

**GRANT F. LANGLEY**  
City Attorney

**MIRIAM R. HORWITZ**  
**ADAM B. STEPHENS**  
**MARY L. SCHANNING**  
**JAN A. SMOKOWICZ**  
Deputy City Attorneys

**CITY OF**  
**MILWAUKEE**  
**Office of the City Attorney**

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551  
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JAY A. UNORA  
KATHRYN Z. BLOCK  
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THOMAS D. MILLER  
ROBIN A. PEDERSON  
JEREMY R. MCKENZIE  
PETER J. BLOCK  
NICHOLAS P. DESIATO  
JOANNA FRACZEK  
JENNY YUAN  
KAIL J. DECKER  
ALLISON N. FLANAGAN  
PATRICK J. LEIGL  
HEATHER H. HOUGH  
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BENJAMIN J. ROOVERS  
ELLENY B. CHRISTOPOULOS  
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HANNAH R. JAHN  
SAVEON D. GRENELL  
ROSE SIMON-SILVA  
JULIE P. WILSON  
GREGORY P. KRUSE  
Assistant City Attorneys

June 13, 2018

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

Re: Communication from Attorney Steven D. Michael Guerin, Gimbel, Reilly,  
Guerin & Brown, for legal fees for Police Sergeant Delmar Williams

Dear Council Members:

Returned herewith is a document filed by Attorney D. Michael Guerin for attorney's fees for representing Police Sergeant Richard Hoffman. The claim is in the amount of \$1,650.00 for 6.60 hours of service billed at the rate of \$250 per hour, but should be in the amount of \$1,155.00, billed at the previously-set rate of \$175 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 officer on whose behalf this claim was filed, but he was 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 as this matter did not result in "criminal proceedings." Wis. Stat. § 895.35(2)(a)1., *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,

  
GRANT F. LANGLEY  
City Attorney

  
JAN A. SMOKOWICZ  
Deputy City Attorney

JAS  
Enclosure  
1032-2017-784:249699



**GRANT F. LANGLEY**  
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Very truly yours,

  
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Deputy City Attorney

JAS  
Enclosure  
1032-2017-784:249699



# Gimbel • Reilly • Guerin • Brown

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LLP

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Writer's Direct E-mail  
dmguerin@grgblaw.com

March 9, 2017

RECEIVED

APR 11 2017

OFFICE OF  
CITY ATTORNEY

Jim Owczarski, City Clerk  
Milwaukee City Hall  
200 East Wells Street, Room 205  
Milwaukee, Wisconsin 53202

Re: *Sergeant Delmar Williams*  
Incident of September 15, 2016

Dear Mr. Owczarski:

Delmar Williams is a Milwaukee Police Sergeant who was involved in a shooting wherein a 15 year old girl was shot. As a result of Sergeant Williams' gun discharging. A criminal investigation was initiated to determine if Sergeant Williams engaged in any criminal actions.

The City Attorney had a conflict in representing Sergeant Williams in this matter and Sergeant Williams' requested we handle the matter. Ultimately Sergeant Williams was found not to have any criminal liability. There were issues regarding the Department issued holster which was discussed with all Associations representing Milwaukee Police Officers.

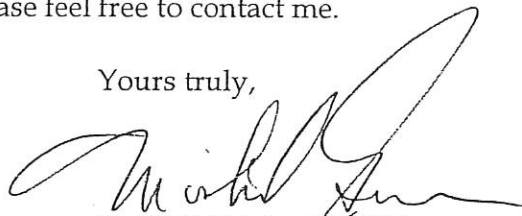
I am enclosing the printout of time at the hourly rate of \$250.00 an hour for services rendered regarding Sergeant Williams. Sergeant Williams has incurred the fees compiled in these printouts as a direct result of his being investigated for actions taken within his official capacity, and in the performance of his duties, in connection with the use of force. None of the "exceptions" to mandatory payment under § 895.35(2) Stats., apply. Therefore this investigation qualifies as a "proceeding" which mandates payment under § 895.35(2) Stats.

330 East Kilbourn Avenue  
Suite 1170  
Milwaukee, WI 53202  
P: 414-271-1440  
F: 414-271-7680  
www.grgblaw.com

All of the services were performed on site of incident or at the Milwaukee Police Department location and not in my office.

If you have any questions, please feel free to contact me.

Yours truly,



D. MICHAEL GUERIN

DMG/ker  
Enclosure  
Cc: Attorney Jay A. Smokowicz  
*Crim/Crawley, Robert/Owczarski 2017-03-09*

RECEIVED

APR 11 2017

OFFICE OF  
CITY ATTORNEY

Gimbel, Reilly, Guerin & Brown LLP  
Two Plaza East, Suite 1170 - 330 East Kilbourn Avenue  
Milwaukee, WI 53202 - www.grgblaw.com  
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Family Law, Personal Injury, Criminal Law, Real Estate,  
Business, Estate Planning, Civil & Commercial Litigation  
in State and Federal Courts  
Federal Tax ID 39-1094570

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APR 11 2017

OFFICE OF  
CITY ATTORNEY

Page: 1  
March 9, 2017  
ACCOUNT NO.: 201639811M  
STATEMENT NO.: 1

Milwaukee Police Supervisors Organization  
2900 West Forest Home Avenue  
Milwaukee, WI 53215

Criminal - Sergeant Delmar Williams

STATEMENT

HOURS

09/16/16

DMG

Conference with Sergeant Williams regarding the  
circumstances of a shooting of 15 year old girl by  
and attend the interview process with criminal  
investigators at the Milwaukee Police Department.  
Also in attendance were the representatives of  
The Milwaukee District Attorney's Office.

3.50

10/31/16

DMG

Review correspondence from Deputy District Attorney  
James J. Martin determining no criminal wrongdoing by  
Sergeant Williams and response to Deputy District Attorney  
Martin, together with correspondence to the client.

1.20

11/01/16

DMG

Prepare correspondence to Milwaukee Police Supervisors  
Organization and client regarding the district attorney's final report  
including issues with the defective holster.

1.90

FOR CURRENT SERVICES RENDERED

6.60

Milwaukee Police Supervisors Organization  
2900 West Forest Home Avenue  
Milwaukee, WI 53215

Criminal - Sergeant Delmar Williams

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APR 11 2017

OFFICE OF  
CITY ATTORNEY

RECAPITULATION

<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D. M. Guerin	6.60	\$250.00*	\$1,650.00
TOTAL CURRENT WORK			\$1,650.00
BALANCE DUE			<u>\$1,650.00</u>

PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT.  
THANK YOU!