

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



OFFICE OF CITY ATTORNEY

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

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROYANE 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
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
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MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

August 24, 2004

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 Officer Vidal Colon
C.I. File No. 03-S-107/23; EC No. 1841

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Vidal Colon. The claim is in the amount of \$264.00 for 2.40 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 the filing of a citizen complaint against the officer 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).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:enm
Enc.
2291

EGGERT & CERMELE, 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

February 24, 2003

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

**RE: Citizen Complaint of Mr. Ernestine Carr
Against PO Vidal Colon
Complaint No.: 02-67
Date of Incident: September 3, 2002
EC No.: 1841**

03 MAR 27 PM 9:25
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

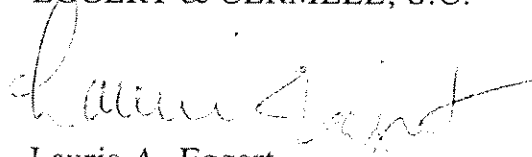
Dear Mr. Leonhardt:

The above-named police officer has retained us to represent him in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent him, and as he was performing the duties of his office at the time of the events giving rise to the incident, the claim is hereby made on his behalf for the indicated legal fees. This incident involved a burglary investigation. The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.



Laurie A. Eggert
Attorney at Law

RECEIVED
03 MAR 11 PM 1:49
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

LAE/ldl
attachment
COLÓN

8/20/04
O.K.
JMS
Letter 2291

EGGERT & CERMELE, 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

February 18, 2003

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

RE: Citizen Complaint of Mr. Ernestine Carr
Against PO Vidal Colon
FPC No: 02-67
Date of Incident: September 3, 2002
Location of Incident: 2030-A South 13th Street

Professional services

	<u>Hours</u>	
11/21/02 Telephone call from client; open file; memo to file.	0.50	
11/27/02 Correspondence to FPC.	0.10	
12/9/02 Review of correspondence from FPC.	0.10	
1/17/03 Telephone call to FPC; review of file; review Fax with complaint; correspondence to MPD Open Records.	0.80	
2/14/03 Telephone call from FPC; memo to file.	0.10	
2/17/03 Conference with Heard; memo to file; review of correspondence from FPC; correspondence to client; close file.	0.80	
		<u>Amount</u>
For professional services rendered	2.40	\$264.00
Balance due		<u><u>\$264.00</u></u>

RECEIVED

FEB 17 2003

BOARD OF
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

In Re:
THE CHARGES OF ERNESTINE CARR
AGAINST POLICE OFFICER VIDAL COLON

ORDER OF DISMISSAL

To Officer Vidal Colon:


It is hereby ordered that the Complaint of Ernestine Carr, Complaint No. 02-67, filed with the Board on September 30, 2002, is dismissed only against Officer Vidal Colon because the Committee on Rules and Complaints has learned that the accused Officer was not a party to the action complained of.

The Complaint itself remains in full force and effect against all other accused member(s), by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:


JOSEPH J. CZARNECKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, FEBRUARY 13, 2003

c: Attorney Laurie Eggert ✓

EP

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

March 21, 2003

TO: P.O. VIDAL COLON
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 SEPTEMBER 3, 2002
- 2) A citizen's complaint made by ERNISTINE CARR
- 3) A police shooting incident occurring on N/A

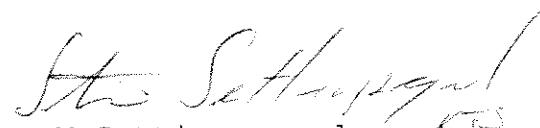
Is this information correct? YES X NO _____

Did you receive legal representation in this matter? YES X NO _____

Your signature: 

Print your name: Vidal A. COLON

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


 Steven M. Settingsgaard
 Police Commander
 Internal Affairs Division

SMS:kjs