

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

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Assistant City Attorneys

April 30, 2001

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 Brad Buddenhagen and Dennis Trzcinski
C.I. File No. 00-S-293/ELO 1504**

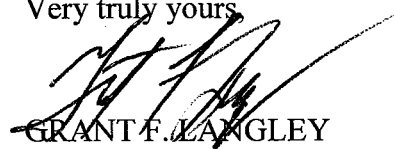
Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Brad Buddenhagen and Dennis Trzcinski. The claim is in the amount of \$736.90 including \$10.90 in disbursements for 6.60 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 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) 276-8750
FAX (414) 276-8906

August 23, 2000

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

**RE: MPD Criminal Investigation of POs Brad Buddenhagen and
Dennis Trzcinski
Allegations Regarding Mr. Chance Bessa
Date of Incident: February 27, 2000
Location of Incident: 812 South Layton Avenue
ELO No.: 1504**

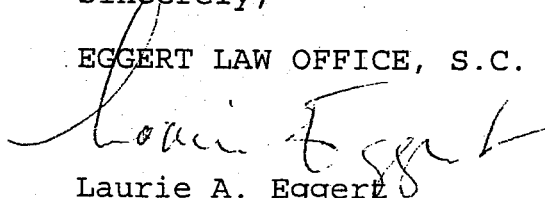
Dear Mr. Leonhardt:

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 traffic stop. Charges will not be issued 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
Attorney at Law

CITY CLERK
BUDDENHAGEN
JC/1021
'00 AUG 28 PM 3:32
CITY ATTORNEY

4/30/2001

O.K.

JAS

Letter # 2276

EGGERT LAW OFFICE, S.C.

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Laurie A. Eggert
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(414)276-8750
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August 23, 2000

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

RE: MPD Criminal Investigation
Regarding: POs Brad Buddenhagen and Dennis Trzcinski
Date of Incident: February 27, 2000
Location of Incident: 812 S. Layton Ave.

Professional services

	<u>Hours</u>
3/14/00 Telephone call from PO Buddenhagen; open file; telephone call from PO Trzcinski; memo to file.	0.70
3/15/00 Telephone call to and from IAD; memo to file.	0.40
3/22/00 Discussion with IAD.	0.30
3/27/00 Several telephone calls to IAD.	0.30
3/28/00 Telephone call to IAD; telephone call to clients; review of file; meeting with clients at IAD; attend PO Buddenhagen's statement to IAD; attend PO Trzynski's statement to IAD; meeting with clients; travel.	3.60
6/8/00 Discussion with IAD.	0.20
6/19/00 Telephone call from IAD; correspondence to MPD Open Records; correspondence to clients.	0.60

	<u>Hours</u>	
8/17/00 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	6.60	\$726.00
Additional charges:		
8/19/00 MPD Open Records request		10.90
Total costs		<u>\$10.90</u>
Total amount of this bill		<u>\$736.90</u>
Balance due		<u><u>\$736.90</u></u>

(Rate: \$110.00 per hour)

Interviewed was complainant BESSA'S friend, Royce KONKEL, who was a passenger in the auto at the time of this incident. KONKEL reported that BESSA was "not the most cooperative" in terms of his demeanor throughout the situation. He states that he then observed one of the officers grab BESSA by the lapels of his jacket and "whip" him around and down to the ground.

CONCLUSION:

On Friday, June 16, 2000, this incident was reviewed in the office of the District Attorney. It was the determination of Assistant District Attorney Michael MAHONEY that a charge of Substantial Battery would not be preferred against Officer TRZCINSKI. Assistant DA MAHONEY cited, in making his decision, that the statements from the victim and witnesses were conflicting and hence believed that the substantial battery against Officer TRZCINSKI could not be proven. It is for said reasons that this investigation will be cleared as warrant refused.

Respectfully submitted:



James C. SHEPARD
Captain of Police
CIU/IAD, Day Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

OCTOBER 26, 2000

TO: PO BRAD BUDDENHAGEN
SPRCIAL OPERATIONS

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 27, 2000
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES *f* NO

Did you receive legal representation
in this matter?

YES *f* NO

Your signature: *PO Bradley Budden*

Print your name: *PO BRADLEY BUDDENHAGEN*

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

Dale T Schunk

DALE T. SCHUNK *jt*
Commander of Police
Internal Affairs Division

DTS:dnp

2ND NOTICE

MILWAUKEE POLICE DEPARTMENT

NOVEMBER 27, 2000

OCTOBER 26, 2000

MEMORANDUM

TO: PO 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 27, 2000
- 2) A citizen's complaint made by
- 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: Dennis Trzcinski

Print your name: Dennis Trzcinski

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

Dale T. Schunk
DALE T. SCHUNK *ds*
Commander of Police
Internal Affairs Division

DTS:dnp