

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys

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

THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
ROXANE L. CRAWFORD  
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BETH CONRADSON CLEARY  
THOMAS D. MILLER  
Assistant City Attorneys

February 23, 2007

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele  
for legal fees for Police Officer Shelley Metzler  
C.I. File No. 04-S-98; EC No. 2011

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Shelley Metzler. The claim is in the amount of \$275.00 for 2.50 hours of service billed at the rate of \$110 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 the officer 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. Wis. Stat. § 895.35, *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978). The Common Council continues to have discretion with regard to this claim because the fees were incurred prior to the effective date of 2005 Wisconsin Act 73 (effective June 7, 2006) which now makes such payment mandatory except in certain, statutorily-defined circumstances.

Very truly yours,

  
GRANT F. LANGLEY  
City Attorney



JAN A. SMOKOWICZ  
Assistant City Attorney  
JAS:enm

Enc.

1032-2004-1087.013/116060

**EGGERT & CERMELE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Schneider

1840 North Farwell Avenue  
Suite 303  
Milwaukee, Wisconsin 53202  
(414) 276-8750  
FAX (414) 276-8906

March 23, 2004

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

**RE: MPD Criminal Investigation of PO Shelley Metzler  
Allegations Regarding Mr. Daniel Sonsthagen  
Date of Incident: August 13, 2003  
EC No.: 2011**

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 a TEU/HIDTA takedown. Later, the MPD concluded that no criminal charges would issue. Attached is a copy of a status report from Commander Settingsgaard of IAD, and an itemization of the time and services rendered

Sincerely,

EGGERT & CERMELE, S.C.

Laurie A. Eggert  
Attorney at Law

JC/ldl  
attachment  
METZLER

2/19/07  
D.K.  
JAS  
Letter 2277

Vertical stamp: 03/23/04 10:51 AM  
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RECEIVED

JAN 13 2004

EGGERT & CERMELE, S.C.

Nannette H. Hegerty  
Chief of Police

Police Department

Tuesday, December 23, 2003

Jonathan Cermele  
Attorney At Law  
1840 North Farwell Avenue  
Suit 303  
Milwaukee, WI 53202

Dear Mr. CERMELE:

This letter is in response to your inquiry of December 19, 2003, regarding the status of CIU Investigatory Files.

Attached please find the requested information. If further assistance is needed Lieutenant of Detectives Jeffery Micklitz can be contacted at 935-3540.

Sincerely,

STEVEN M. SETTINGSGAARD  
POLICE COMMANDER

CIU FILE NO.	IAD FILE NO.	COMPLAINANT	ALLEGATION	DISPOSITION
1. 03-241	03-0927	WRIGHT, COLEMAN	BATTERY	PENDING
2. 03-246	03-0975	WINSTON, THOMAS	BATTERY	BASELESS
3. 03-180	03-0606	TERRY, OMAR	THEFT	WARRANT REFUSED
4. 03-270	03-1032	PEAKE, SAVANNAH	THEFT	PENDING
5. 03-162	03-0656	HINDS, MARIO	BATTERY	WARRANT REFUSED
6. 03-187	03-0706	LOPEZ, TOMMY JR.	BATTERY	UNFOUNDED
7. 03-186	03-0697	BROWN, DERRICK	BATTERY	UNFOUNDED
8. 03-216	03-0833	McNEIL, BOBBY	THEFT/CDTP	PENDING
9. 03-009	03-0026	SONSTHAGEN, DANIEL	BATTERY	WARRANT REFUSED
10. 03-156	03-0635	EYRE, KEVIN	THREATENING PHONE CALLS	WARRANT REFUSED

**EGGERT & CERMELE, S.C.**

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March 23, 2004

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

RE: MPD Criminal Investigation re: Mr. Daniel Sonsthagen  
Regarding: PO Shelley Metzler  
Date of Incident: August 13, 2003  
Location of Incident: 60th and North  
Professional services

	<u>Hours</u>	
9/29/2003 Telephone call from PO Metzler regarding new criminal investigation; open file; memo to file.	0.70	
10/1/2003 Review of file; meeting with PO Metzler at IAD; attend PO Metzler's PI-21 statement; travel; memo to file.	1.20	
12/19/2003 Review of file; Fax to IAD.	0.20	
1/13/2004 Receive and review correspondence from IAD confirming investigation cleared as warrant refused; correspondence to client; close file.	0.40	
		<u>Amount</u>
For professional services rendered	2.50	\$275.00
Balance due		<u>\$275.00</u>

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 12, 2004

TO: P.O. SHELLEY METZLER  
DISTRICT: TEU

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 AUGUST 13, 2003
- 2) A citizen's complaint made by DANIEL SONSTHAGEN
- 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:           *P.O. S. Metzler*          

Print your name:           P.O. Shelley METZLER          

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

*Steven M. Settingsgaard*  
Steven M. Settingsgaard *KJS*  
INSPECTOR OF POLICE  
Internal Affairs Division

SMS:kjs