

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
JAN A. SMOKOWICZ
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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

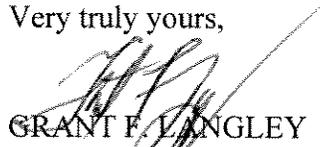
Dear Council Members:

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

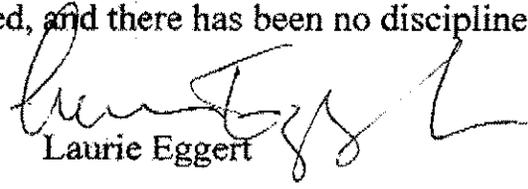
1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

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
TELEPHONE (414) 286-2601
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March 30, 2001

BEVERLY A. TEMPLE
THOMAS O. GARTNER
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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
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MILWAUKEE, WISCONSIN 53202-3551
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June 4, 1999

BEVERLY A. TEMPLE
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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
MILWAUKEE POLICE DEPARTMENT
COMMUNICATIONS SECTION

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:

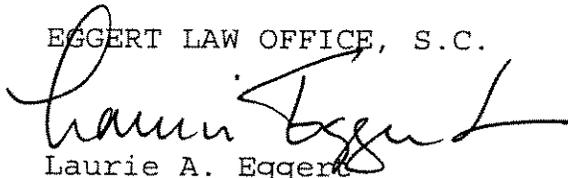
The above-named police officer has retained us to represent him in connection with the above-referenced matter.

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

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