

GRANT F. LANGLEY
City Attorney

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



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
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. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN M. ZALEWSKI
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
Assistant City Attorneys

October 19, 2007

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

Re: Communication from Attorney Laurie A. Eggert for legal fees for
Police Officers Tom Harter, Tabatha Guajardo, Scott Beaver, Nicole Vele,
Sean Lesnjak, Toby Golembiewski, James Morsovillo, Robert Wilkinson,
and Robert Glowinski
C.I. File No. 05-S-143; EC 2170

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Tom Harter, Tabatha Guajardo, Scott Beaver, Nicole Vele, Sean Lesnjak, Toby Golembiewski, James Morsovillo, Robert Wilkinson, and Robert Glowinski. The claim is in the amount of \$2618.00 for 23.80 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. No criminal charges were brought against the 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:amp
Enc.

1032-2004-3292:124731v1

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: P.O. TOM HARTER
DISTRICT: PATROL SUPPORT - CYCLES

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 20, 2004
- 2) A citizen's complaint regarding Puerto Rican Fest
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES NO

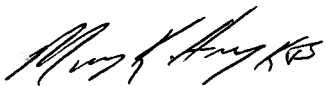
Did you receive legal representation
in this matter?

YES NO

Your signature: PO Thomas Harter

Print your name: PO Thomas Harter

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


MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

RECEIVED
05 JUN 13 AM 11:48
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: P.O. TABATHA GUAJARDO
DISTRICT: TWO

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 20, 2004
- 2) A citizen's complaint regarding Puerto Rican Fest
- 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: PO Tabatha Guajardo

Print your name: PO Tabatha Guajardo

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

Mary K. Hoerig

MARY K. HOERIG
Captain of Police
Professional Performance Division

RECEIVED
05 JUN -3 AM 10:55
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: P.O. SCOTT BEAVER
DISTRICT: PATROL SUPPORT

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 20, 2004
- 2) A citizen's complaint regarding Puerto Rican Fest
- 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: *PO Scott A Beaver*
Print your name: PO Scott A Beaver

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

Mary K Hoerig K55
MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

RECEIVED
05 JUN 17 AM 11:18
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: P.O. NICOLE VELE
DISTRICT: VICE CONTROL DIVISION

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 20, 2004
- 2) A citizen's complaint regarding Puerto Rican Fest
- 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: Nicole Vele 05-31-05
Print your name: Nicole VELE

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

Mary K. Hoerig
MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

RECEIVED
05 JUN -3 AM 10:54
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: P.O. SEAN LESNJAK
DISTRICT: TWO

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 20, 2004
- 2) A citizen's complaint filed regarding Puerto Rican Fest
- 3) A police shooting incident occurring on N/A

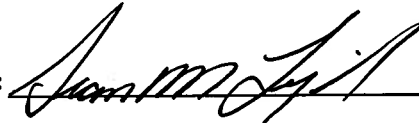
Is this information correct?

YES NO

Did you receive legal representation in this matter?

YES NO

Your signature: _____

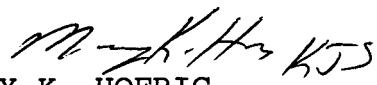


Print your name: _____

SEAN M LESNJAK

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

MARY K. HOERIG
Captain of Police
Professional Performance Division



MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION
05 JUN -6 AM 10:13
RECEIVED

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: P.O. TOBY GOLEMBIEWSKI
DISTRICT: PATROL SUPPORT

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 20, 2004
- 2) A citizen's complaint regarding Puerto Rican Fest
- 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: _____

Print your name: _____

Toby J. Golembiewski
Toby J. Golembiewski

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

Mary K. Hoerig
MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: P.O. JAMES MORSOVILLO
DISTRICT: TWO

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 20, 2004
- 2) A citizen's complaint regarding Puerto Rican Fest
- 3) A police shooting incident occurring on N/A

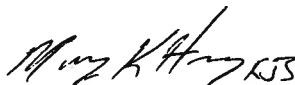
Is this information correct? YES NO

Did you receive legal representation in this matter? YES NO

Your signature: 

Print your name: JAMES MORSOVILLO

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


MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

RECEIVED
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION
05 JUN 14 AM 10:48

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

June 2, 2005

TO: P.O. ROBERT WILKINSON
DISTRICT: TWO

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 20, 2004
- 2) A citizen's complaint made by Puerto Rican Fest
- 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. Robert Wilkinson

Print your name: P.O. Robert Wilkinson

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

Mary K. Hoerig
 MARY K. HOERIG
 Captain of Police
 Professional Performance Division

MILWAUKEE POLICE
 INTERNAL AFFAIRS
 DIVISION
 05 JUN 6
 AH 10:13
 RECEIVED

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: P.O. ROBERT GLOWINSKI
DISTRICT: TWO

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 20, 2004
- 2) A citizen's complaint regarding Puerto Rican Fest
- 3) A police shooting incident occurring on N/A

Is this information correct?

