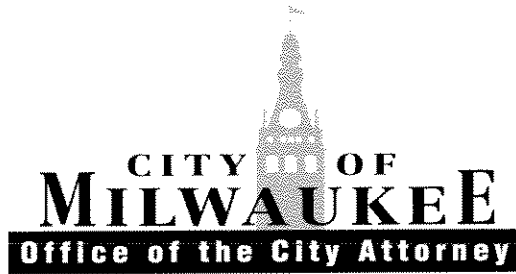


GRANT F. LANGLEY

City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
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PATRICIA A. FRICKER
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KURT A. BEHLING
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ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
Assistant City Attorneys

April 30, 2007

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

Re: Communication from Laurie Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officers Michael Dederich and
Jeffrey Timmerman; C.I. File No. 04-S-376; EC No. 2071

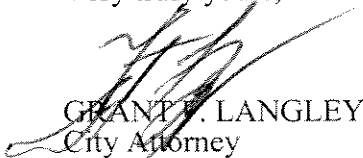
Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Michael Dederich and Jeffrey Timmerman. The claim is in the amount of \$955.00 for 8.60 hours of service billed at the rate of \$110 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. A criminal investigation was initiated against the police officers on whose behalf this claim was filed, but they were ultimately not charged.

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.

1032-2004-3016/118521

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

October 8, 2004

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

**RE: MPD Criminal Investigation of POs Michael Dederich and Jeffrey
Timmerman
Allegations Regarding Mr. Willie Ed Stephens
Date of Incident: June 27, 2004
Location of Incident: 5153 North Teutonia Avenue
EC No.: 2071**

Dear Mr. Leonhardt:

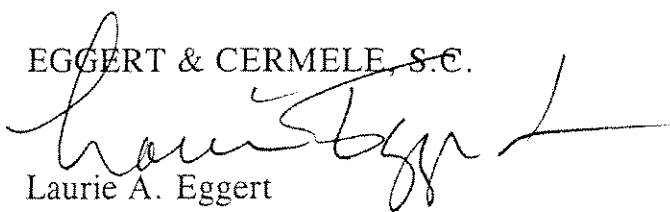
The above-named police officers have retained us to represent them in connection with the above-referenced matter.

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 an investigation of shots fired.

The MPD conducted a criminal investigation and investigated the matter as a critical incident. Later the DDA concluded that the Officers' conduct was privileged. Attached is a copy of DDA Kenney's letter and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.


Laurie A. Eggert
Attorney at Law

4/27/06
oik.
JRS
letter 2277

LAE/ldl
attachment
DEDERICH TIMMERMAN

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

October 08, 2004

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

RE: MPD Criminal Investigation re: Mr. Willie Ed Stephens
Regarding: POs Michael Dederich and Jeffrey Timmerman
Date of Incident: June 27, 2004
Location of Incident: 5153 North Teutonia Avenue
Professional services

	<u>Hours</u>		
6/27/2004 Telephone call from clients; travel; conference with clients; memo to file; attend statement to CIB and District Attorney; open file.	6.60		
6/28/2004 Review of file.	0.40		
7/6/2004 Telephone call to and from client; memo to file; telephone call to District Attorney; telephone call from District Attorney.	0.60		
7/9/2004 Telephone call from and to client; review of file.	0.20		
7/13/2004 Review of correspondence from DDA Kenney; telephone call to client; correspondence to client; telephone call from client; close file.	0.80		
		<u>8.60</u>	<u>Amount</u>
For professional services rendered		8.60	\$946.00

Mr. Ronald D. Leonhardt

Page 2

Additional charges:

6/27/2004 Parking

	<u>Amount</u>
Total costs	\$9.00
Total amount of this bill	<u>\$955.00</u>
Balance due	<u><u>\$955.00</u></u>



OFFICE OF DISTRICT ATTORNEY
CHILDREN'S COURT CENTER

Milwaukee County

E. MICHAEL McCANN • District Attorney

July 9, 2004

Hand Delivered
RECEIVED 11:45am

JUL 12 2004

ROBERT & CERMELLE, S.C.

Chief Nanette Hegerty
City of Milwaukee Police Department
749 W. State Street
Milwaukee, WI 53233

RE: Officer-Involved Shooting of Willie Stephens

Dear Chief Hegerty:

As you know, Milwaukee Police Department policy requires a review by this office of police shootings where injury or death occur as a result of police action. This letter is to notify you of our review of the shooting of Willie Stephens.

Our office conducted an on-scene investigation after the shooting, interviewing officers and citizen witnesses. Additionally, Mr. Stephens was interviewed at Froedtert Hospital. Our investigation revealed the following facts:

On June 27, 2004, Police Officer Michael J. Dederich shot and injured Willie Stephens in the 5100 block of North Teutonia Avenue in the City of Milwaukee. Prior to the shooting, Officer Dederich and his partner, Police Officer Jeffrey Timmerman, were dispatched to 5151 North Teutonia Avenue regarding a "M-O/Suicidal Subject" armed with a gun and "shots fired". Shortly after Police Officers Dederich and Timmerman's arrival at this location, Mr. Stephens exited the front door of his residence carrying a rifle. Mr. Stephens appeared to be very distraught, exhibiting mentally unbalanced behavior. A large crowd of individuals had gathered near the residence, including many of Mr. Stephens' relatives. Mr. Stephens ignored numerous police commands to put down his weapon and sat on a bench located in front of the residence. At that time, Officer Dederich observed Mr. Stephens move the barrel of the weapon toward Mr. Stephens' head and his right hand appeared to be manipulating the trigger area. Fearing that Mr. Stephens was about to fire the rifle, Officer Dederich fired his service revolver three times at Mr. Stephens' legs, wounding Mr. Stephens.

Our office has concluded that the conduct of Officer Dederich was privileged by either the privilege of defense of others or self-defense in that Officer Dederich had a reasonable belief that Willie Stephens posed an imminent threat of great bodily harm or death to the safety of all citizens who were present.

Thank you for your department's cooperation in this matter. Captain Eric Moore, Lt. Steven Spingola, Lt. Christopher Domogowski, and Police Officer Michael Dederich were very helpful to our office during the course of this investigation. If you have any questions regarding the contents of this correspondence, please do not hesitate to contact me.

Respectfully submitted,



Patrick J. Kenney
DDA - CCC

PJK/yma

cc: DA E. Michael McCann
DDA Robert Donohoo
Atty. Laurie Eggert
Chief Investigator, David Budde
Investigator Heidi Bisswurm

RECEIVED

MILWAUKEE POLICE DEPARTMENT

04 NOV -1 AM 10:09

MEMORANDUM

October 28, 2004

MILWAUKEE POLICE
INTERCOMMUNICATIONS SECTION
TO: P.O. MICHAEL DEDERICH
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 JUNE 27, 2004
- 2) A citizen's complaint made by WILLIE ED STEPHENS
- 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

Your signature: *P.O. Michael J. Dederich*

Print your name: Michael J. Dederich

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

Mary K. Hoerig
MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

RECEIVED

04 NOV -9 AM 9:44
October 28, 2004

MILWAUKEE POLICE
INTERNAL AFFAIRS

MEMORANDUM

TO: P.O. JEFFREY TIMMERMAN
DISTRICT: ONE - *Early*

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 JUNE 27, 2004
- 2) A citizen's complaint made by WILLIE ED STEPHENS
- 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: *PO Jeffrey Timmerman*

Print your name: PO Jeffrey Timmerman

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

Mary K. Hoerig
MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs