

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



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

Assistant City Attorneys

April 4, 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 Kevin Panfil, Dennis Trzcinski and Frederick Terriquez
C.I. File No. 03-S-378; EC 1933

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Kevin Panfil, Dennis Trzcinski and Frederick Terriquez. The claim is in the amount of \$1,229.00 including \$8.00 in disbursements for 11.10 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,

Handwritten signature of Grant F. Langley in cursive.

GRANT F. LANGLEY
City Attorney

Handwritten signature of Jan A. Smokowicz in cursive.

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:enm

Enc.

91733/ 1032-2003-3092.011

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 18, 2003

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

**RE: MPD Criminal Investigation of POs Kevin Panfil, Dennis Trzcinski
and Frederick Terriquez
Allegations Regarding Mr. Richard A. Talskey
Date of Incident: February 3, 2003
Location of Incident: 2901 South 48th Street
EC No.: 1933**

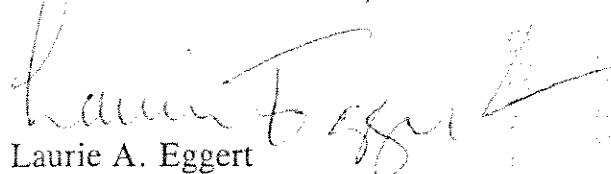
Dear Mr. Leonhardt:

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 foot chase.

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 Panfil, Trzcinski and Terriquez to give statements concerning the incident after issuing PI-21s. The DA reviewed the allegations and did not issue criminal charges against the officers. Attached is a copy of the DA's letter and an itemization of the time and services.

Sincerely,

EGGERT & CERMELE, S.C.


Laurie A. Eggert
Attorney at Law

JC/ldl
attachment
PANFIL

4/2/05
O.K.
JAS
Letter 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 18, 2003

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

RE: MPD Criminal Investigation re: Mr. Richard A. Talskey
Regarding: POs Kevin Panfil, Dennis Trzcinski and Frederick Terriquez
Date of Incident: February 3, 2003
Location of Incident: 2901 South 48th Street
Professional services

	<u>Hours</u>
2/4/2003 Telephone call from PO Panfil regarding new criminal investigation; open file; memo to file; telephone call to IAD; office conference with PO Terriquez; memo to file; telephone call to PO Trzcinski; memo to file.	0.90
2/5/2003 Telephone call from PO Trzcinski; memo to file.	0.20
2/10/2003 Telephone call from PO Panfil; memo to file; receive and review arrest and detention reports.	0.50
2/13/2003 Review of file; meeting with PO Trzcinski at IAD; attend PO Trzcinski's PI-21; travel; memo to file.	1.90
4/10/2003 Fax to DDA Reddin; discussion with DDA Reddin.	0.40
4/24/2003 Receive and review information from DA; telephone call to IAD; Fax to IAD.	0.30
5/23/2003 Telephone call from PO Trzcinski; memo to file; telephone call to IAD; telephone call to PO Trzcinski.	0.50
5/27/2003 Telephone call to IAD.	0.20
6/3/2003 Discussion with IAD; telephone call to PO Trzcinski.	0.20
6/4/2003 Telephone call to and from client; memo to file; telephone call to DDA Reddin.	0.40

	<u>Hours</u>	
6/6/2003 Telephone call to DDA Reddin; telephone call to and from PO Panfil; telephone call to and from PO Trzcinski; telephone call to PO Terriquez.	0.50	
6/11/2003 Telephone call from client; memo to file.	0.10	
6/12/2003 Telephone call from PO Panfil.	0.20	
6/13/2003 Review of file; telephone call to and from ADA McAdams; re-schedule statements per ADA's request; telephone call to POs Panfil, Trzcinski and Terriquez; memo to file.	0.60	
6/23/2003 Telephone call from ADA McAdams; telephone call to and from POs Panfil, Trzcinski and Terriquez.	0.40	
7/2/2003 Telephone call to and from ADA McAdams; telephone call to PO Trzcinski.	0.40	
7/9/2003 Review of file; meeting with POs Trzcinski, Panfil and Terriquez at DA's office; attend statements to ADA; travel; memo to file.	2.70	
7/31/2003 Telephone call to ADA McAdams.	0.10	
8/2/2003 Receive and review letter form ADA McAdams confirming that investigation was no processed; correspondence to clients; close file.	0.60	
		<u>Amount</u>
For professional services rendered	11.10	\$1,221.00
Additional charges:		
7/9/2003 Parking		8.00
		<u>\$8.00</u>
Total costs		\$8.00
Total amount of this bill		<u>\$1,229.00</u>
Balance due		<u><u>\$1,229.00</u></u>

