

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

January 13, 2005

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 Officers Steven Sment and Robert Clark
C.I. File No. 00-S-368-9; ELO 1464

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Steven Sment and Robert Clark. The claim is in the amount of \$1,134.75 including \$12.75 in disbursements for 10.20 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 a criminal investigation. No criminal charges were brought against the police officers on whose behalf this claim was filed.

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.

89190/ 1032-2000029

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
STUART S. MUKAMAL
THOMAS J. BEAMISH
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LEONARD A. TOKUS
VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

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

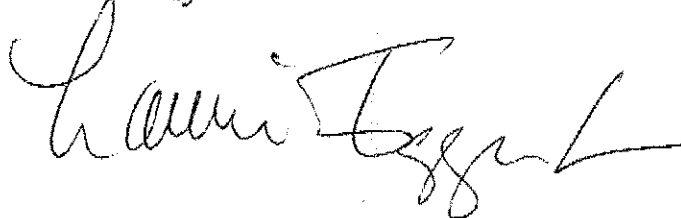
FAX

TO: Jan Smokowicz
FROM: Laurie Eggert
RE: CI file no 00-S-368-9
DATE: January 17, 2003

Dear Jan,

In your letter of December regarding the criminal investigation of Sment and Clark (DOI 12/29/99), you astutely noticed that the bill incorrectly includes a \$79.90 cost for a transcript that was unrelated to this file. Please accept my apologies (the transcript belonged on a different Sment bill, and has already been included on that bill), and deduct the \$79.90 from the \$1214.65 total. The new, corrected total should be \$1134.75, assuming my abacus is working properly.

Sincerely



9/20/04

O.K.

JAS

Letter 2276

The information contained in this message is confidential for the named recipient only. If you have received this message in error, or have had transmission problems in receiving it, please contact this office immediately at (414) 276-8750.

CITY OF MILWAUKEE

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December 6, 2002

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
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G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

Ms. Laurie A. Eggert
Eggert Law Office, S.C.
1840 North Farwell Ave., Suite 303
Milwaukee, WI 53202

Re: Criminal Investigation of Officers Steven Sment and Robert Clark
Allegations Regarding Ms. Jeanetta Holley
Date of Incident: December 29, 1999
Location of Incident: 3847 North 5th Street
ELO No.: 1464
C.I. File No.: 00-S-368-9

Dear Ms. Eggert:

With respect to the above-noted matter, your bill reflects a charge for a cost of a "Transcript-Bellinger hrg." There is no other reference in your bill or the supporting materials to anyone named "Bellinger." In addition, the bill for the transcript comes on September 12, 2000, more than one month after you closed the file. Would you please explain whether this cost is connected to this bill, and if so, the manner in which it is connected. For your convenience a copy of your bill is attached to this letter. Thank you for your attention to this request.

Very truly yours,

Handwritten signature of Jan A. Smokowicz in black ink.

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:lae
Enclosure

61032

OFFICE COPY

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

October 4, 2000

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

RE: MPD Criminal Investigation
Regarding: POs Steven Sment and Det. Cheryl Welch
Date of Incident: December 29, 1999
Location of Incident: 3847 N. 5th St.

Professional services

	<u>Hours</u>
1/19/00 Telephone calls from POs Sment and Clark; open file.	0.50
1/24/00 Telephone call from and office conference with PO Sment; telephone call to IAD.	1.60
2/3/00 Telephone call to IAD.	0.10
2/22/00 Telephone call from PO Clark.	0.20
2/24/00 Telephone call from PO Sment; several telephone calls to and from PO Clark; office conference with PO Clark.	1.70
2/25/00 Telephone call to and from PO Sment.	0.40
3/1/00 Review of correspondence from clients; telephone call to and from IAD.	0.60
3/2/00 Telephone call to clients.	0.50

