

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
LINDA ULISS BURKE
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 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
DAVID R. HALBROOKS
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
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

November 13, 2002

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 Paul Formolo and Jeff Wisch
C.I. File No. 01-S-272-2; ELO No. 1654**

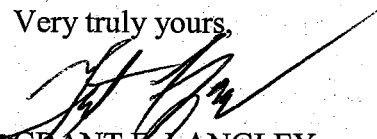
Dear Council Members:

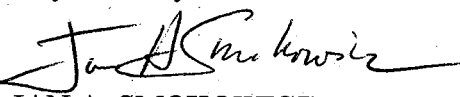
Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Paul Formolo and Jeff Wisch. The claim is in the amount of \$698.01, including \$5.01 in disbursements, for 6.30 hours of service billed at the rate of \$110.00 per hour. We ask that this 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,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney
JAS:enm
Enc.
2276

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 76-8950
FAX (414) 76-8906

August 2, 2001

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

CITY OF MILWAUKEE
RECEIVED
AUG - 6 PM 2: 34
RONALD D. LEONHARDT
CITY CLERK

**RE: MPD Criminal Investigation of POs Paul Formolo and
Jeff Wisch
Allegations Regarding Mr. Ronnie Gilchrest
Date of Incident: August 28, 2000
Location of Incident: 6333 North Denmark Street
ELO No.: 1654**

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 search incident to arrest.

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 Formolo and Wisch to give a statement concerning the incident after issuing a PI-21.

Later, the MPD decided not to issue criminal charges 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
Laurie A. Eggert
Attorney at Law

11/13/02
O.K.
JAS
Letter 2276

JC/ldl
FORMOLO

CITY OF MILWAUKEE
RECEIVED
AUG - 6 PM 3: 14
OFFICE OF
CITY ATTORNEY

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

August 2, 2001

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

RE: MPD Criminal Investigation re: Mr. Ronnie Gilchrest
Regarding: POs Paul Formolo and Jeff Wisch
Date of Incident: August 28, 2000
Location of Incident: 6333 N. Denmark St.

Professional services

	<u>Hours</u>
11/15/00 Telephone call from MPA; telephone call to PO Formolo; open file; meeting with PO Formolo; memo to file; discussion with IAD; telephone call to MPA; telephone call to IAD; memos to file.	1.10
11/17/00 Telephone call to and from PO Formolo; telephone call to Det. Wisch.	0.60
11/20/00 Review of file; meeting with PO Formolo and Det. Wisch at IAD; attend PO Formolo's statement to IAD; attend Det. Wisch's statement to IAD; travel; memo to file.	2.70
12/05/00 Review of file.	0.20
01/09/01 Telephone call to IAD.	0.20
02/07/01 Telephone call to IAD.	0.20

Mr. Ronald D. Leonhardt

Page 2

	<u>Hours</u>	
02/27/01 Telephone call to DA.	0.20	
03/01/01 Review of correspondence from DA; correspondence to MPD Open Records; correspondence to clients.	0.50	
04/23/01 Review of correspondence from MPD Open Records; correspondence to clients.	0.30	
07/10/01 Telephone call from Reddin; memo to file; close file.	0.30	
		<u>Amount</u>
For professional services rendered	6.30	\$693.00
Additional charges:		
04/23/01 MPD Open Records request		5.01
Total costs		<u>\$5.01</u>
Total amount of this bill		<u>\$698.01</u>
Balance due		<u><u>\$698.01</u></u>

(Rate: \$110.00 per hour through 12/31/1998)

MILWAUKEE POLICE DEPARTMENT

CIU/Internal Affairs Division

SUMMARY

Tuesday, February 27, 2001

IN THE MATTER OF: CIU#00-304 - THEFT
DET. JEFFREY WISCH, PR#54599
CRIMINAL INVESTIGATION BUREAU, EARLY SHIFT
P.O. RANDALL CHICKS, PR#55769
P.O. PAUL FORMOLO, PR#64761
BOTH OF DISTRICT FOUR, EARLY SHIFT

TO: DALE T. SCHUNK
POLICE COMMANDER

SIR:

This report was dictated by Detective Michele HARRISON, assigned to the Criminal Investigation Unit/Internal Affairs Division (CIU/IAD), early shift.

ALLEGATION:

The complainant, Ronnie GILCHRIST, alleges that after he was arrested by P.O. Randall CHICKS, P.O. FORMOLO and Det. Jeffrey WISCH, he returned home and was missing several items from his residence. The complainant believes that these officers could have possibly taken these items.

INVESTIGATION:

During an interview with Det. HARRISON and Det. Hattie, NICHOLS, Mr. GILCHRIST stated that he came home from work at approximately 9:30 p.m. and his neighbor had advised him that the police were there to speak to him. Mr. GILCHRIST then locked his apartment door, both the deadbolt and lower lock and went downstairs to speak with the police. The police pointed to his vehicle and asked if that was his vehicle and Mr. GILCHRIST responded, "Yes." Mr. GILCHRIST was immediately placed into custody for Reckless Injury and Felon in Possession of a Firearm. The police asked if he had any guns, at which time Mr. GILCHRIST advised the police that he had two guns and both of the guns were in a briefcase by the door. The police asked for his residence key to get the guns and he complied. Mr. GILCHRIST stated that he was incarcerated

RE: CIU#00-304 -THEFT
PAGE 2

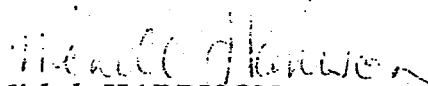
until September 1, 2000. He states after his arrest and when he came back home his deadbolt was not locked, however his lower lock was locked. His green briefcase was missing and the contents consisted of two guns, a blue moneybag with approximately \$225.00 cash and a trigger lock. He stated also there was a vase in his living room with change consisting of approximately \$500.00 in it and only the money was missing. Also missing were black leather pants and a blue jean outfit and a black suit.

Mr. GILCHRIST indicated that nobody had access to his apartment and there was no sign of forced entry. He never received a receipt for any of his property and he never observed the police take any items.

CONCLUSION:

On Friday, February 23, 2001, this case was ordered in to the District Attorney's office where it was reviewed by Deputy DA Jon REDDIN. In reviewing this case, Deputy DA REDDIN stated that he is declining any prosecution because there is absolutely no evidence that either of these officers took any items from GILCHRIST'S house. First, neither GILCHRIST nor anyone else saw who took any of these items if they were taken at all. Second, size 32 leather pants, a jeans set and man's suit are not items which would be of any particular use to anyone but the owner. Third, it defies logic to think that a police officer searching a house could pocket \$500.00 in coins and surreptitiously leave the house without attracting someone's attention, or at the very least ripping all of his pockets out of his pants from the weight of the coins. Deputy DA REDDIN stated this case has no evidence against anyone regarding any criminal charges. This complaint is cleared as warrant refused.

Respectfully submitted:


Michele HARRISON
Police Detective, 60822
CIU/IAD, Early Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 18, 2001

TO: P.O. PUAL FORMOLO
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 28, 2000
- 2) A citizen's complaint made by RONNIE GILCHREST
- 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: Det. Paul Formolo

Print your name: DET. Paul Formolo 164671

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

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 18, 2001

TO: DETECTIVE JEFF WISCH
CIB

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 28, 2000
- 2) A citizen's complaint made by RONNIE GILCHREST
- 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: Jeffrey A. Wisch

Print your name: JEFFREY A. WISCH

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

St. Settingsgaard
STEVEN M. SETTINGSGAARD *KJ*
POLICE COMMANDER
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

01 SEP 26 PM 12:41

RECEIVED