

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
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LEONARD A. TOKUS
VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

February 11, 2005

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officer Michael Austin
CI Claim File No. 03-S-347; EC No. 1909

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Michael Austin. The claim is in the amount of \$1,416.00, including \$8.00 in disbursements for 12.80 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. 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.

90149/1032-2003-2890

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
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

2003 SEP 15 PM 3:06
MILWAUKEE CITY CLERK

**RE: Citizen Complaint of Ms. Dawn Tangye
Against PO Michael Austin
Complaint No.: 00-32
Date of Incident: May 23, 2000
EC No.: 1909**

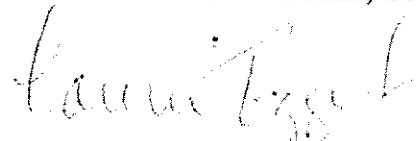
Dear Mr. Leonhardt:

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 follow-up to an investigation regarding a stolen car. 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.



Laurie A. Eggert
Attorney at Law

2003 SEP 15 PM 3:06
MILWAUKEE CITY CLERK

LAE/ldl
attachment
AUSTIN TAN

2/5/05
a.k.
JWS
Letter # 2295

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 Leonhardt
Milwaukee City Clerk
City Hall
200 East Wells Street
Milwaukee WI 53202

RE: Citizen Complaint of Ms. Dawn Tangyie
Against PO Michael Austin
FPC No: 00-32
Date of Incident: May 23, 2000
Location of Incident: 1514 North 28th Street
Professional services

	<u>Hours</u>
7/31/2000 Telephone call from FPC; telephone call to client; open file.	0.70
9/20/2000 Telephone call from and to client; telephone call from and to FPC; memo to file.	0.40
10/10/2000 Telephone call to and from FPC; Fax to FPC; telephone call to client; memo to file; review complaint.	1.70
10/11/2000 Telephone call to and from FPC; telephone call to and from client; memo to file.	0.90
10/12/2000 Telephone call from FPC.	0.10
10/23/2000 Telephone call from client.	0.10
10/24/2000 Telephone call from FPC; review of file; memo to file.	0.30
10/31/2000 Review of correspondence from FPC; correspondence to client; memo to file; review of file.	0.30
11/6/2000 Telephone call to client; preparation for and appearance at conciliation; conference with client; review of file; memo to file; travel.	2.80
11/13/2000 Telephone call from client; telephone call to FPC.	0.20

	<u>Hours</u>
1/29/2001 Review of file.	0.60
2/6/2001 Telephone call from FPC; memo to file; review of file.	0.40
2/26/2001 Telephone call from FPC.	0.10
3/15/2001 Telephone call to FPC; telephone call to client; memo to file.	0.30
3/26/2001 Review of file; telephone call to FPC.	0.60
3/28/2001 Telephone call from and to FPC.	0.30
3/30/2001 Review of file; telephone call to and from FPC.	0.40
4/26/2001 Review of file.	0.20
5/23/2001 Review FPC document.	0.10
9/20/2002 Telephone call from FPC; review of file; telephone call from client; telephone call to FPC; memo to file.	0.80
9/25/2002 Review of correspondence from FPC; memo to file.	0.10
11/5/2002 Telephone call from FPC; memo to file; review of file.	0.40
1/17/2003 Telephone call to FPC; review of file.	0.30
1/30/2003 Telephone call from client; memo to file.	0.20
6/12/2003 Review of correspondence from FPC; correspondence to client; close file.	0.50

	<u>Amount</u>
For professional services rendered	<i>OK</i> 12.80 \$1,408.00
Additional charges:	
11/6/2000 Parking	<i>B. [signature]</i> 8.00
Total costs	<u>\$8.00</u>
Total amount of this bill	<u>\$1,416.00</u>

Mr. Ronald Leonhardt

Page 3

Amount

Balance due

\$1,416.00

(Rate: \$110.00 per hour)

RECEIVED

JUN 12 2003

EGGERT & CERMELE, S.C.

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

In Re:
THE CHARGES OF DAWN M. TANGYIE
AGAINST POLICE OFFICER MICHAEL AUSTIN

ORDER OF DISMISSAL

To Officer Michael Austin:

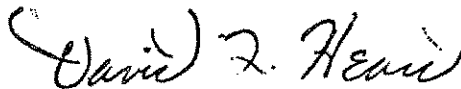
WHEREAS, accused Police Department member Michael Austin resigned from the Milwaukee Police Department effective March 24, 2003 and is therefore no longer under the jurisdiction of the Fire and Police Commission,

IT IS HEREBY ORDERED that the Complaint of Dawn Tangyie, Complaint No. 2000-32, filed with the Board on June 13, 2000, is dismissed, by the

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JUNE 10, 2003.

c: ✓ Attorney Laurie Eggert

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

PATRICK B. McDONNELL
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Special Deputy City Attorneys



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G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND

Assistant City Attorneys

September 8, 2003

Commander Steven Settingsgaard
Milwaukee Police Dept., Internal Affairs Div.
6680 North Teutonia Avenue, Rm 325
Milwaukee, WI 53209

Re: C.I. File No. 03-S-347
Communication from EGGERT LAW OFFICE

Dear Commander Settingsgaard:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of officers. (see attachments)

Please determine whether these officers were in fact involved in the matter described in Ms. Eggert's claim, and have these officers verify Ms. Eggert's representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
5091

RECEIVED
03 SEP 12 AM 11:19
MILWAUKEE
INTERNAL AFFAIRS
DIVISION