	<u>Hours</u>	
3/28/00 Telephone call from PO Sment; telephone call to IAD; telephone call to PO Clark; office conference with clients; travel to CJF; attend charging conference and clients' statements to IAD; meeting with clients travel.	2.90	
3/29/00 Correspondence to MPD Open Records; correspondence to client.	0.40	
4/3/00 Review of correspondence from DDA Reddin; correspondence to clients.	0.40	
7/24/00 Receive and review denial of MPD Open Records request; telephone call to and from, and Fax to, Cpt. Edman.	0.40	
8/3/00 Telephone call to and from PO Clarke; review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	10.20	\$1,122.00
Additional charges:		
3/28/00 Parking		5.00
9/12/00 Transcript - Bellinger hrg		79.90
10/2/00 MPD Open Records request		7.75
Total costs		<u>\$92.65</u>
Total amount of this bill		<u>\$1,214.65</u>

Mr. Ronald D. Leonhardt

Page 3

Amount

Balance due

\$1,214.65

(Rate: \$110.00 per hour)

CITY OF MILWAUKEE

Form CA-43

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October 18, 2000

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MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

Commander Dale Schunk
Milwaukee Police Department
Internal Affairs Division
6680 North Teutonia Avenue, Rm 325
Milwaukee, WI 53209

Re: C.I. File No. 00-S-368-9
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 the following officers:

Beauchene	Lopez/Lintonen/Sarnow
Gebhardt/Dineen	Mayers
Guardiola	Randazzo/Dziewit
Harrell/Terriquez	Sment/Clark
Johnson/Santos	Zaremba, et al.

Please determine whether these officers were in fact involved in the matter 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
5091

RECEIVED
INTERNAL AFFAIRS
DIVISION
OCT 30 AM 11:35

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

October 6, 2000

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

**RE: MPD Criminal Investigation of POs Steven Sment and
Robert Clark
Allegations Regarding Ms. Jeanetta Holley
Date of Incident: December 29, 1999
Location of Incident: 3847 North 5th Street
ELO No.: 1464**

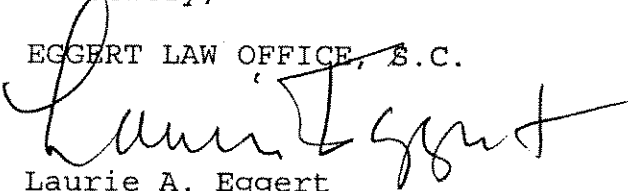
Dear Mr. Leonhardt:

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 field interview. Charges will not be issued against the officers. Attached is a copy of the clearance report and an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.


Laurie A. Eggert
Attorney at Law

4/30/2001

Cost items - Bellinger
transcript - unconnected
to true issues on claim

JC/ldl
SMENT

OFFICER STEVEN SMENT
SEPARATED FROM DEPARTMENT

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
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October 4, 2000

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
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Mr. Ronald D. Leonhardt

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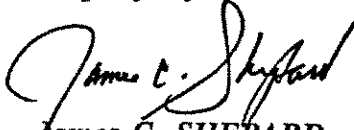
officers took the marijuana cigarettes and walked to their squad without arresting her daughter.

Both Officers Robert CLARK and Steven SMENT declined to offer statements relative to this investigation.

CONCLUSION:

On Tuesday, March 28, 2000, this incident was reviewed in the office of the District Attorney. Present were Officers CLARK and SMENT represented by MPA Attorney Jon CERMELE. During the course of the charging conference Atty. CERMELE requested of Deputy DA REDDIN to excuse personnel of the CIU/IAD and only if said request was granted Officers CLARK and SMENT would offer an account of this incident. Said request was granted by Deputy DA Jon REDDIN. Upon conclusion of his interview with said officers it was the determination of Deputy DA REDDIN that a charge of Battery would not be preferred against the officers citing the lack of provable intent to harm complainant HOLLEY. It is for said reasons that this incident will be cleared as warrant refused.

Respectfully submitted:


James C. SHEPARD
Captain of Police
CIU/IAD, Day Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 20, 2000

TO: PO ROBERT CLARK
DISTRICT FIVE

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 DECEMBER 29, 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: 

Print your name: ROBERT CLARK

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


DALE T. SCHUNK *ds*
Commander of Police
Internal Affairs Division

DTS:dnp