

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

March 28, 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 Officer Elliott Whiteside
C.I. File No. 00-S-13m

Dear Council Members:

Returned herewith is a document filed by Attorney for attorney's fees for representing Police Officer Elliott Whiteside. The claim is in the amount of \$819.50 including \$5.50 in disbursements for 7.40 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's 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. 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.
2295

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

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CITY OF MILWAUKEE
RECEIVED
MAR 22 AM 10:47
OFFICE OF
CITY ATTORNEY

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

February 4, 2000

BEVERLY A. TEMPLE
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JENNIFER K. HENZL-MCVEY

Assistant City Attorney

Commander Dale Schunk
Milwaukee Police Department
Internal Affairs Division
6680 North Teutonia Avenue, Rm 325
Milwaukee, WI 09

Re: C.I. File No. 00-S-13
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 officers Fleming & Johnson, Halama, Fohr, Gastrow, Hodnett, Kane et al., Kavanaugh & Karwoski, Kelly & Kezeske, Maio, Narrai & Stojasvljevic, Raap, Sanchez, Simerlein, et al., Villagomez and Whiteside.

Please determine whether these officers were in fact involved in the matters 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

MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

00 FEB -9 PM 1:03

RECEIVED

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

January 12, 2000

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

**RE: Citizen Complaint of Mr. William A. McDonald
Against PO Elliott Whiteside
Complaint No.: 99-40
Date of Incident: February 10, 1999
ELO No.: 1415**

Dear Mr. Leonhardt:

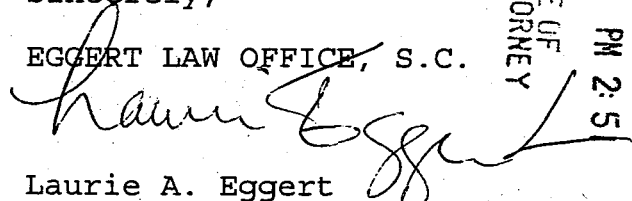
The above-named police officer has retained us to represent him in connection with the above-referenced matter.

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 traffic stop. The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice.

The attached is an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.



Laurie A. Eggert
Attorney at Law

CITY OF MILWAUKEE
RECEIVED
JAN 18 PM 2:51
OFFICE OF
CITY ATTORNEY

LAE/ldl
WHITESIDE

3/29/2001

O.K.

JAS

Letter # 2295

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

January 12, 2000

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

RE: Citizen Complaint of Mr. William A. McDonald
Against PO Elliott Whiteside
FPC No: 99-40
Date of Incident: February 10, 1999
Location of Incident: 18th and National

Professional services

	<u>Hours</u>
9/14/99 Review complaint; conference with client; open file; memo to file; correspondence to FPC.	1.60
9/15/99 Telephone call from client.	0.10
9/16/99 Review of file; telephone call to Investigator.	0.40
9/17/99 Telephone call from Investigator; memo to file; review of correspondence from FPC.	0.40
10/15/99 Telephone call from FPC; memo to file; review of file.	0.40
10/22/99 Telephone call to client; memo to file; review of file.	0.20
10/26/99 Review of correspondence from FPC; correspondence to client; review documents.	0.50

	<u>Hours</u>	
11/1/99 Review of file; telephone call from client.	0.30	
11/2/99 Preparation for and appearance at conciliation; conference with client; memo to file; travel.	1.30	
11/18/99 Telephone call from client.	0.10	
11/19/99 Review of correspondence from FPC; correspondence to client.	0.20	
12/3/99 Review of file.	0.30	
12/6/99 Preparation for and appearance at conciliation; conference with client; memo to file; travel.	1.10	
12/23/99 Review of correspondence from FPC; correspondence to client; close file.	0.50	
		<u>Amount</u>
For professional services rendered	7.40	\$814.00
Additional charges:		
12/6/99 Parking		4.00
12/23/99 Parking		1.50
Total costs		<u>\$5.50</u>
Total amount of this bill		<u>\$819.50</u>

Mr. Ronald Leonhardt

Page 3

Amount

Balance due

\$819.50

(Rate: \$110.00 per hour)

DEC 23 1999

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

In Re:
THE CHARGES OF WILLIAM A. MCDONALD
AGAINST POLICE OFFICER ELLIOTT WHITESIDE

ORDER OF DISMISSAL

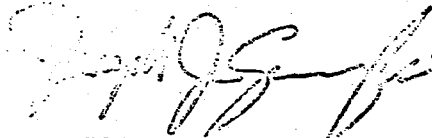
To Officer Elliott Whiteside:

It is hereby ordered that the Complaint of William A. McDonald, Complaint No. 99-40, filed with the Board on July 2, 1999, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

AUGUST G. ERDMANN,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, DECEMBER 20, 1999.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

FEBRUARY 16, 2000

TO: PO ELLIOTT WHITESIDE
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 FEBRUARY 10, 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. Elliott Whiteside

Print your name: Po. Elliott WHITESIDE

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 2d
Commander of Police
Internal Affairs Division

DTS:dnp