THOMAS O. GARTNER

BRUCE D. SCHRIMPF ROXANE L. CRAWFORD SUSAN D. BICKERT

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

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MIRIAM R. HORWITZ

MARYNELL REGAN G. O'SULLIVAN-CROWLEY DAWN M. BOLAND KATHRYN M. ZALEWSKI

HAZEL MOSLEY STUARTS. MUKAMAL

CITY OF MILWAUKEE

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

February 21, 2005

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

Re: Communication from Attorney Laurie A. Eggert, Eggert & Cermele, S.C.

for legal fees for Police Officers James Fidler, Dwayne Pratchett, Matt Cooper

and Justin Tollefson; C.I. Claim File No. 03-S-347; EC 1913

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers James Fidler, Dwayne Pratchett, Matt Cooper and Justin Tollefson. The claim is in the amount of \$2,193.00, including \$59.00 in disbursements for 19.40 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. Wis. Stat. § 895.35, *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,

&RANT#/MANGLEY

City Attorney

JAN A. SMOKOWICZ Assistant City Attorney

JAS:enm Enc.

90467/ 1032-2003-2890.004

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert Jonathan Cermele Rachel L. Schneider 1840 North Farwell Avenue Suite 303 Milwaukee, Wisconsin 53202 (414) 276-8750 FAX (414) 276-8906

September 3, 2003

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

RE: MPD Criminal Investigation of POs James Fidler, Dwayne Pratchett,

Matt Cooper and Justin Tollefson

Allegations Regarding Dorothy Craine, Linwood Craine, Sabrina

Holcomb and Stephen Holcomb Date of Incident: August 16, 2001

Location of Incident: 6601 North 105th Street

EC No.: 1913

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 investigation of resisting an officer.

The MPD initiated a criminal investigation in which the officers initially declined to give a statement without counsel. When they requested counsel, IAD compelled POs Fidler, Pratchett, Cooper and Tollefson to give statements concerning the incident after issuing PI-21s. Later, the MPD cleared the complaints as baseless. Attached are copies of the clearance reports and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

2/5/05

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Laurie A. Eggert

Attorney at Law

LAE/ldl attachment

Leffer 2276

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert Jonathan Cermele Rachel L. Schneider 1840 North Farwell Avenue Suite 303 Milwaukee, Wisconsin 53202 (414) 276-8750 FAX (414) 276-8906

September 03, 2003

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

RE: MPD Criminal Investigation re: Dorothy Craine, Linwood Craine, Sabrina Holcomb and Stephen Holcomb

Regarding: POs James Fidler, Dwayne Pratchett, Matt Cooper, and Justin Tollefson Date of Incident: August 16, 2001

Location of Incident: 6601 North 105th Street

Professional services

		Hours
8/31/2001	Open file; telephone call from Fidler; memo to file.	1.60
9/5/2001	Telephone call to and from detective; telephone call to and from client; memo to file; preparation for and appearance at Fidler and Pratchett's PI-21 statements at IAD; travel.	3.10
9/6/2001	Memo to file.	0.40
9/17/2001	Review statement of witness; review of file.	0.80
9/21/2001	Review witness tape.	0.30
9/27/2001	Telephone call from Cooper; memo to file.	0.80
10/2/2001	Conference with client; preparation for and appearance at PI-21 regarding Cooper; travel; memo to file.	2.20
10/3/2001	Review of file; research.	0.30
10/4/2001	Conference with client; preparation for and appearance at PI-21 statements by Tollefson; memo to file; travel.	1.40
10/5/2001	Review of file.	0.20

