

GRANT F. LANGLEY
City Attorney

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THOMAS O. GARTNER
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LEONARD A. TOKUS
VINCENT J. BOBOT
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MARYNELL REGAN
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ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
Assistant City Attorneys

January 24, 2008

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 Officer Justin Sebestyen
C.I. File No. 05-S-343 EC 2262

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Justin Sebestyen. The claim is in the amount of \$575.58 including \$3.58 in disbursements for 5.20 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 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. 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:amp
Enc.

1032-2004-3292:124771v1

OFFICE OF THE CITY ATTORNEY

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 5, 2005

TO: P.O. JUSTIN SEBESTYEN
DISTRICT: SIX


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 OCTOBER 6, 2004
- 2) A citizen's complaint made by LONNIE ZDROIK
- 3) A police shooting incident occurring on N/A

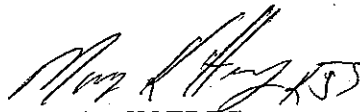
Is this information correct? YES NO

Did you receive legal representation in this matter? YES NO

Your signature: 

Print your name: PO JUSTIN SEBESTYEN

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


 MARY K. HOERIG
 Captain of Police
 Professional Performance Division

MKH:kjs

MILWAUKEE POLICE
 INTERNAL AFFAIRS
 DIVISION

05 DEC 12 AM 11:17

RECEIVED

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings
Timothy J. Walther

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

November 10, 2005

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

**RE: Citizen Complaint of Mr. Lonnie Zdroik
Against PO Justin Sebestyen
Complaint No.: 04-80
Date of Incident: October 6, 2004
EC No.: 2262**

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 the response to a fight with weapons. The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Sincerely,


EGGERT & CERMELE, S.C.

Jon Cermele

RLP/ldl
attachment
SEBESTYEN

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings
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1840 North Farwell Avenue
Suite 303
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November 10, 2005

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

RE: Citizen Complaint of Mr. Lonnie Zdroik
Against PO Justin Sebestyen
FPC No: 04-80
Date of Incident: October 6, 2004
Professional services

	<u>Hours</u>
5/31/2005 Office Conference with client; open file; research MPD Rules and Regulations; telephone call to client; memo to file; correspondence to FPC.	2.00
6/1/2005 Conference with counsel for Milwaukee Police Supervisor's Organization regarding sergeant.	0.30
6/6/2005 Telephone call to and from City Attorney Sue Lapham; telephone call to client; draft Matter Of; MPD Open Records request.	1.00
6/7/2005 Telephone call from and to client.	0.10
6/10/2005 Conference with client; revise Matter Of requesting representation by city attorney on related claim from same complaint.	0.50
6/16/2005 Receive and review correspondence from FPC.	0.10
8/9/2005 Telephone call from MPD Open Records.	0.10
9/16/2005 Receive and review Open Records Request response.	0.10

Mr. Ronald Leonhardt

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	<u>Hours</u>
9/28/2005 Telephone call from and to client; memo to file.	0.30
10/24/2005 Telephone call to FPC; memo to file.	0.20
10/31/2005 Review of correspondence from FPC; correspondence to client; close file.	0.50

For professional services rendered
Additional charges:

	<u>Amount</u>
5.20	\$572.00

9/2/2005 MPD Open Records request

3.58

Total costs

\$3.58

Total amount of this bill

\$575.58

Balance due

\$575.58

(Rate: \$110.00 per hour)

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

In Re:
THE CHARGES OF LONNIE ZDROIK
AGAINST POLICE OFFICER JUSTIN SEBESTYEN

RECEIVED

OCT 28 2005

EGERT & CERMELE, S.C.
ORDER OF DISMISSAL

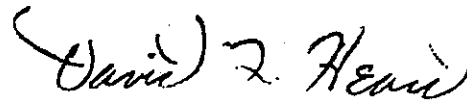
To Officer Justin Sebestyen:

It is hereby ordered that the Complaint of Lonnie Zdroik, Complaint No. 04-80, filed with the Board on October 29, 2004, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCZAK, CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, OCTOBER 26, 2005.

c: Attorney Rachel Pings ✓