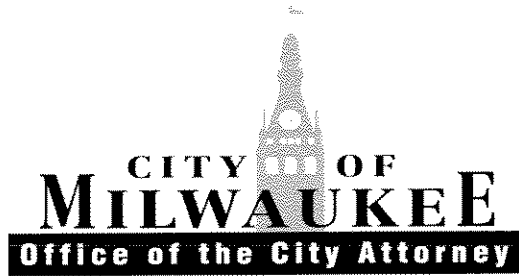


GRANT F. LANGLEY

City Attorney

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



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
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
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN M. ZALEWSKI
MEGAN T. CRUMP
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 David Claas, Larry Leibsle, Alan
Schleif and Robert Toeller; Claim File No. 04-S-376; EC No. 2070

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers David Claas, Larry Leibsle, Alan Schleif and Robert Toeller. The claim is in the amount of \$1,897.00, including \$5.00 in disbursements for 17.2 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).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney
JAS:cnm

Enc.

1032-2004-3015/118520

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
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

**RE: Citizen Complaint of Mr. Curly Birdsong
Against POs David Claas, Larry Leibsle, Alan Schleif and Robert
Toeller
Complaint No.: 02-72
Date of Incident: October 30, 2002
EC No.: 2070**

Dear Mr. Leonhardt:

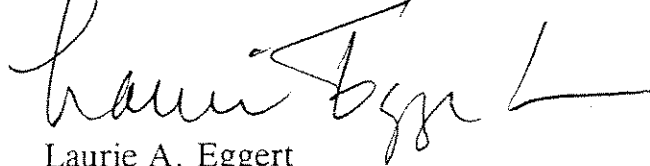
The above-named police officers have retained us to represent them in connection with the above-referenced matter.

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 search for a suspect. 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.

4/27/07
o.k.
JAS
Letter 22 95

Sincerely,

EGGERT & CERMELE, S.C.



Laurie A. Eggert
Attorney at Law

LAE/ldl
attachment
CLAAS

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 Leonhardt
Milwaukee City Clerk
City Hall
200 East Wells Street
Milwaukee WI 53202

RE: Citizen Complaint of Mr. Curly Birdsong
Against POs David Claas, Larry Leibsle, Alan Schleif and Robert Toeller
FPC No: 02-72
Date of Incident: October 30, 2002
Location of Incident: 846 North 28th Street
Professional services

	<u>Hours</u>
3/10/2003 Conference with Claas, Leibsle and Schleif; correspondence to FPC; open file.	1.80
3/17/2003 Correspondence to FPC regarding Toeller; conference with Toeller.	0.60
3/19/2003 Review of correspondence from FPC.	0.10
4/4/2003 Telephone call from and to FPC; review of file; memo to file.	0.20
4/28/2003 Telephone call from FPC; memo to file conference with FPC.	0.50
6/9/2003 Review of file.	0.30
6/10/2003 Review of file; telephone calls to FPC; memo to file.	0.90
7/25/2003 Telephone call from FPC; memo to file.	0.10
7/28/2003 Telephone call to and from FPC; review of file; memo to file.	0.40
7/31/2003 Review of file; memo to file.	0.20

	<u>Hours</u>
8/18/2003 Telephone call from and to FPC; review of file; memo to file.	0.30
8/25/2003 Telephone call from FPC; memo to file; review of file; telephone call to clients.	0.50
9/17/2003 Telephone call from FPC; memo to file.	0.40
9/22/2003 Review of correspondence from FPC; memo to file.	0.20
10/17/2003 Computer update regarding complainant; memo to file; review of file.	0.50
11/6/2003 Telephone calls from FPC; memo to file; review of file.	0.60
11/10/2003 Telephone call from FPC; review of file; memo to file; telephone call to clients.	0.50
11/11/2003 Telephone call from client; review of file; correspondence to MPD Open Records; correspondence to Milwaukee County Sheriffs' Department Open Records.	0.90
11/12/2003 Review of correspondence from FPC; obtain information regarding officer.	0.20
11/20/2003 Review of correspondence from FPC; memo to file; correspondence to client.	0.20
11/24/2003 Telephone call from Sheriff's Department; telephone call to clients; review of file.	0.70
12/6/2003 Review of file.	0.10
12/8/2003 Preparation for and appearance at conciliation; conference with clients; memo to file; travel.	2.60
12/10/2003 Telephone call from Claas; telephone call to FPC; memo to file.	0.20

	<u>Hours</u>	
12/15/2003 Telephone call from and to Claas.	0.20	
12/16/2003 Telephone call to FPC.	0.10	
12/17/2003 Telephone call from FPC; memo to file.	0.20	
2/13/2004 Review of file; correspondence to clients; telephone call to FPC.	0.30	
2/18/2004 Telephone call from and to Schleif; review of file.	0.20	
3/5/2004 Telephone call from and to MPD Open Records; memo to file.	0.50	
3/11/2004 Telephone call from MPD Open Records; memo to file; review of file.	0.20	
4/6/2004 Telephone call from FPC; memo to file; review of file.	0.20	
5/12/2004 Review of correspondence from FPC; correspondence to client; telephone call to FPC.	0.40	
5/17/2004 Preparation for and appearance at conciliation; telephone call to clients; memo to file; conference with FPC; travel.	0.80	
5/18/2004 Review dismissal notice regarding Leibsle and Schleif; correspondence to client.	0.30	
6/15/2004 Review document from FPC.	0.10	
6/18/2004 Review of file.	0.10	
6/30/2004 Review FPC document.	0.10	
7/8/2004 Review dismissal notice regarding Claas and Toeller; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	17.20	\$1,892.00

