

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

February 21, 2005

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

Re: Communication from Attorney Laurie A. Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officers Jim Bunker, Joseph Schabel, John Balcerzak, Rudolph
Verhoeven and Gilbert Gwinn; C.I. Claim File No. 03-S-347; EC 1910

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Jim Bunker, Joseph Schabel, John Balcerzak, Rudolph Verhoeven and Gilbert Gwinn. The claim is in the amount of \$1,482.42 including \$41.42 in disbursements for 13.10 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 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. 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.

90467/ 1032-2003-2890.001

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. BOWITZ
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
Rachel L. Schneider

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

September 3, 2003

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

MILWAUKEE CITY CLERK
SEP 5 PM 3:05
RECEIVED

**RE: MPD Criminal Investigation of POs Jim Bunker, Joseph Schabel,
John Balcerzak, Rudolph Verhoeven and Gilbert Gwinn
Allegations Regarding Mr. Douglas Goodreau
Date of Incident: February 9, 2003
Location of Incident: 23th and Scott
EC No.: 1910**

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.

The MPD conducted a criminal investigation and investigated the shooting as a critical incident. IAD compelled POs Bunker, Schabel, Balcerzak, Verhoeven and Gwinn to give statements after issuing PI-21s. The DA reviewed the matter and did not issue charges against the officers. Attached is an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.



Laurie A. Eggert
Attorney at Law

2/5/05
O.K.
JAS
Letter 2276

MILWAUKEE CITY CLERK
SEP 5 PM 3:05
RECEIVED

LAE/ldl
attachment
BUNKER ET AL

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

September 03, 2003

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

RE: MPD Criminal Investigation re: Mr. Douglas Goodreau
Regarding: POs Jim Bunker, Joseph Schabel, John Balcerzak,
Rudolph Verhoeven and Gilbert Gwinn
Date of Incident: February 9, 2003
Location of Incident: 23rd and Scott
Professional services

	<u>Hours</u>	
2/9/2003 Telephone call from client; open file; conference with client; appearance at statements to CIB; memo to file; conference with Det. Lt.; PI-21 statements of Bunker, Schabel, Balcerzak and Gwinn; travel.	8.50	
2/10/2003 Review of file; intra-office conference.	0.30	
2/11/2003 Review of file; travel to DA's office; meeting with clients; attend clients' statement to DA regarding incident and criminal charges against complainant.	2.50	
5/5/2003 Correspondence to MPD Open Records; review of file; computer search of records of complainant's criminal trial.	0.60	
8/18/2003 Review records of criminal investigation from MPD Open Records; computer search regarding criminal charges against suspect; memo to file; correspondence to clients; close file.	1.20	
		<u>Amount</u>
For professional services rendered	13.10	\$1,441.00
Additional charges:		
2/9/2003 Parking		9.00
2/11/2003 Parking		8.00

Mr. Ronald D. Leonhardt

Page 2

8/18/2003 MPD Open Records request

Amount

24.42

Total costs

\$41.42

Total amount of this bill

\$1,482.42

Balance due

\$1,482.42

(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 16, 2003

TO: P.O. JIM BUNKER
DISTRICT TWO

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 9, 2003
- 2) A citizen's complaint made by DOUGLAS GOODREAU
- 3) A police shooting incident occurring on N/A

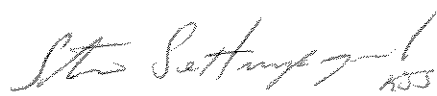
Is this information correct? YES NO

Did you receive legal representation in this matter? YES NO

Your signature: P.O. James E. Bunker

Print your name: P.O. JAMES E. BUNKER

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

SMS:kjs

RECEIVED
03 SEP 22 PM 2:29
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 16, 2003

TO: P.O. JOSEPH SCHABEL
DISTRICT TWO

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 9, 2003
- 2) A citizen's complaint made by DOUGLAS GOODREAU
- 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. Joseph Schabel*

Print your name: P.O. JOSEPH SCHABEL

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

Steven M. Settingsgaard
KJS

Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs

RECEIVED
03 SEP 23 PM 1:04
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 16, 2003

TO: P.O. JOHN BALCERZAK
DISTRICT SOB CYCLES

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 9, 2003
- 2) A citizen's complaint made by DOUGLAS GOODREAU
- 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: [Signature]

Print your name: P.O. JOHN A. BALCERZAK

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

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

KJS

MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

03 SEP 25 PM 12:25

RECEIVED

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 16, 2003

TO: P.O. RUDOLPH VERHOEVEN
DISTRICT SIX
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 9, 2003
- 2) A citizen's complaint made by DOUGLAS GOODREAU
- 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. Rudolph A. Verhoeven
Print your name: P.O. Rudolph A. VERHOEVEN

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
Police Commander
Internal Affairs Division

RECEIVED
03 SEP 22 AM 9:03
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION
SMS
kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 16, 2003

TO: P.O. GILBERT GWINN
DISTRICT SIX

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 9, 2003
- 2) A citizen's complaint made by DOUGLAS GOODREAU
- 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: P.O. Gilbert Gwinn

Print your name: GILBERT G. GWINN

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

Steven M. Settingsgaard
K33

Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs

RECEIVED
03 SEP 23 AM 8:58
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION