

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 27, 2005

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officer Jason Mucha
Claim File No. 03-S-107; EC No. 1852


Dear Council Members:

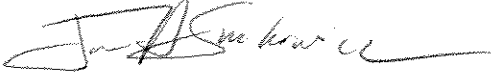
Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Jason Mucha. The claim is in the amount of \$617.00, including \$1.00 in disbursements for 5.60 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced 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. 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.

89640/1032-2003-788

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
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
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

EGGERT & CERMELE, 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

February 24, 2003

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

03 MAR 21 PM 3 25
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

**RE: Citizen Complaint of Mr. Lance D. Merchant
Against POs Jason Mucha and Andrew Gebhardt
Complaint No.: 02-06
Date of Incident: February 25, 2002
EC No.: 1852**

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 traffic stop.

Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Laurie A. Eggert
Attorney at Law

03 MAR 11 PM 1:50
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION
RECEIVED

JC/ldl
attachment
MUCGEB

7/22/04
O.K.
JRS
letter 2295

9722/04
T.C. w/ Eggert's
sig. - Gebhardt
should not be a
file.

EGGERT & CERMELE, 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

February 18, 2003

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

RE: Citizen Complaint of Mr. Lance D. Merchant
Against POs Jason Mucha and Andrew Gebhardt
FPC No: 02-06
Date of Incident: February 25, 2002
Location of Incident: District #3

Professional services

	<u>Hours</u>
4/8/02 Office conference with PO Mucha; review complaint; open file.	0.90
4/10/02 Correspondence to FPC.	0.10
4/18/02 Review of correspondence from FPC; correspondence to FPC and PO Gebhardt.	0.40
7/23/02 Telephone call from FPC.	0.20
8/26/02 Telephone call from FPC; memo to file.	0.20
8/27/02 Telephone call to and from FPC.	0.40
9/13/02 Review of file; conference with FPC; memo to file.	0.20
9/16/02 Telephone call from FPC; memo to file; review of file.	0.30
9/20/02 Telephone call from FPC.	0.10

	<u>Hours</u>	
9/24/02 Telephone call from Heard; telephone call to and from PO Mucha; telephone call to Heard.	0.40	
9/25/02 Telephone call from FPC.	0.10	
9/27/02 Telephone call to clients.	0.10	
10/14/02 Telephone call from PO Mucha; telephone call to FPC.	0.30	
10/15/02 Telephone call from FPC.	0.20	
10/21/02 Review of file; telephone call to client; meeting with FPC mediator and Mucha regarding conciliation (no show by complainant); travel.	1.20	
11/18/02 Review of correspondence from FPC; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	5.60	\$616.00
Additional charges:		
10/21/02. Parking		1.00
Total costs		<u>\$1.00</u>
Total amount of this bill		<u>\$617.00</u>
Balance due		<u><u>\$617.00</u></u>

Mr. Ronald Leonhardt

Page 3

(Rate: \$110.00 per hour)

NOV 18 2002

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

In Re:
THE CHARGES OF LANCE D. MERCHANT
AGAINST POLICE OFFICER JASON MUCHA

ORDER OF DISMISSAL

To Officer Mucha:

It is hereby ordered that the Complaint of Lance D. Merchant, Complaint No. 02-06, filed with the Board on February 26, 2002, is dismissed because the Complainant failed to appear at a scheduled meeting, by the

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, NOVEMBER 15, 2002.

c: Attorney Jonathan Cermele ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

March 21, 2003

TO: P.O. JASON MUCHA
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 FEBRUARY 25, 2002
- 2) A citizen's complaint made by LANCE MERCHANT
- 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: _____

[Handwritten Signature]
Jason Mucha

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

[Handwritten Signature]
Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

03 MAR 27 AM 10:04

RECEIVED

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

March 21, 2003

TO: P.O. ANDREW GEBHARDT
DISTRICT THREE

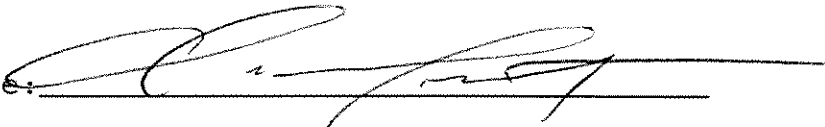
RE: Receipt of Legal Services from Law Firm of
Attorney

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 FEBRUARY 25, 2002
- 2) A citizen's complaint made by LANCE MERCHANT
- 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: Andrew M. Gebhardt

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


 Steven M. Settingsgaard
 Police Commander
 Internal Affairs Division

MILWAUKEE POLICE
 INTERNAL AFFAIRS
 DIVISION
 KJS

03 MAR 27 AM 10:04

RECEIVED

SMS:kjs