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		Hours	
11/29/2001	Review of file; telephone call to Det.; memo to file; search circuit court records regarding criminal cases against three complainants; telephone call to and from city attorney; correspondence to MPD Open Records.	1.10	
12/19/2001	Telephone call to clients; review of file; memo to file.	0.50	
12/20/2001	Telephone call from clients; memo to file.	0.40	
3/6/2002	Review of file; telephone call to clients.	0.30	
3/8/2002	Review of file; telephone call from client; memo to file; research circuit court records; correspondence to MPD Open Records.	1.30	
4/11/2002	Review of file.	0.20	
6/19/2002	Review of correspondence from MPD Open Records; telephone call from MPD Open Records; memo to file; record update regarding criminal cases against complainants.	1.20	
8/26/2002	Review of file; telephone call to IAD.	0.30	
9/9/2002	Review of file; telephone call to Det.	0.20	
10/16/2002	Review of file; telephone call to Det.	0.40	
10/29/2002	Telephone call to Det.; review of file; memo to file.	0.10	
2/3/2003	Update status of criminal cases for incident; review of file; memo to file.	1.20	
4/4/2003	Review of file; telephone call to Det.; correspondence to MPD Open Records.	0.40	
5/29/2003	Telephone call from MPD Open Records; review of file.	0.30	
6/4/2003	Review of correspondence from MPD Open Records; close file.	0.40	
	For professional services randered	10.40	Amount
	For professional services rendered	19.40	\$2,134.00

Mr. Ronald D. Leonhardt	Page	e 3
Additional charges:		
	An	nount
6/19/2002 MPD Open Records requ	est	57.63
6/4/2003 MPD Open Records requ	est	1.37
Total costs	\$:	59.00
Total amount of this bill	\$2,19	93.00
Balance due	\$2,19	93.00

(Rate: \$110.00 per hour)

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INVESTIGATIVE NARRATIVE:

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

On Wednesday, February 13, 2002, the Milwaukee County Children's Center indicated that a juvenile petition was filed against Sabrina HOLCOMB for Resisting or Obstructing an Officer. Furthermore, Assistant District Attorney Donald JACKSON no processed the charge of Disorderly Conduct.

As a conclusion, there are no basis to proceed with a criminal investigation, and this case will be cleared as unfounded/baseless.

JH:tls

CUMO1-269/AO#01-1131 CLEARANCE (SABRINA HOLCOMB)

REVIEWING D.A.	P.O./DET. ASSIGNED DET. JEFFERY HOOVER	COURT CASE NUMBER
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	ARANCE DEPART	REPORT MENT	PAGE 1_0	OF_2_	INC	IDENT #	01-235-3	060			
, ct		INCIDENT PHYSICAL ABUSE O	F A CHILD	-		E OF INC	IDENT	DATE OF 03-21-02			rep Con#
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NARRATIVE:

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

On August 17, 2001, the District Attorney's office charged Linwood CRAINE with Resisting or Obstructing an Officer. Additionally, On March 14, 2002, Mr. CRAINE failed to appear in Judge John SEIFERT's court, ocated at the Milwaukee County Court House, in room 622 for a projected guilty plea. The court ordered a pench warrant against Mr. CRAINE.

As a conclusion, there are no basis to proceed with a criminal investigation, and this case will be cleared s unfounded/baseless.

TIIS

#01-268/IAD#01-1131 EARANGE (LINWOOD)

REVIEWING D.A.	P.O./DET. ASSIGNED COU	RT CASE NUMBER				
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(3/95) CLEARANCE SKEE POLICE DEPART		PAGE 1_O	F_2_	INC	IDENT # 0	1-235-30	58			
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RESIDENT Y N OF COUNTY O O	Y N GANG RELATEDOO DRUG RELATEDOO	LOCATION OF	ARREST	DATE/1	TIME OF	TYP	Č	ORDERA	R/SUSP	CARD
CHARGES						DRU	SESSED GS AT T			Y N
ARRESTED #2 LAST NAME	FIRST NAME	MID	RACE	SEX	DATE OF		ARREST AGE	0	NIC ORI HISPAN	rc
ADDRESS	CITY	STATE	HEIGHT		WEIGHT	BUI	E Q	AIR	NON-HI: EYES	SPANIC
ALIAS	SCARS, MARKS, MOLES, DEFO	RMITIES, AMPUTATI	ONS, FACIAL	HAIR, SKI	NTONE, TATTO	OS, PECULIA	RITIES ET	c.		
I.D. DIV #		SOC. SEC. #		ADDED	WEAPON IN	FO ARRES	TED #1			
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REPORTING OFFICER	PAYROLL # Lo	OC # ASSIS	TING OFFI	CER		SUPE	RVISOR		TOTAL ARREST	'5
Let Difter	of Hooner	·				Pay	nvison Get nord*K	ahoido Sojay		

JÉ REPORT

TIGATIVE NARRATIVE:

This report was dictated by Detective Jeffery HOOVER, of the Criminal Investigation Unit/Internal Affairs Division (CIU/IAD), Day Shift.

