

**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

February 23, 2007

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele  
for legal fees for Police Officers Richard Schellhammer, Dale Anders,  
Lynne Champion, Michael Miller and Richard Gordy  
C.I. File No. 04-S-98; EC No. 2020

Dear Council Members:

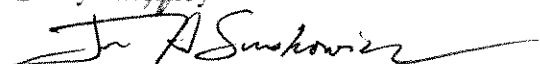
Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Richard Schellhammer, Dale Anders, Lynne Champion, Michael Miller and Richard Gordy. The claim is in the amount of \$1,386.00 for 12.60 hours of service billed at the rate of \$110 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). 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. 1032-2004-1087.022/116080

*Schellhammer*

**EGGERT & CERMELE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Schneider

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

March 23, 2004

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

**RE: MPD Criminal Investigation of POs Richard Schellhammer, Dale Anders, Lynne Champion, Michael Miller and Richard Gordy Allegations Regarding Mr. Jesse E. Ward**  
**Date of Incident: May 17, 2003**  
**Location of Incident: 3383 North 28<sup>th</sup> Street**  
**EC No.: 2020**

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 foot chase and arrest.

The MPD initiated a criminal investigation in which the officers initially declined to give a statement without counsel. When they requested counsel, IAD compelled POs Schellhammer, Anders, Champion, Miller and Gordy to give statements concerning the incident after issuing PI-21s. Later, the MPD concluded that no criminal charges would issue. Attached is a copy of a status report from Commander Settingsgaard of IAD, and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

*Laurie A. Eggert*  
Laurie A. Eggert  
Attorney at Law

*2/23/07*

*C.K.*

*JNS*

*u.k. 2277*

LAE/ldl

attachment

SHELLHAMMER ET AL.

*Vertical stamp: RECEIVED... 3/23/04... 11:28 AM... 3383 N 28TH ST... MILWAUKEE, WI 53202*



Police Department

Nannette H. Hegerty  
Chief of Police

Thursday, January 29, 2004

Jonathan Cermele  
Attorney At Law  
1840 North Farwell Avenue  
Suit 303  
Milwaukee, WI 53202

Dear Mr. CERMELE:

This letter is in response to your inquiry of January 15<sup>th</sup>, 2004, regarding the status of CIU Investigatory Files.

Attached please find the requested information. If further assistance is needed Lieutenant of Detectives Jeffery Micklitz can be contacted at 935-3540.

Sincerely,

STEVEN M. SETTINGSGAARD  
POLICE COMMANDER

JAN 31 2004

CIU FILE NO.	IAD FILE NO.	COMPLAINANT	ALLEGATION	DISPOSITION
1. 03-124	03-0484	WARD, JESSIE	BATTERY	UNFOUNDED

**EGGERT & CERMELE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Schneider

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

March 23, 2004

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

RE: MPD Criminal Investigation re: Mr. Jesse Ward  
Regarding: POs Richard Schellhammer, Dale Anders, Lynne Champion,  
Michael Miller and Richard Gordy  
Date of Incident: May 17, 2003  
Location of Incident: 3383 North 28th Street  
Professional services

	<u>Hours</u>
5/28/2003 Open file; telephone call from and to client; memo to file; intra-office conference; appearance at Schellhammer's PI-21 statement; travel.	2.10
5/29/2003 Review of file; telephone call from Miller; memo to file; telephone calls from Anders and Champion.	2.60
6/11/2003 Preparation for and appearance at PI-21 statements of Anders, Champion and Miller; memo to file; travel.	2.30
6/12/2003 Memo to file; review prior interviews; telephone call to and from witness.	1.10
6/26/2003 Review of file.	0.40
9/17/2003 Telephone call from Gordy; memo to file; review of file.	0.60
9/23/2003 Preparation for and appearance at Gordy PI-21; conference with client; memo to file; travel.	1.40
9/24/2003 Memo to file regarding Gordy; review of file.	0.20

	<u>Hours</u>	
10/14/2003	0.50	Review of file; telephone call to and from IAD; memo to file.
10/20/2003	0.10	Telephone call to Det. Lt.; memo to file.
10/22/2003	0.10	Telephone call to Det. Lt. Richards; memo to file.
11/11/2003	0.10	Telephone call to Det. Lt.; memo to file.
11/12/2003	0.10	Telephone call to Det. Lt.; memo to file.
1/9/2004	0.70	Review of file; telephone call to Det. Lt.; memo to file; correspondence to IAD.
1/31/2004	0.30	Review of correspondence from Commander Settingsgaard; close file.
		<u>Amount</u>
	12.60	For professional services rendered
		<u>\$1,386.00</u>
		<u>\$1,386.00</u>

(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

April 12, 2004

MEMORANDUM

TO: P.O. RICHARD SCHELLHAMMER  
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 MAY 17, 2003
- 2) A citizen's complaint made by JESSE WARD
- 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: Richard Schellhammer

Print your name: Richard Schellhammer

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

  
Steven M. Settingsgaard  
Inspector of Police  
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

April 12, 2004

TO: P.O. DALES ANDERS  
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 MAY 17, 2003
- 2) A citizen's complaint made by JESSE WARD
- 3) A police shooting incident occurring on N/A

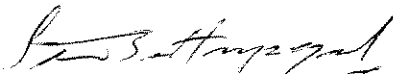
Is this information correct? YES  NO

Did you receive legal representation in this matter? YES  NO

Your signature: 

Print your name: DALE R. ANDERS

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

  
Steven M. Settingsgaard  
Inspector of Police  
Internal Affairs Division

SMS:kjs



MILWAUKEE POLICE DEPARTMENT

April 12, 2004

MEMORANDUM

TO: P.O. LYNN CHAMPION  
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 MAY 17, 2003
- 2) A citizen's complaint made by JESSE WARD
- 3) A police shooting incident occurring on N/A

Is this information correct?

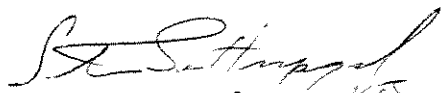
YES X NO       

Did you receive legal representation  
in this matter?

YES X NO       

Your signature: P.O. Lynne M Champion  
Print your name: PO Lynne M. CHAMPION

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

  
Steven M. Settingsgaard  
Inspector of Police  
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

April 12, 2004

MEMORANDUM

TO: P.O. MICHAEL MILLER  
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 MAY 17, 2003
- 2) A citizen's complaint made by JESSE WARD
- 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: \_\_\_\_\_

*Michael Miller*

Print your name: \_\_\_\_\_

Michael MILLER

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

*Steven M. Settingsgaard*  
Steven M. Settingsgaard  
Inspector of Police  
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

April 12, 2004

TO: P.O. RICHARD GORDY  
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 MAY 17, 2003
- 2) A citizen's complaint made by JESSE WARD
- 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: \_\_\_\_\_

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

  
Steven M. Settingsgaard  
Inspector of Police  
Internal Affairs Division

SMS:kjs

RECEIVED  
04 APR 21 AM 9:55  
INTERNAL AFFAIRS