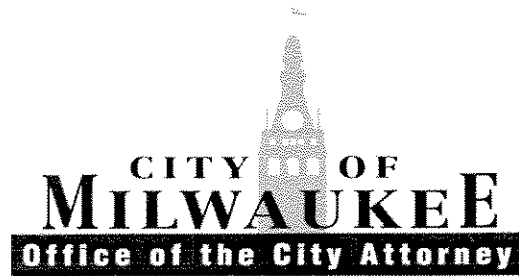


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October 20, 2006

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

Re: Communication from Attorney Laurie Eggert  
Eggert & Cermele, S.C.  
for legal fees for Police Officers Kenneth Harris, Jr. and  
Mitchell Ward  
Claim File No. 04-S-98; EC No. 2004

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Kenneth Harris, Jr. and Mitchell Ward. The claim is in the amount of \$1,297.23, including \$21.23 in disbursements for 11.6 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 officers 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). The Common Council continues to have discretion with regard to this claim because the fees were incurred prior to the effective date of 2005 Wisconsin Act 73 (effective June 7, 2006) which now makes such payment mandatory except in certain, statutorily-defined circumstances.

Very truly yours,

  
GRANT F. LANGLEY  
City Attorney

  
JAN A. SMOKOWICZ  
Assistant City Attorney  
JAS:enm  
Enc.  
1032-2004-1087.006/111172

OFFICE OF THE CITY ATTORNEY