

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

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Assistant City Attorneys

September 7, 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 Officers Robert Clarke and Sarah Polka
C.I. File No. 00-S-430; ELO No. 1563

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Robert Clarke and Sarah Polka. The claim is in the amount of \$258.55 including \$5.55 in disbursements for 2.30 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. Sec. 895.35, Stats., *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,

Handwritten signature of Grant F. Langley in black ink.

GRANT F. LANGLEY
City Attorney

Handwritten signature of Jan A. Smokowicz in black ink.

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:enm
Enc.
2276

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

November 20, 2000

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

**RE: MPD Criminal Investigation of POs Robert Clarke and Sarah Polka
Allegations Regarding Mr. Phillip Hull
Date of Incident: July 23, 2000
Location of Incident: 2361 N. Booth St.
ELO No.: 1563**

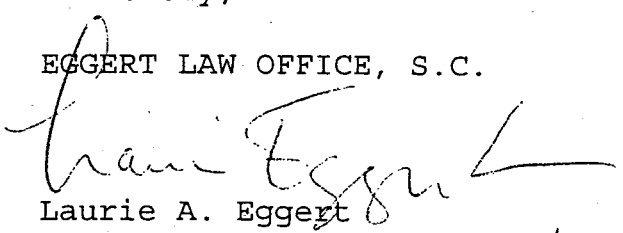
Dear Mr. Leonhardt:

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 arrest of a suspect for endangering safety of officers by reckless driving. 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

5/22/2001

O.K.

JAS

Letter # 2276

JC/ldl
CLARKE

EGGERT LAW OFFICE, S.C.

Attorneys at Law

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Milwaukee, Wisconsin 53202
(414)276-8750
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November 20, 2000

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

RE: MPD Criminal Investigation re: Mr. Phillip Hull
Regarding: PO Robert Clark and Sarah Polka
Date of Incident: July 23, 2000
Location of Incident: 2361 N. Booth St.

Professional services

	<u>Hours</u>	
7/24/00 Telephone call from PO Clarke; open file; memo to file.	0.70	
7/25/00 Telephone call to PO Polka; memo to file.	0.60	
9/26/00 Review of file; telephone call to IAD; memo to file; correspondence to MPD Open Records; correspondence to clients.	0.50	
11/10/00 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	2.30	\$253.00
Additional charges:		
11/10/00 MPD Open Records request		5.55

Mr. Ronald D. Leonhardt

Page 2

	<u>Amount</u>
Total costs	\$5.55
Total amount of this bill	<u>\$258.55</u>
Balance due	<u><u>\$258.55</u></u>

(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

CIU/Internal Affairs Division

S U M M A R Y

Wednesday, September 20, 2000

IN THE MATTER OF: **CIU#00-210 - BATTERY**
 P.O. SARAH POLKA, PR#61827
 DISTRICT FIVE, EARLY SHIFT

TO: **DALE T. SCHUNK**
 POLICE COMMANDER

SIR:

This report was dictated by Detective Louis JOHNSON, of the Criminal Investigation Unit /Internal Affairs Division (CIU/IAD), early shift.

ALLEGATION:

A citizen witness by the name of Georgiana FULLER alleges that on Sunday July 23, 2000, at 9:40 p.m, she heard police sirens outside of her house and upon looking out the window, along with her nephew Eric PRIMER, did observe a female officer jump off of a bike and knee an unknown black male (Mr. Phillip L. HULL) to the buttocks area and punch him once to the side. Miss FULLER states she observed this from her front bedroom window that faces the street. Miss FULLER states she did not observe Mr. HULL resisting or attempting to cause any problems with the officers.

INVESTIGATION:

On Sunday July 23, 2000 this detective did have occasion to interview the alleged victim of this batter a Mr. Phillip L. HULL. During the interview Mr. HULL states at no time did any officer knee him or punch him in any manner. Mr. HULL further relates that the officers treated him appropriately and that these officers were very cool with him. This detective did not observe any visible injuries to Mr. HULL and he did not make any complaints of any injuries. It should be noted that Mr. HULL allegedly suffers from schizophrenia which he informed this detective of.

The additional citizen witness who possibly witnesses this per Miss FULLER was her nephew Eric L. PRIMER. This detective on numerous occasions did attempt to contact Mr. PRIMER both by telephone, leaving messages, and in person at his residence, at which time he refused to either answer the door or return any telephone calls to this detective.

CONCLUSION:

The alleged victim, Mr. Phillip HULL, upon being interviewed made no statements saying he was battered by any officer and had no injuries that were visible. The lone witness interviewed a Miss Georgiana FULLER, still sticks to her story of what she had seen but her nephew Mr. Eric PRIMER has made himself unavailable for unknown reasons to be interviewed by this detective. This information was relayed to Captain James SHEPARD, of the CIU/IAD, at which time it was deemed that complaint would be unfounded or baseless, due to no victim and not having any corroborating witness to this incident.

Respectfully submitted:

Det. Louis Johnson Jr.

Louis JOHNSON
Police Detective
CIU/IAD, Early Shift

LJ/vd 09-20-00
00-210.SUM

INTERNAL AFFAIRS DIVISION	
Received	SEP 26 2000
Referred	file C.I.U. - Unfounded
By	Carla Dale J Schenk

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 28, 2000

TO: PO ROBERT CLARKE
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 JULY 23, 2000
- 2) A citizen's complaint made by PHILLIP HULL
- 3) A police shooting incident occurring on*

Is this information correct?

YES X NO

Did you receive legal representation
in this matter?

YES X NO

Your signature: 

Print your name: ROBERT CLARKE

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 *JH*
Commander of Police
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 28, 2000

TO: PO SARAH POLKA
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 JULY 23, 2000
- 2) A citizen's complaint made by PHILLIP HULL
- 3) A police shooting incident occurring on*

Is this information correct? YES X NO

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

Your signature: Sarah A Polka

Print your name: Sarah A Polka

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 *JS*
Commander of Police
Internal Affairs Division

DTS:dnp