

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys

**CITY OF**  
**MILWAUKEE**  
**Office of the City Attorney**

**THOMAS O. GARTNER**  
**BRUCE D. SCHRIMPF**  
**ROXANE L. CRAWFORD**  
**SUSAN D. BICKERT**  
**STUART S. MUKAMAL**  
**THOMAS J. BEAMISH**  
**MAURITA F. HOUREN**  
**JOHN J. HEINEN**  
**MICHAEL G. TOBIN**  
**DAVID J. STANOSZ**  
**SUSAN E. LAPPEN**  
**JAN A. SMOKOWICZ**  
**PATRICIA A. FRICKER**  
**HEIDI WICK SPOERL**  
**KURT A. BEHLING**  
**GREGG C. HAGOPIAN**  
**ELLEN H. TANGEN**  
**MELANIE R. SWANK**  
**JAY A. UNORA**  
**DONALD L. SCHRIEFER**  
**EDWARD M. EHRlich**  
**LEONARD A. TOKUS**  
**VINCENT J. BOBOT**  
**MIRIAM R. HORWITZ**  
**MARYNELL REGAN**  
**G. O'SULLIVAN-CROWLEY**  
**KATHRYN M. ZALEWSKI**  
**MEGAN T. CRUMP**  
**ELOISA DE LEÓN**  
**ADAM B. STEPHENS**  
**KEVIN P. SULLIVAN**  
**BETH CONRADSON CLEARY**  
**THOMAS D. MILLER**  
Assistant City Attorneys

October 19, 2007

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

Re: Communication from Attorney Laurie A. Eggert for legal fees for  
Police Officers Rafael Rivera, Thomas Hines, and Jose Lopez III  
C.I. File No. 05-S-143; EC 2176

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Rafael Rivera, Thomas Hines, and Jose Lopez III. The claim is in the amount of \$550.00 for 5.00 hours of service billed at the rate of \$110 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 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. 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:amp  
Enc.

1032-2004-3292:124731v1

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: P.O. RAFAEL RIVERA  
DISTRICT: VICE CONTROL DIVISION

RE: Receipt of Legal Services from Law Firm of  
Attorney Laurie Eggert

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 June 15, 2004
- 2) A citizen's complaint filed by Lavonjoe Johnson
- 3) A police shooting incident occurring on N/A

Is this information correct?

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

Did you receive legal representation in this matter?

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

Your signature: P.O. Rafael Rivera

Print your name: P.O. Rafael RIVERA

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

*Mary K. Hoerig*  
 MARY K. HOERIG  
 Captain of Police  
 Professional Performance Division

MKH:kjs

RECEIVED  
 05 JUN -6 AM 10:14  
 MILWAUKEE POLICE  
 INTERNAL AFFAIRS  
 DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: SGT. THOMAS HINES  
DISTRICT: FIVE

RE: Receipt of Legal Services from Law Firm of  
Attorney Laurie Eggert

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 June 15, 2004
- 2) A citizen's complaint filed by Lavonjoe Johnson
- 3) A police shooting incident occurring on N/A

Is this information correct? YES  NO

Did you receive legal representation in this matter? YES  NO

Your signature: *Sgt Thomas Hines*  
 Print your name: Thomas Hines

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

*Mary K Hoerig*  
 MARY K. HOERIG  
 Captain of Police  
 Professional Performance Division

MKH:kjs

RECEIVED  
 05 JUN -3 AM 10:55  
 MILWAUKEE POLICE  
 INTERNAL AFFAIRS  
 DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: P.O. JOSE LOPEZ III  
DISTRICT: INTELLIGENCE DIVISION

RE: Receipt of Legal Services from Law Firm of  
Attorney Laurie Eggert

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 June 15, 2004
- 2) A citizen's complaint filed by Lavonjoe Johnson
- 3) A police shooting incident occurring on N/A

Is this information correct?

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

Did you receive legal representation  
in this matter?

