.20
6/17/98 Telephone call from investigator.	0.10
7/2/98 Telephone call to investigator.	0.10
7/6/98 Telephone call from investigator.	0.10

	<u>Hours</u>
7/10/98 telephone call from Fronk.	0.10
7/16/98 Telephone call from Forjan; memo to file.	2.00
8/5/98 Review of correspondence from MPD Open Records.	0.10
9/23/98 Review of file; telephone call to FPC.	0.20
10/9/98 Telephone call from FPC.	0.10
10/19/98 Telephone call to FPC; review of file.	0.20
11/17/98 Telephone call from FPC; review of file.	0.20
12/4/98 Review of file; correspondence Mt. Sinai; telephone call to FPC; memo to file.	1.10
12/9/98 Telephone call from Fronk; memo to file.	0.20
12/10/98 Review of file.	0.70
12/21/98 Review of correspondence from Department of Justice; correspondence to investigator; review of file.	0.80
12/23/98 Conference with investigator.	0.20
12/29/98 Telephone call from FPC; re: scheduling; review of file.	0.30
1/6/99 Telephone call from investigator; memo to file; review of correspondence from FPC; correspondence to doctors and dental clinics; correspondence to CJF; telephone call to witness.	1.50

	<u>Hours</u>
1/7/99 Telephone call to client; telephone call to witnesses; memo to file; conference with investigator; review of documents from investigator.	1.70
1/11/99 Telephone call to witnesses; telephone call to client; memo to file.	0.40
1/12/99 Telephone call from FPC re: scheduling.	0.10
1/15/99 Review medical records from Marquette dental; correspondence to FPC.	0.60
1/28/99 Review of correspondence from Eisenberg; correspondence to FPC; correspondence to client; review of file.	
1/30/99 Telephone call to investigator; memo to file.	0.10
2/1/99 Review of correspondence from FPC.	0.10
2/17/99 Review medical records; correspondence to Sheriff's Department; telephone call to FPC.	0.50
2/23/99 Telephone call from FPC; memo to file.	0.10
3/24/99 Review of file, telephone call to FPC; memo to file; telephone call from Fronk; correspondence to client.	0.80
3/26/99 Review of correspondence from FPC.	0.10
4/15/99 Review of file.	0.10
4/22/99 Review dismissal notice; correspondence to witness; correspondence to client; close file.	0.50

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	33.20	\$3,652.00
Additional charges:		
9/17/97 Open records report re: Jones		16.95
9/26/97 Parking		3.75
Mileage		0.93
1/9/98 Mileage		0.93
Parking		1.50
3/18/98 Sheriff - medical records		3.60
3/27/98 Investigator report		303.60
8/6/98 MPD Open Records		6.32
12/7/98 Department of Justice		13.00
1/14/99 Investigator - services rendered		93.00
1/19/99 Marquette University - Dental records		3.60
2/26/99 Milwaukee County Sheriff's Department		10.75
Total costs		<u>\$457.93</u>
Total amount of this bill		<u>\$4,109.93</u>
Balance due		<u><u>\$4,109.93</u></u>

(Rate: \$110.00 per hour)

APR 22 1999

EGGERT LAW OFFICE, S.C.

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

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In Re:  
THE CHARGES OF NATHANIEL JONES, JR.  
AGAINST POLICE OFFICER TED PUENTE

ORDER OF DISMISSAL

---

To Officer Ted Puente:

It is hereby ordered that the Complaint of Nathaniel Jones, Jr., Complaint No. 97-08, filed with the Board on January 21, 1997, is dismissed without prejudice due to the unavailability of the Complainant, by the

MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

AUGUST G. ERDMANN,  
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, APRIL 19, 1999.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

JULY 22, 1999

TO: PO TED PUENTE  
DISTRICT ONE

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 OCTOBER 16, 1996
- 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 Ted Puente

Print your name: PO Ted Puente

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  
Deputy Inspector of Police  
Internal Affairs Division

DTS:dnp