

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
CHARLES R. THEIS
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
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MILWAUKEE, WISCONSIN 53202-3551
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CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

May 9, 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 Michael Anderer and Trinidad Rodriguez
C.I. File No. 00-S-419/ELO 1567

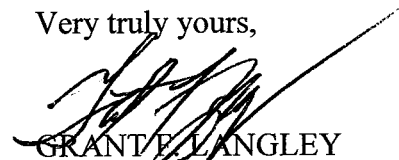
Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Michael Anderer and Trinidad Rodriguez. The claim is in the amount of \$604.43 including \$10.43 in disbursements for 5.40 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.
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CITY OF MILWAUKEE

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MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

November 16, 2000

Assistant City Attorneys

Commander Dale Schunk
Milwaukee Police Department
Internal Affairs Division
6680 North Teutonia Avenue, Rm 325
Milwaukee, WI 53209

Re: C.I. File No. 00-S-419
Communication from EGGERT LAW OFFICE

00 DEC 26 AM 6:58
INTERNAL AFFAIRS
DIVISION

Dear Commander Schunk:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of officers Amberg, Anderer/Rodriguez, Anderson, Bartlett/Jack, Blaszak/Carrasco, Boswell/Heaney/Pruitt, Chu/Scanlan, Curtis, et al., Farina, Goldberg, Heim/Pierce, Kronschnabel, Lutz, Miscichoski, Novak, Rozga and Tabaska.

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

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

November 7, 2000

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

**RE: MPD Criminal Investigation of POs Michael Anderer and
Trinidad Rodriguez
Allegations Regarding Mr. Daniel Soto
Date of Incident: July 18, 2000
Location of Incident: 1028 South 6th Street
ELO No.: 1567**

Dear Mr. Leonhardt:

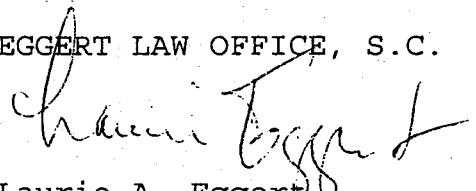
The above-named police officers have retained us to represent them in connection with the above-referenced matter.

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 the investigation of a robbery complaint. 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



5/8/2001

O.K.
JAS

Letter # 2276

JC/ldl
ANDERER

EGGERT LAW OFFICE, S.C.

Attorneys at Law

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Jonathan Cermele

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November 7, 2000

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

RE: MPD Criminal Investigation
Regarding: POs Michael Anderer and Trinidad Rodriguez
Date of Incident: July 18, 2000
Location of Incident: 600 W. Washington

Professional services

	<u>Hours</u>	
7/28/00 Telephone call from PO Anderer; open file; memo to file; discussion with IAD.	0.80	
8/3/00 Several telephone calls to and from PO Rodriguez; memo to file.	0.80	
8/8/00 Telephone call to and from IAD; telephone call to and from clients; review of file; meeting with clients at IAD; attend clients' statements to IAD; travel; memo to file.	2.80	
8/15/00 Telephone call from IAD; correspondence to MPD Open Records; correspondence to clients.	0.50	
10/9/00 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	5.40	\$594.00

Mr. Ronald D. Leonhardt

Page 2

Additional charges:

	<u>Amount</u>
10/6/00 MPD Open Records request	10.43
Total costs	<u>\$10.43</u>
Total amount of this bill	<u>\$604.43</u>
Balance due	<u><u>\$604.43</u></u>

(Rate: \$110.00 per hour)

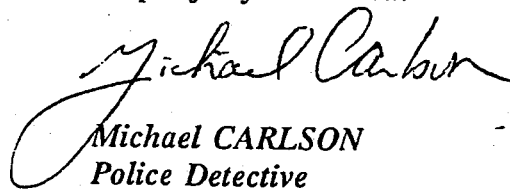
CARTAGENA and Victor MARTINEZ were all interviewed and gave different accounts as to what they observed. Police Officers Trinidad RODRIGUEZ and Joseph ANDERER also gave statements as to the event in which SOTO was thought to be an armed robbery suspect when stopped. Both officers denied using any excessive force whatsoever against Mr. SOTO and in particular Officer ANDERER denied slamming his face into the trunk lid of the squad.

On August 15, 2000, the matter was reviewed by Assistant District Attorney Michael MAHONEY who declined to issue any charges against P.O. ANDERER citing the statements of the civilian witnesses as his reason.

CONCLUSION:

The investigation by the Criminal Investigation Unit revealed that Daniel SOTO was stopped by the officers because he fit the description of an armed robbery suspect that they were searching for. SOTO claimed that P.O. ANDERER forced his face onto the trunk lid of the squad causing him pain with no other injuries. The officers were interviewed and denied the action. Civilian witnesses were also interviewed and gave different accounts as to what they observed. Assistant District Attorney Michael MAHONEY reviewed the complaint and declined to issue charges. This case will be cleared as warrant refused.

Respectfully submitted:


Michael CARLSON
Police Detective
CIU/IAD, Day Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

JANUARY 3, 2001

TO: PO JOSEPH ANDERER
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 JULY 18, 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: _____

Joe Anderer

Print your name: _____

Joe ANDERER

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 #
Commander of Police
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

JANUARY 3, 2001

TO: PO TRINADAD RODRIGUEZ
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 JULY 18, 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: *Trinidad Rodriguez*

Print your name: Trinidad RODRIGUEZ

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
Commander of Police
Internal Affairs Division

DTS:dnp