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

Your signature: \_\_\_\_\_

Print your name: \_\_\_\_\_

*Jose A. Lopez III*  
Jose A. Lopez III

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

*Mary K. Hoerig*  
MARY K. HOERIG  
Captain of Police  
Professional Performance Division

MKH:kjs

**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

May 3, 2005

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

CITY OF MILWAUKEE  
MAY -6 AM 11:56  
RONALD D. LEONHARDT  
CITY CLERK

**RE: MPD Criminal Investigation of POs Rafael Rivera, Thomas Hines  
and Jose Lopez III  
Allegations Regarding Mr. Lavonjoe Johnson  
Date of Incident: July 15, 2004  
Location of Incident: 1606 South 15<sup>th</sup> Street  
EC No.: 2176**

Dear Mr. Leonhardt:

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

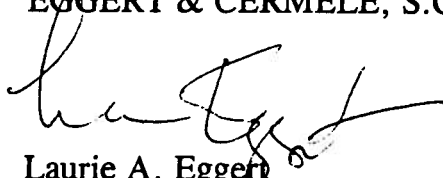
Consistent with its policy, the City Attorney's Office has refused to represent them, and as they were performing the duties of their office at the time of the events giving rise to the incident, the claim is hereby made on their behalf for the indicated legal fees. This incident involved a traffic stop and subsequent arrest.

CITY OF MILWAUKEE  
MAY -5 PM 1:00  
OFFICE OF  
CITY ATTORNEY

Later, the MPD concluded that no criminal charges would issue. Attached is a copy of a status report from Captain of Police Mary K. Hoerig, and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.



Laurie A. Eggert  
Attorney at Law

JC/ldl  
attachment  
RIVERA ET AL

**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

May 03, 2005

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

RE: MPD Criminal Investigation re: Mr. Lavonjoe Johnson  
Regarding: POs Rafael Rivera, Thomas Hines and Jose Lopez III  
Date of Incident: July 15, 2004  
Location of Incident: 1606 South 15th Street  
Professional services

	<u>Hours</u>
8/10/2004 Telephone calls from POs Rivera and Lopez regarding new criminal investigation; open file; memo to file.	1.00
8/11/2004 Follow-up memo to file regarding telephone call from PO Lopez; intra-office conference.	0.70
8/12/2004 Telephone call to PO Hines; memo to file.	0.50
8/16/2004 Review of file; telephone calls to POs Rivera, Hines and Lopez.	0.50
8/17/2004 Telephone calls from POs Rivera and Hines; telephone call to IAD; schedule statement for PO Hines; telephone call from PO Hines; telephone call to IAD canceling statement due to illness.	0.40
8/18/2004 Telephone call to and from PO Lopez; telephone call to and from IAD.	0.40
8/24/2004 Telephone call to and from PO Rivera; telephone call to PO Lopez.	0.50
8/25/2004 Discussion with IAD.	0.20
11/23/2004 Review of file; Fax to IAD.	0.20

Mr. Ronald D. Leonhardt

Page 2

	<u>Hours</u>
3/21/2005 Review of file; Fax to IAD.	0.20
3/28/2005 Receive and review confirmation from IAD that case had been cleared; correspondence to clients; close file.	0.40

	<u>Amount</u>
For professional services rendered	5.00 \$550.00
Balance due	<u>\$550.00</u>

(Rate: \$110.00 per hour)



Police Department

Nannette H. Hegerty  
Chief of Police

Wednesday, March 23, 2005

Jonathan Cermele  
Attorney At Law  
1840 North Farwell Avenue  
Suit 303  
Milwaukee, WI 53202

RECEIVED  
MAR 28 2005  
EGERT & CERMELE, S.C.

Dear Mr. CERMELE:

This letter is in response to your inquiries of March 21<sup>st</sup>, 2005, regarding the status of CIS Investigatory Files.

Attached please find the requested information. If further assistance is needed Lieutenant of Detectives Jeffery Micklitz can be contacted at 935-3540.

Sincerely,

MARY K. HOERIG  
CAPTAIN OF POLICE



GIS FILE NO	PPD FILE NO	COMPLAINANT	ALLEGATION	DISPOSITION
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8. 04-181	04-0599	JOHNSON, LAVONJOE	BATTERY	UNFOUNDED
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**EGGERT & CERMELE, S.C.**

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*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

March 21, 2005

**Via Facsimile (414) 351-0506**

Cpt. Mary Hoerig  
Milwaukee Police Department (PPD)  
6680 North Teutonia Avenue  
Milwaukee, WI 53209

*Re: Status of CIS Files*

Dear Captain Hoerig

Please advise as to the status of the following CIS investigatory files pertaining to my clients:

UNKNOWN

**8**      **Officer(s):**            Rafael Riovera, Jose A. Lopez III & Thomas Hines  
          **Complainant:**        Lavonjoe Johnson  
          **Date:**                    07/15/04  
          **Location:**            2606 South 15<sup>th</sup> Street  
          **CIS File No.:**        Unknown  
          **PPD File No.:**        Unknown

Jeffrey Granhow

Thank you for your assistance.

Sincerely,

EGGERT & CERMELE, S.C.

Jon Cermele

JC/bms