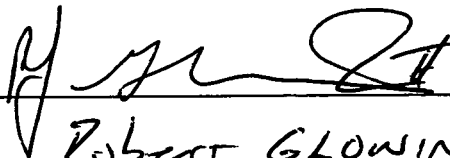
YES NO

Did you receive legal representation
in this matter?

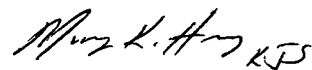
YES NO

Your signature: _____

Print your name: _____


Robert GLOWINSKI

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


MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION
05 JUN 15 PM 12:02
RECEIVED

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings

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

May 3, 2005

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

CITY OF MILWAUKEE
2005 MAY - 6 AM 11:51
RONALD D. LEONHARDT
CITY CLERK

**RE: MPD Criminal Investigation of POs Tom Harter, Tabatha Guajardo,
Scott Beaver, Nicole Velez, Sean Lesnjak, Toby Golembiewski, James
Morsovillo, Robert Wilkinson and Robert Glowinski
Allegations Regarding Puerto Rican Fest
Date of Incident: June 20, 2004
Location of Incident: Mitchell Street
EC No.: 2170**

Dear Mr. Leonhardt:

The above-named police officers have retained us to represent them in connection with the above-referenced matter.

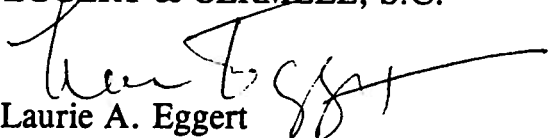
CITY OF MILWAUKEE
2005 MAY - 6 AM 11:51
OFFICE OF THE
CITY ATTORNEY

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 crowd control at Puerto Rican Fest.

Later, the MPD concluded that no criminal charges would issue. Attached is a copy of DDA Reddin's letter and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.


Laurie A. Eggert
Attorney at Law

JC/ldl
attachment
HARTER ET AL

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings

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

May 03, 2005

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

RE: MPD Criminal Investigation re: Puerto Rican Fest
Regarding: POs Tom Harter, Tabatha Guajardo, Scott Beaver,
Nicole Velee, Sean Lesnjak, Toby Golembiewski, James Morsovillo,
Robert Wilkinson and Robert Glowinski
Date of Incident: June 20, 2004
Location of Incident: Mitchell Street
Professional services

	<u>Hours</u>
7/8/2004 Telephone call from PO Harter regarding criminal investigation into police action taken at "Puerto Rican Fest"; open file; memo to file; telephone call to IAD; schedule statement; meeting with IAD; meeting with Harter at IAD; attend PO Harter's statement to IAD; travel.	2.10
7/9/2004 Office conference with PO Beaver; memo to file.	0.90
7/10/2004 Review of file; telephone call to witness.	0.40
7/12/2004 Review of file; telephone call to and from IAD; telephone calls to and from POs Beaver, Lesnjak, Velee, Arce, Felix and Glowinski; memos to file.	1.90
7/13/2004 Telephone call from PO Beaver; memo to file; office conference with witness; memo to file; telephone call from PO Lesnjak; memo to file.	2.00
7/14/2004 Telephone call from and to witness; memo to file.	0.30
7/15/2004 Telephone calls to and from several witnesses; memos to file; telephone calls to POs Golembiewski and Morsovillo; memos to file; telephone call to IAD.	2.00

	<u>Hours</u>
7/20/2004 Review of file; telephone call to IAD; travel; meeting with IAD; obtain video of incident; telephone call from PO Glowinski; memo to file.	2.40
7/21/2004 Review video tape of incident.	0.80
7/26/2004 Telephone call to, and office conference with, PO Beaver; travel; meeting with PO Beaver; attend PO Beaver's statement to IAD; memo to file.	3.50
7/27/2004 Telephone call from PO Lesnjak.	0.20
7/28/2004 Telephone call to and from IAD; meeting with PO Veele at IAD; attend PO Veele's statement to IAD; meeting with PO Golembiewski; attend PO Golembiewski's statement to IAD; meeting with PO Lesnjak; attend PO Lesnjak's statement to IAD; meeting with PO Guajardo; attend PO Guajardo's statement to IAD; travel; memos to file.	3.40
7/29/2004 Telephone call from PO Morsovillo; memo to file; review of file; telephone call to and from IAD; meeting with POs Morsovillo and Wilkinson at IAD; travel; memo to file.	2.00
9/14/2004 Telephone call from ADA McAdams.	0.20
10/5/2004 Telephone call to ADA McAdams.	0.20
11/4/2004 Telephone call to ADA McAdams.	0.10
11/15/2004 Review of file; telephone call to ADA McAdams.	0.20
11/16/2004 Telephone call from ADA McAdams.	0.10
11/22/2004 Telephone call to ADA McAdams.	0.20
11/23/2004 Review of correspondence from ADA McAdams regarding no processing complaint; correspondence to clients; close file.	0.90

