

# CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY  
City Attorney

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Deputy City Attorneys



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DAWN M. BOLAND  
KATHRYN M. ZALEWSKI

Assistant City Attorneys

March 14, 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 Michael Lutz and Aaron Froh  
C.I. File No. 03-S-378; EC 1930

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Michael Lutz and Aaron Froh. The claim is in the amount of \$830.88, including \$27.88 in disbursements for 7.30 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,

  
GRANT F. LANGLEY  
City Attorney

  
JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:enm  
Enc.  
91116/ 1032-2003-3092.008

**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 Michael Lutz and Aaron Froh  
Regarding a Critical Incident Review  
Date of Incident: July 29, 2002  
Location of Incident: 18<sup>th</sup> and North  
EC No.: 1930**

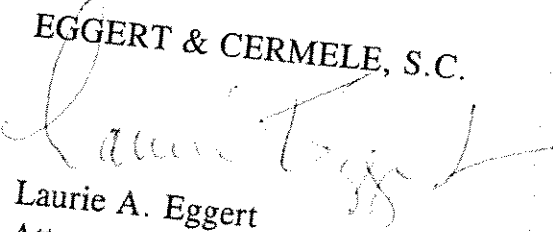
Dear Mr. Leonhardt:

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 squad pursuit.

The MPD conducted a criminal investigation and investigated the squad pursuit as a critical incident. IAD compelled POs Lutz and Froh to give statements after issuing PI-21s. No charges were brought against the officers. Attached is a copy of the DA's letter and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

  
Laurie A. Eggert  
Attorney at Law

3/9/05  
O.K.  
JAS  
Letter 2276

JC/ldl  
LUTZ FROH

**EGGERT & CERMELE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Schneider

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Milwaukee, Wisconsin 53202  
(414) 276-8750  
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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: a squad chase  
Regarding: POs Michael Lutz and Aaron Froh  
Date of Incident: July 29, 2002  
Location of Incident: 18th Street and North Avenue  
Professional services

	<u>Hours</u>	
7/29/2002 Telephone call regarding criminal investigation regarding critical incident; telephone calls to and from clients; travel to scene; meeting with CIB; travel to PAB; meeting with CIB; meeting with PO Froh; meeting with PO Lutz; attend PO Froh's statement to CIB; attend PO Lutz's statement to CIB; attend PO Froh's PI-21; attend PO Lutz's PI-21; travel; memos to file.	6.10	
1/9/2003 Fax to and telephone call from DDA Reddin.	0.30	
1/17/2003 Correspondence to MPD Open Records.	0.40	
6/3/2003 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
For professional services rendered	7.30	<u>Amount</u>
Additional charges:		\$803.00
7/29/2002 Parking		9.00
6/3/2003 MPD Open Records request		18.88
Total costs		<u>\$27.88</u>
Total amount of this bill		<u>\$830.88</u>

Mr. Ronald D. Leonhardt

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Amount

Balance due

\$830.88

(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 30, 2003

TO: P.O. MICHAEL LUTZ  
DISTRICT THREE

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 JULY 29, 2002
- 2) A citizen's complaint made by CRITICAL INCIDENT
- 3) A police shooting incident occurring on N/A

Is this information correct? YES   *8*   NO           

Did you receive legal representation in this matter? YES   *8*   NO           

*MEMBER ON STRESS LEAVE  
DISCUSSED  
ON PHONE  
10/08/03*

Your signature: *for member Lt. Mikovits*  
Print your name: MICHAEL LUTZ

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

RECEIVED  
03 OCT -9 AM 10:25  
INTERNAL AFFAIRS  
DIVISION

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 30, 2003

TO: P.O. AARON FROH  
DISTRICT WEED & SEED

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 JULY 29, 2002
- 2) A citizen's complaint made by CRITICAL INCIDENT
- 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

*MEMBER RETIRED*

Your signature: *for member St. Alexander*

Print your name: AARON FROH

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

*St. M. Settingsgaard*

Steven M. Settingsgaard  
Police Commander  
Internal Affairs Division

03 OCT -9 AM 10:25  
MILWAUKEE  
INTERNAL AFFAIRS  
DIVISION

RECEIVED

SMS:kjs