On August 17, 2001, The District Attorney's Office charged Dorothy CRAINE with Resisting or Distructing an Officer, and Disorderly Conduct. Additionally, on February 11, 2002, Dorothy CRAINE appeared in Judge John SIEFERT's court located at the Milwaukee County Courthouse in Room 622 for a court trial. At the conclusion of the trial, Dorothy CRAINE was found guilty.

As a conclusion, there are no basis to proceed with a criminal investigation, and this case will be cleared a unfounded/baseless.

H:js 03-20-02

REVIEWING D.A.	P.O./DET. ASSIGNED DETECTIVE JEFFERY HOOVER	COURT CASE NUMBER
FINAL CHARGE	DISPOSITION/DATE 02-11-02	VICTIM NOTIFIED BY DETECTIVE HOOVER
INCIDENT O CLEARED BY ARREST 18 STATUS O PARTIAL CLEARANCE BY X UNFOUNDED/BASELESS O NO PROSECUTION DESIR	ARREST O WARRANT REFUSED	O ARREST UNDER 18 O A. Detained at MCCC O B. Ordered in to MCCC DATE: O WAIVED AS AN ADULT
C.I.B. ADMINISTRATIVE USE	ONLY	
	nder O C. Extradition Denied clined O D. Refused to Cooperate	
O B. SUS	P ATTCKD PO AND SAME PO KILLED SUSP P ATTCKD PO AND OTHER PO KILLED SUSP P ATTCKD CIVILIAN	
	ATTEMPTED FLIGHT FROM CRIME	O H. SUSPECT KILLED BY PRIVATE CITIZEN O I. SUSPECT KILLED BY POLICE OFFICER

MEMORANDUM

SEPTEMBER 16, 2003

P.O. JAMES FIDLER DISTRICT FIVE

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:

An incident occurring on AUGUST 16, 2001

A citizen's complaint made by DOROTHY CRAINE et, al. 2)

A police shooting incident occurring on N/A

Is this information correct?

YES

Did you receive legal representation in this matter?

Your signature:_

Print your name:

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

Steven M.Settingsgaard

Police Commander

Internal Affairs Division

MEMORANDUM

SEPTEMBER 16, 2003

TO: P.O. DWAYNE PRATCHET

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:

Affairs Division at the Police Academy (Room 325) as soon as possible.

1) An incident occurring on AUGUST 16, 2001

2) A citizen's complaint made by DOROTHY CRAINE et, al.

3) A police shooting incident occurring on N/A

Is this information correct?

YES_____NO_____

Did you receive legal representation in this matter?

YES X NO_____

Your signature:

Print your name:

Upon completion, please return this memorandum to the Internal

Steven M. Settingsgaard

Police Commander

Internal Affairs Division

MEMORANDUM

SEPTEMBER 16, 2003

TO: P.O. MATT COOPER
DISTRICT SOB VCD

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 16, 2001
- 2) A citizen's complaint made by DOROTHY CRAINE et, al.
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES____NO____

Did you receive legal representation in this matter?

YES X NO____

Your signature:

Print your name: PO Mathew J. Cooper

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

Steven M.Settingsgaard

Police Commander

Internal Affairs Division

MEMORANDUM

SEPTEMBER 16, 2003

TO: P.O. JUSTIN TOLLEFSON

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 16, 2001

2) A citizen's complaint made by DOROTHY CRAINE et, al.

3) A police shooting incident occurring on N/A

Is this information correct?

yes / No

Did you receive legal representation in this matter?

YES X NO

Your signature: 100

Print your name: Josin Tollesson

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

Steven M.Settingsgaard

Police Commander

Internal Affairs Division