

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
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Deputy City Attorneys



THOMAS O. GARTNER
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STUART S. MUKAMAL
THOMAS J. BEAMISH
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PATRICIA A. FRICKER
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KURT A. BEHLING
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MELANIE R. SWANK
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G. O'SULLIVAN-CROWLEY
KATHRYN M. ZALEWSKI
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
Assistant City Attorneys

February 23, 2007

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele
for legal fees for Police Officer Sean Lesnjak
C.I. Claim File No. 04-S-98; EC No. 2009

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Sean Lesnjak. The claim is in the amount of \$1,177.31, including \$11.31 in disbursements for 10.60 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.

1032-2004-1087.011/116061

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

March 23, 2004

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

**RE: Citizen Complaint of Mr. Teddy Barrett
Against PO Sean Lesnjak
Complaint No.: 03-40
Date of Incident: June 21, 2003
EC No.: 2009**

MAR 23 2004 10:10 AM
MILWAUKEE, WI 53202
CITY OF MILWAUKEE

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 a field interview. 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

3/19/07
o.k.
JNS
Letter 2295

MAR 23 2004 10:10 AM
MILWAUKEE, WI 53202
CITY OF MILWAUKEE

LAE/dl
attachment
LESNJAK

RECEIVED
MAR 11 2004
EGGERT & CERMELE, S.C.

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

In Re:
THE CHARGES OF TEDDY BARRETT
AGAINST POLICE OFFICER SEAN LESNIAK

ORDER OF DISMISSAL

To Officer Lesnjak:

It is hereby ordered that the Complaint of Teddy Barrett, Complaint No. 03-40, filed with the Board on July 14, 2003, is dismissed without prejudice due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, MARCH 10, 2004.

✓ c: Attorney Jonathan Cermele

EGGERT & CERMELE, S.C.

Attorneys at Law

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March 23, 2004

Mr. Ronald Leonhardt
Milwaukee City Clerk
City Hall

200 East Wells Street
Milwaukee WI 53202

RE: Citizen Complaint of Mr. Teddy Barrett
Against PO Sean Lesnjak

FPC No: 03-40

Date of Incident: June 21, 2003

Location of Incident: 1225 West Scott Street
Professional services

	<u>Hours</u>
8/4/2003 Conference with client; memo to file; open file.	1.10
8/15/2003 Conference with client; memo to file; correspondence to FPC.	1.40
8/27/2003 Review of correspondence from FPC.	0.10
10/28/2003 Review of file; correspondence to MPD Open Records; computer search regarding complainant's records and open cases.	2.10
10/29/2003 Review of file; correspondence to MPD Open Records.	0.40
11/13/2003 Review of file; telephone call to Lopez, Pajot and Wilkenson; memo to file.	1.30
12/3/2003 Telephone call from FPC; memo to file; review of file.	0.30
12/17/2003 Telephone call from client; review of correspondence from FPC; correspondence to client; memo to file.	0.30
1/6/2004 Review Fax from municipal court; review of file.	0.20
1/9/2004 Telephone call from and to FPC; review of file.	0.20

	<u>Hours</u>	
1/15/2004 Review of file.	0.20	
1/16/2004 Review of file; preparation for and appearance at conciliation; conference with client; travel; memo to file.	1.40	
2/13/2004 Review of file; correspondence to client.	0.10	
2/24/2004 Review documents from MPD Open Records; correspondence to MPD Open Records.	0.80	
3/5/2004 Telephone call from FPC; memo to file.	0.10	
3/11/2004 Review of correspondence from FPC; correspondence to client; telephone call to FPC; telephone call to MPD Open Records; close file.	0.60	
		<u>Amount</u>
For professional services rendered	10.60	\$1,166.00
Additional charges:		
1/16/2004 Parking		6.00
2/24/2004 MPD Open Records request		5.31
		<u> </u>
Total costs		\$11.31
		<u> </u>
Total amount of this bill		\$1,177.31
		<u> </u>
Balance due		<u> </u> <u> </u>

(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 12, 2004

TO: P.O. SEAN LESNJAK
DISTRICT: TWO

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 JUNE 21, 2003
- 2) A citizen's complaint made by TEDDY BARRETT
- 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: SEAN M LESNJAK

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


Steven M. Settingsgaard
INSPECTOR OF POLICE
Internal Affairs Division

SMS:kjs