	<u>Amount</u>
For professional services rendered	23.80 \$2,618.00

Mr. Ronald D. Leonhardt

Page 3

Amount

Balance due

\$2,618.00



OFFICE OF DISTRICT ATTORNEY

Milwaukee County

E. MICHAEL McCANN • District Attorney

Robert D. Donohoo
Jon N. Reddin
Carol Lynn White
Patrick J. Kenney
James J. Martin
Thomas A. Schutz
Alexander G. Skienarz
William J. Molitor
Donald S. Jackson
Gale G. Shelton
Terry Magowan
Gary D. Mahkorn
David Robles

Deborah Daley
Peg Tarrant
Douglas J. Simpson
Cynthia G. Brown
Norman A. Gahn
Stephanie Gineris Rothstein
Carol E. Janick
Steven H. Giamm
Mary Anne Smith
Mark S. Williams
Linda Johnson
John M. Stoiber
Thomas L. Potter
David Feiss
Rayann Chandler Szychiński
Carole Manchester
Kenneth R. Berg
Benbow P. Cheesman, Jr.
Lovell Johnson, Jr.
Warren D. Zier
Timothy J. Cotter
Carol Berry Crowley
Steven V. Licata
Brad Vorpahl
Jane Carroll
Paul Tiffin
Miriam S. Falk
Phyllis M. DeCarvalho
Dennis P. Murphy
Christine M. Kraus
Philip A. Arieff
Thomas J. McAdams
Bruce J. Landgraf
Mary K. McCann
Denis J. Stings
David M. Lerman
Janet C. Protasiewicz
DeAnn L. Heard
Patricia A. McGowan
Irene Parthum
Karen A. Loebel
Nancy Eitanheim
Ronald S. Degus
Lori S. Korbium
Karina O'Byrne
Maria Williams
James W. Frisch
Kurt B. Bentley
James C. Griffin
William P. Pipp
Audrey Sniwiewski
Joanne L. Hardtke
John T. Chisholm
Christopher A. Liegel
Megan P. Carmody
Laura A. Crivello
Shawn Pompe
Brian J. Resler
Kevin R. Shomin
Jennifer Rypel
Beth D. Zingel
Karen A. Vespelec
Rebecca F. Dallet
Mark A. Sanders
Paul C. Dedinsky
David T. Malone
Kelly L. Hedge
Jeffrey J. Altanburg
Rachael Stencil
Julius Kim
Patti Wabitsch
Kent L. Lovem
Paul R. Sander
Bradford J. Bogdon
Joy Bertrand
Bruce W. Becker
Michael T. Mahoney
Mary M. Sowinski
Kathryn K. Sauer
Jeanette Corbett
Jeffrey P. Gripp
Thomas C. Binger
David Maas
Jeremy L. Resar
Daniel J. Gabler
Sara P. Scullen
Gerise M. LaSpisa
T. Christopher Des
Katherine Kucharski
Lisa P. Fricker
Robin J. Rosche
Tiffany J. Harris
Daniel R. Humble
Jacob D. Corr
Joy Hammond
Trevor A. Sisk
Andrew J. Maier
Heidi E. Galvan
Nancy A. Noel
Elisabeth Mueller
Megan J. Thomas
Grant I. Huebner
Callie Kidder-Lacy
Stephan Eduard Noten
John Rusch
Eric D. Défort
Christine M. Quinn
Mary C. Theisen
Michelle A. Ackerman
Adam J. Levin
Scott A. Mielke
Jennifer K. Rhodes
Claire L. Starling
Zach S. Whitney
Rebecca A. Kieler

November 18, 2004

Attorney Jon Cermele
Eggert & Cermele SC
1840 N. Farwell Ave. #303
Milwaukee, WI 53202-1716

Re: Incident that occurred on Mitchell Street on June 20, 2004, Incident No. 04-174-321.

Dear Attorney Cermele:

I write concerning the above listed matter, which I have been looking into diligently for a short time now. Unfortunately, I have not received responses to several letters I sent out and to date none of the complainants has identified any particular person as having committed the claimed offense(s). I write to inform you, thus, that I am not able to issue charges at this time.

It is possible that things could happen that would change this in the future, though. First, videotapes which I have been told exist could be produced. Second, there is a misdemeanor case against one of the complainants which I believe is scheduled for a status in December which I intend to monitor. It is possible, but unlikely, that testimony in that case could have an impact here. As of right now, though, I have determined that there is no evidence to proceed against any particular person.

Sincerely,

[Handwritten signature of Thomas J. McAdams]

Thomas J. McAdams
Assistant District Attorney

TM/sks

c: Karen Dubis