

# 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  
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**BEVERLY A. TEMPLE**  
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**BRUCE D. SCHRIMPF**  
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**HAZEL MOSLEY**  
**HARRY A. STEIN**  
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**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

May 10, 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 Brent Miscichoski  
C.I. File No. 00-S-419/ELO 1557**

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Brent Miscichoski. The claim is in the amount of \$351.90, including \$10.90 in disbursements for 3.10 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 Officer 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,

  
GRANT F. LANGLEY  
City Attorney

  
JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:enm  
Enc .  
2276

# CITY OF MILWAUKEE

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MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY

November 16, 2000

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-419  
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 Amberg, Anderer/Rodriguez, Anderson, Bartlett/Jack, Blaszak/Carrasco, Boswell/Heaney/Pruitt, Chu/Scanlan, Curtis, et al., Farina, Goldberg, Heim/Pierce, Kronschnabel, Lutz, Miscichoski, Novak, Rozga and Tabaska.

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

Assistant City Attorneys  
INTERNAL AFFAIRS  
DIVISION  
00 DEC 26 AM 6:58

**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 7, 2000

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

**RE: MPD Criminal Investigation of PO Brent Miscichoski  
Allegations Regarding Mr. Terry Wrencher  
Date of Incident: June 28, 2000  
Location of Incident: 3000 N. 23<sup>rd</sup> St.  
ELO No.: 1557**

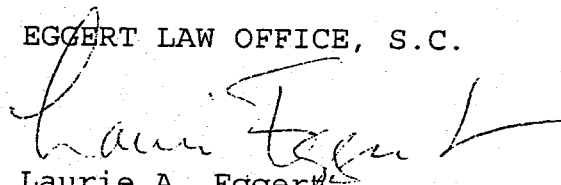
Dear Mr. Leonhardt:

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 transporting a prisoner to the district station. Charges will not be issued against the officer. 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

JC/ldl  
MISCICHOSKI

5/10/2001

O.K.  
JAS  
Letter # 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 7, 2000

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

RE: MPD Criminal Investigation  
Regarding: PO Brent Miscichoski  
Date of Incident: June 28, 2000  
Location of Incident: 3000 block of N. 23rd St.

Professional services

	<u>Hours</u>	
8/29/00 Telephone call from client; open file; meeting with client at IAD; attend client's statement to IAD; travel; memo to file.	2.20	
9/6/00 Review of correspondence from DDA Reddin; correspondence to MPD Open Records; correspondence to client.	0.40	
10/26/00 Review of correspondence from MPD Open Records; correspondence to client; close file.	0.50	
		<u>Amount</u>
For professional services rendered	3.10	\$341.00
Additional charges:		
10/26/00 MPD Open Records request		10.90
Total costs		<u>\$10.90</u>

Mr. Ronald D. Leonhardt

Page 2

	<u>Amount</u>
Total amount of this bill	<u>\$351.90</u>
Balance due	<u>\$351.90</u>

(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

CIU/Internal Affairs Division

Friday, September 22, 2000

S U M M A R Y

IN THE MATTER OF: CIU#00-184 - BATTERY  
P.O. BRENT MISCICHOSKI, PR#64284  
P.O. KURT LACINA, PR#67350  
BOTH OF DISTRICT SEVEN, EARLY SHIFT

PRIMARY INVESTIGATOR(S): DET. CHARLES SHEPARD JR.

TO: DALE T. SCHUNK  
POLICE COMMANDER

SIR:

*This report was dictated by Detective Charles SHEPARD Jr., of the Internal Affairs Division/Criminal Investigation Unit (IAD/CIU), early shift.*

ALLEGATION:

*The complainant Terry WRENCHER claimed while in police custody and being conveyed in a Milwaukee Police Department squad car in handcuffs, the passenger in the police vehicle, being a police officer, reached through the cage window and struck him with a hard object.*

INVESTIGATION:

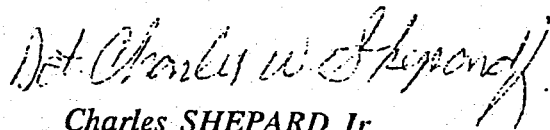
*On Wednesday June 28, 2000, at 8:15 p.m., the victim in this matter had been arrested after being pursued and caught by two officers in a rear yard and placed in handcuffs. The officers who are the focus in this investigation later arrived on the scene and were the conveying officers of the complainant, not the arresting officers. It should be noted that during the arrest of Mr. WRENCHER, he had to be sprayed with O.C. during his arrest due to the fact that he was attempting to continue to flee even though officers physically had him in custody. The victim in this matter was placed into the squad car which was being operated by Officers Brent MISCICHOSKI and Kurt LACINA. The victim was first interviewed by the supervisor on the scene, which was Sgt. Kenneth JOHNSON, who at that time asked if he was okay. At which time he stated, "Yes," and he was advised that his eyes would be washed out*

when he was brought into the district station, which was District Seven. While being conveyed into the police station, the victim further related one of the officers asked for his name. Upon doing so, he states the officer who was seated on the passenger side in front reached through the window and struck him with a hard object. The victim stated that the officer then threatened to hit him again unless he gave his true name. The victim stated he did give his true name and that this incident occurred while being conveyed to the district station. He stated that the officer stopped in mid-block, which he believed was the 3000 block of N. 23rd Street. The victim was subsequently brought into the police station where he later made his complaint to Sgt. Kenneth JOHNSON. It should be noted that Sgt. JOHNSON followed the vehicle directly to the station house during the time of this incident and he did not notice the prisoner getting struck by any of the officers while in the vehicle. Both officers were subsequently interviewed regarding this matter, during which time both officers denied having any such contact with the prisoner either by striking him or pushing his face away from the window within the squad car during their conveyance.

CONCLUSION:

This matter was reviewed by Deputy District Attorney Jon REDDIN on Tuesday August 23, 2000, at 1:30 p.m. Also present was myself and Police Commander Dale T. SCHUNK, of the Internal Affairs Division. Deputy DA REDDIN concluded that this act alleged by the victim did not meet the elements of battery, due to the fact that the victim stated he was not injured and later changed his statement to indicate that maybe he was not struck, only pushed away from the window that separates the front compartment from the rear compartment of the squad car. Deputy DA Jon REDDIN decided to make this case a no process and this incident will be cleared as warrant refused.

Respectfully submitted:



Charles SHEPARD Jr.  
Police Detective  
CIU/IAD, Early Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

JANUARY 3, 2001

TO: PO BRENT MISCICHOSKI  
DISTRICT SEVEN

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 JUNE 28, 2000
- 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: \_\_\_\_\_

*Brent Miscichoski*  
Brent MISCICHOSKI

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 *jt*  
Commander of Police  
Internal Affairs Division

DTS:dnp