Mr. Ronald Leonhardt

Page 4

Additional charges:

	<u>Amount</u>
12/8/2003 Parking	2.00
5/17/2004 Parking	3.00
Total costs	<u>\$5.00</u>
Total amount of this bill	<u>\$1,897.00</u>
Balance due	<u><u>\$1,897.00</u></u>

(Rate: \$110.00 per hour)

CAC

REC-100
JUL 02 2004
MILWAUKEE POLICE DEPT.

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

In Re:
THE CHARGES OF CURLEY BIRDSONG III
AGAINST POLICE OFFICERS DAVID CLAAS
AND ROBERT TOELLER

ORDER OF DISMISSAL

To Officer David Claas:

It is hereby ordered that the Complaint of Curley Birdsong, Complaint No. 02-72, filed with the Board on November 11, 2002, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JULY 2, 2004.

cc: Attorney Laurie Eggert

CLC

RECEIVED
JUL 08 2004
CITY OF MILWAUKEE, WI

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

In Re:
THE CHARGES OF CURLEY BIRDSONG III
AGAINST POLICE OFFICERS DAVID CLAAS
AND ROBERT TOELLER

ORDER OF DISMISSAL

To Officer Robert Toeller:

It is hereby ordered that the Complaint of Curley Birdsong, Complaint No. 02-72, filed with the Board on November 11, 2002, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JULY 2, 2004.

cc: Attorney Laurie Eggert

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

In Re:
THE CHARGES OF CURLEY BIRDSONG III
AGAINST POLICE OFFICERS DAVID CLAAS,
ROBERT TOELLER, ALAN SCHLEIF AND LARRY LEIBSLE

RECEIVED
MAY 13 2004
EGGERT & SCHWITZEL, S.C.
ORDER OF DISMISSAL

To Officer Larry Leibsle:

It is hereby ordered that the Complaint of Curley Birdsong, Complaint No. 02-72, filed with the Board on November 11, 2002, is dismissed only against Officers Alan Schleif and Larry Leibsle at the request of the Complainant, with the Complaint against all other accused member(s) remaining in full force and effect, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, MAY 14, 2004.

✓: Attorney Laurie Eggert

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

In Re:
THE CHARGES OF CURLEY BIRDSONG III
AGAINST POLICE OFFICERS DAVID CLAAS,
ROBERT TOELLER, ALAN SCHLEIF AND LARRY LEIBSLE

RECEIVED
MAY 18 2004
EGGERT & CERMELE, S.C.
ORDER OF DISMISSAL

To Officer Alan Schleif:

It is hereby ordered that the Complaint of Curley Birdsong, Complaint No. 02-72, filed with the Board on November 11, 2002, is dismissed only against Officers Alan Schleif and Larry Leibsle at the request of the Complainant, with the Complaint against all other accused member(s) remaining in full force and effect, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, MAY 14, 2004.

cc: Attorney Laurie Eggert

RECEIVED

MILWAUKEE POLICE DEPARTMENT

04 NOV -8 AM 11:32

October 28, 2004

MEMORANDUM

MILWAUKEE POLICE
PROFESSIONAL PERFORMANCE DIVISION

TO: P.O. DAVID CLAAS
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 OCTOBER 30, 2002
- 2) A citizen's complaint made by CURLY BIRDSONG
- 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: David L. Claas

Print your name: David L. CLAAS

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

MEMORANDUM

December 13, 2004

TO: P.O. LARRY LEIBSLE
DISTRICT: THREE

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 OCTOBER 30, 2002
- 2) A citizen's complaint made by CURLY BIRDSONG
- 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: 

Print your name: Larry Leibsle

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


MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

December 13, 2004

TO: P.O. ALAN SCHLEIF
DISTRICT: THREE

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 OCTOBER 30, 2002
- 2) A citizen's complaint made by CURLY BIRDSONG
- 3) A police shooting incident occurring on N/A

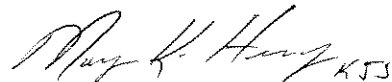
Is this information correct? YES X NO _____

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

Your signature: 

Print your name: Alan Schleif

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


MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

October 28, 2004

TO: P.O. ROBERT TOELLER
DISTRICT: THREE

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 OCTOBER 30, 2002
- 2) A citizen's complaint made by CURLY BIRDSONG
- 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 _____

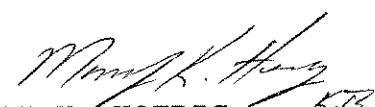
Your signature: _____



Print your name: _____

ROBERT L. TOELLER

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


MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs