

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
200 EAST WELLS STREET, SUITE 800
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

BEVERLY A. TEMPLE
THOMAS O. GARTNER
LINDA ULISS BURKE
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

May 7, 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 Theresa Zaremba, Branko Stojsavljevic,
Dean Newport, Gary Post and Kevin Eyre
C.I. File No. 00-S-368-9/ELO 1512**

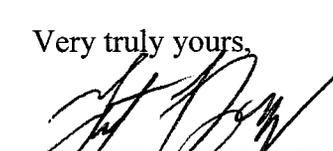
Dear Council Members:

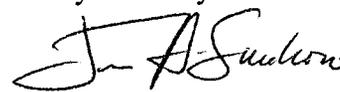
Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Theresa Zaremba, Branko Stojsavljevic, Dean Newport, Gary Post and Kevin Eyre. The claim is in the amount of \$2,220.90 including \$9.90 in disbursements for 20.10 hours of service billed 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

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
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CHARLES R. THEIS
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OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET.
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

October 18, 2000

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-368-9
Communication from EGGERT LAW OFFICE

Dear Commander Schunk:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of the following officers:

Beauchene
Gebhardt/Dineen
Guardiola
Harrell/Terriquez
Johnson/Santos

Lopez/Lintonen/Sarnow
Mayers
Randazzo/Dzievit
Sment/Clark
Zaremba, et al.

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

BEVERLY A. TEMPLE
THOMAS O. GARTNER
LINDA ULISS BURKE
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
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CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWEY

Assistant City Attorney

RECEIVED
OCT 30 AM 11:35
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

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

October 6, 2000

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

RE: Various claims

Dear Mr. Leonhardt:

Enclosed are the following claims:

| <u>OFFICER(S)</u> | <u>OUR NO.</u> |
|-----------------------|----------------|
| Beauchene | 1528 |
| Gebhardt/Dineen | 1501 |
| Guardiola | 1438 |
| Harrell/Terriquez | 1460 |
| Johnson/Santos | 1510 |
| Lopez/Lintonen/Sarnow | 1514 |
| Meyers | 1523 |
| Randazzo/Dzievit | 1530 |
| Sment/Clark | 1464 |
| Zaremba, et al. | 1512 |

CITY OF MILWAUKEE
00 OCT 10 PM 3:33
RONALD D. LEONHARDT
CITY CLERK

Respectfully,

EGGERT LAW OFFICE, S.C.

Laurie A. Eggert
Laurie A. Eggert
Attorney at Law

LAE/ldl
Enclosures
OFC\CLAIMS.11

CITY ATTORNEY
00 OCT 11 PM 2:42
CITY CLERK

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

October 6, 2000

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

**RE: MPD Criminal Investigation of POs Theresa Zaremba,
Branko D. Stojsavljevic, Dean Newport, Gary Post and
Kevin Eyre
Allegations Regarding Mr. George Robinson
Date of Incident: December 27, 1999
Location of Incident: 3534 North 21st Street
ELO No.: 1512**

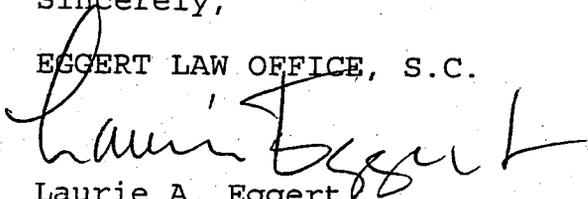
Dear Mr. Leonhardt:

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 response to a theft 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

JC/ldl
ZAREMBA

5/7/2001

O.K.

JAS

Letter # 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

October 4, 2000

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

RE: MPD Criminal Investigation
Regarding: POs Therese Zaremba, Gary Post, Dean Newport
and Branko D. Stojsavljevic
Date of Incident: December 27, 1999
Location of Incident: 3534 N. 21st St.

Professional services

| | <u>Hours</u> |
|---|--------------|
| 3/23/00 Telephone call from MPA; telephone call from PO Zaremba; open file; telephone call to PO Newport; telephone call to IAD. | 0.80 |
| 3/24/00 Telephone call to PO Zaremba. | 0.20 |
| 3/28/00 Telephone calls to POs Zaremba and Newport; telephone call from PO Newport; memo to file. | 0.40 |
| 3/31/00 Office conference with PO Newport. | 0.80 |
| 4/3/00 Telephone call to and from PO Zaremba; office conference with PO Zaremba; several telephone calls to and from PO Post; memo to file. | 1.70 |
| 4/4/00 Several telephone calls to PO Stojsavljevic; telephone call to PO Newport; office conference with PO Newport; review of file. | 1.50 |

| | <u>Hours</u> |
|--|--------------|
| 4/7/00 Telephone call to PO Post. | 0.40 |
| 4/10/00 Telephone call to and from IAD. | 0.20 |
| 4/12/00 Several telephone calls to and from POs Newport and Zaremba; several telephone calls to and from IAD; review of file; meeting with PO Zaremba at District 7; attend PO Zaremba's statement to IAD; travel; memo to file. | 2.10 |
| 4/17/00 Review of file; meeting with PO Newport at IAD; attend PO Newport's statement to IAD; travel; memo to file. | 2.00 |
| 4/19/00 Telephone call to and from PO Stojsavljevic. | 0.10 |
| 4/20/00 Telephone call from PO Stojsavljevic. | 0.20 |
| 4/21/00 Office conference with PO Stojsavljevic; memo to file. | 1.20 |
| 4/24/00 Telephone call to and from PO Stojsavljevic; several telephone calls to and from IAD. | 0.40 |
| 4/25/00 Discussion with IAD. | 0.30 |
| 5/5/00 Telephone call to IAD; telephone call to PO Post; telephone call to PO Stojsavljevic; telephone call to PO Eyre. | 0.50 |
| 5/8/00 Several telephone calls to and from IAD. | 0.30 |
| 5/9/00 Telephone call from PO Eyre; memo to file; telephone call to IAD; review of file; meeting with PO Eyre at IAD; | 2.90 |

| | <u>Hours</u> | |
|---|--------------|-------------------|
| attend PO Eyre's statement to IAD; meeting with PO Stojisavljevic at IAD; attend PO Stojisavljevic's statement to IAD; travel; memo to file. | | |
| 5/10/00 Discussion with IAD. | 0.20 | |
| 5/16/00 Telephone call to and from PO Post. | 0.20 | |
| 5/23/00 Telephone call to IAD; review of file; meeting with PO Post at IAD; attend PO Posts's statement to IAD; travel; memo to file. | 2.30 | |
| 6/6/00 Telephone call to IAD. | 0.20 | |
| 6/23/00 Telephone call to IAD. | 0.20 | |
| 7/10/00 Discussion with IAD; correspondence to MPD Open Records; correspondence to clients. | 0.50 | |
| 9/8/00 Review of correspondence from MPD Open Records; correspondence to clients; close file. | 0.50 | |
| | | <u>Amount</u> |
| For professional services rendered | 20.10 | \$2,211.00 |
| Additional charges: | | |
| 9/8/00 MPD Open Records request | | 9.90 |
| Total costs | | <u>\$9.90</u> |
| Total amount of this bill | | <u>\$2,220.90</u> |

Mr. Ronald D. Leonhardt

Page 4

Balance due

Amount

\$2,220.90

(Rate: \$110.00 per hour)

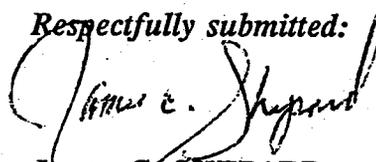
states that Donna's daughter then fled in a nearby bedroom and was pursued by an officer. Mr. ROBINSON states that he did not appreciate the type of compliance hold the officer had on Donna's daughter and stated to the officer, "You don't have to treat her that way." Mr. ROBINSON states that he was told by an officer twice to get out of the way or he would be arrested for Obstructing. Mr. ROBINSON contends however that he was not doing anything and wanted to check on the condition of Donna's daughter. He reports that he was then pushed down to the floor, at which time he was kicked in the head, face and sides of his body. Mr. ROBINSON further states that he was also sprayed in the face with pepper spray. Mr. ROBINSON maintains that the officer's actions were without provocation.