Mr. Ronald D. Leonhardt

Page 3

(Rate: \$110.00 per hour)



OFFICE OF DISTRICT ATTORNEY

Milwaukee County

E. MICHAEL McCANN • District Attorney

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Jon N. Reddin
Carol Lynn White
Patrick J. Kenney
James J. Martin
Thomas A. Schulz
Alexander G. Sklenarz
William J. Molitor
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Gary D. Mahkorn
David Robles

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Maria Dixon
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Stephen W. Sawyer
Elsabeth Muehler
Megan J. Vawter
Grant I. Huebner
Catie Kidder-Lacy
John Rusch
Stephan Eduard Nollen
Eric D. DeFort
Christine M. Quinn
Megan Fisher
Munjed A. Ahmad
Mary C. Theisen
Michelle A. Ackerman

RECEIVED

AUG 5 2003

OFFICE OF JON CERMELE, S.C.

August 1, 2003

Attorney Jon Cermele
Eggert & Cermele SC
1840 N. Farwell Ave #303
Milwaukee, WI 53202-1716

Re: Officers Kevin Panfil, Frederick Terriquez and Richard Talsky and a battery allegation from February 4, 2003 at 4805 W. Dakota.

Dear Attorney Cermele:

I write to confirm that I have decided not to issue a charge concerning the above listed allegation. As you might recall, Mr. Richard Talsky claims that one of the above listed officers hit him in the face with a stick. I have enclosed a photo of Mr. Talsky's injuries.

I met with Mr. Talsky yesterday. He told me he could not say which officer hit him. While I'm not certain that Mr. Talsky didn't receive his injuries falling to the ground, I should note that Mr. Talsky was fleeing from the police, had open warrants, and lied about his identity. Without him being able to identify a particular officer, there is no case.

Thank you.

Sincerely,

[Handwritten signature of Thomas J. McAdams]

Thomas J. McAdams
Assistant District Attorney

TM/sks
Attachment

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 30, 2003

TO: P.O. KEVIN PANFIL
DISTRICT SIX

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 FEBRUARY 3, 2003
- 2) A citizen's complaint made by RICHARD TALSKEY
- 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: Kevin Panfil
 Print your name: Kevin Panfil

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

Steven M. Settingsgaard
 Steven M. Settingsgaard
 Police Commander
 Internal Affairs Division

SMS:kjs

DIVISION
 INTERNAL AFFAIRS
 MILWAUKEE POLICE DEPARTMENT
 03 OCT -8 PM 1:03
 RECEIVED

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 30, 2003

TO: P.O. DENNIS TRZCINSKI
DISTRICT SIX

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 FEBRUARY 3, 2003
- 2) A citizen's complaint made by RICHARD TALSKEY
- 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: _____

[Handwritten signature of Dennis Trzcinski]
[Handwritten name: Dennis Trzcinski]

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

[Handwritten signature: Steven M. Settingsgaard]
Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs

03 OCT - 3 PM 1:43
INTERNAL AFFAIRS
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 30, 2003

TO: P.O. FREDERICK TERRIQUEZ
DISTRICT SIX

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 FEBRUARY 3, 2003
- 2) A citizen's complaint made by RICHARD TALSKEY
- 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: _____

P.O. Fredrick Terriquez

 Fredrick Terriquez

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

Steve Settingsgaard
 Steven M. Settingsgaard
 Police Commander
 Internal Affairs Division

KJS

SMS:kjs

RECEIVED
 03 OCT -6 AM 10:01
 MILWAUKEE POLICE DEPARTMENT
 INTERNAL AFFAIRS DIVISION