Upon interview of Officer STOJSAVLJEVIC, he reports that on the date of this incident he had responded to an "assist an officer" call. Whereupon he observed officers trying to get persons within Mr. ROBINSON'S residence under control. He states at this time he observed Mr. ROBINSON intoxicated, refusing to comply to officers' directions to move out of the way. Officer STOJSAVLJEVIC states that this request was made of Mr. ROBINSON several times and that he himself also requested that he move out of the way. Officer STOJSAVLJEVIC states that he did put his hands on Mr. ROBINSON in an attempt to escort him out of the way. He states however Mr. ROBINSON jerked away and assumed a boxing stance with his arms raised and his fists clenched. He states that he then disengaged from Mr. ROBINSON as he pushed him (ROBINSON) back. He reports this caused ROBINSON to fall backwards to the floor. He states that he informed Mr. ROBINSON that he was under arrest and not to resist. Officer STOJSAVLJEVIC states he attempted to handcuff Mr. ROBINSON but he refused to comply and at one point had to spray him with pepper spray. During his encounter with Mr. ROBINSON, Officer STOJSAVLJEVIC reports at no time did he punch or kick Mr. ROBINSON. Officer STOJSAVLJEVIC further denied observing any other officer striking or kicking Mr. ROBINSON. He states that Mr. ROBINSON had no visible injuries and did not complain of mistreatment by any officer.

CONCLUSION:

Complainant George ROBINSON was arrested for Obstructing an Officer. Upon said charge being reviewed in the office of the District Attorney, it was the determination of Assistant District Attorney Debbie MILLS that a Municipal citation should be issued in lieu of a State charge of Obstructing. This investigation did not reveal any excessive force used when arresting complainant ROBINSON. Also, as suggested by Assistant DA MILLS Mr. ROBINSON did offer resistive behavior during his arrest and therefore officers are privileged to use force to overcome this behavior. It is for said reason that this incident will be cleared as baseless.

Respectfully submitted:



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

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 20, 2000

TO: PO KEVIN EYRE
DISTRICT SEVEN

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 DECEMBER 27, 1999
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: PO Kevin Eyre

Print your name: P.O. KEVIN EYRE

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 *st*
Commander of Police
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 20, 2000

TO: PO GARY POST
DISTRICT SEVEN

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 DECEMBER 27, 1999
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: _____

Gary L Post

Print your name: _____

Gary L Post

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

NOVEMBER 20, 2000

TO: PO DEAN NEWPORT
DISTRICT SEVEN

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:

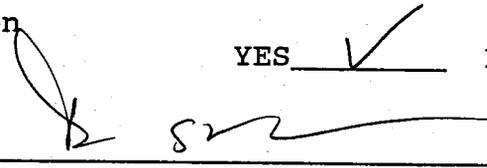
- 1) An incident occurring on DECEMBER 27, 1999
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES NO

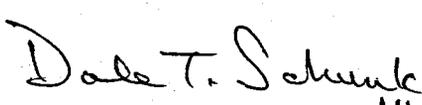
Did you receive legal representation
in this matter?

YES NO

Your signature: 

Print your name: Dean Newport

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



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

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 20, 2000

TO: PO BRANKO D. STOJSAVLJEVIC
DISTRICT SEVEN

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 DECEMBER 27, 1999
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: P.O. Branko D. Stojakovic

Print your name: BRANKO D. STOJSAVLJEVIC

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

NOVEMBER 20, 2000

TO: PO THERESA ZAREMBA
DISTRICT SEVEN

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 DECEMBER 27, 1999
- 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: PO Therese Zarembo

Print your name: P.O. Therese ZAREMBA

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 *dt*
Commander of Police
Internal Affairs Division

DTS:dnp