

# 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 286-2025  
FAX (414) 286-8550

May 13, 2005

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele, S.C.  
for legal fees for Police Officers Jason Kane and Lane Grady  
C.I. Claim File No. 04-S-19; EC 1979

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Jason Kane and Lane Grady. The claim is in the amount of \$811.77, including \$8.77 in disbursements for 7.30 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 the filing of a citizen's complaint against the officers with the Fire and Police Commission. The complaint was dismissed by the Commission.

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.

93153/1032-2004-228.008

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. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY  
DAWN M. BOLAND  
KATHRYN M. ZALEWSKI  
MEGAN T. CRUMP  
ELOISA DE LEÓN  
ADAM STEPHENS

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

January 16, 2004

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

**RE: Citizen Complaint of Mr. Jerry W. Hurt  
Against POs Jason Kane and Lane Grady  
Complaint No.: 03-10  
Date of Incident: January 14, 2003  
EC No.: 1979**

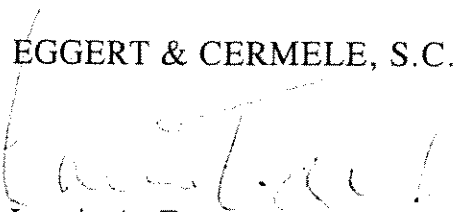
Dear Mr. Leonhardt:

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. This incident involved a traffic stop.

Mr. Hurt was unavailable due to his convictions for fleeing/eluding an officer in the same incident as the Fire and Police Commission complaint. The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

  
Laurie A. Eggert  
Attorney at Law

LAE/ldl  
attachment  
KANE GRADY

5/11/05  
O.K.  
JAS  
Letter 7295

**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

January 16, 2004

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

RE: Citizen Complaint of Mr. Jerry W. Hurt  
Against POs Jason Kane and Lane Grady  
FPC No: 03-10  
Date of Incident: January 14, 2003  
Location of Incident: Teutonia and Bobolink  
Professional services

	<u>Hours</u>
3/13/2003 Conference with Kane; open file; memo to file; computer search regarding municipal court, criminal cases and bench warrant; correspondence to FPC; correspondence to MPD Open Records.	2.10
3/17/2003 Conference with Grady; correspondence to FPC; memo to file.	0.80
3/19/2003 Review of correspondence from FPC.	0.10
4/4/2003 Telephone call from FPC; review of file; memo to file; computer search regarding open cases; review of correspondence from client.	0.60
6/3/2003 Telephone call from and to FPC; review of file; memo to file.	0.50
6/11/2003 Review documents from MPD Open Records.	0.40
7/31/2003 Memo to file regarding medical records; computer update of criminal trial of complainant.	0.40
8/27/2003 Review of file.	0.10
10/15/2003 Computer update of complainant's criminal case regarding incident and his other pending criminal trials; review of file; telephone call to clients; memo to file; correspondence to FPC.	1.30
10/28/2003 Review of file; memo to file.	0.10

Mr. Ronald Leonhardt

	<u>Hours</u>	
11/10/2003 Telephone call from FPC; review of file; memo to file.	0.30	
11/11/2003 Review of file.	0.10	
11/24/2003 Review of correspondence from FPC; correspondence to client; close file.	0.50	
	<u>7.30</u>	<u>Amount</u>
For professional services rendered		\$803.00
Additional charges:		
6/11/2003 MPD Open Records request		8.77
		<u>\$8.77</u>
Total costs		<u>\$811.77</u>
Total amount of this bill		<u>\$811.77</u>
Balance due		<u><u>\$811.77</u></u>

(Rate: \$110.00 per hour)

Case

NOV 24 2003

BOARD OF  
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

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In Re:  
THE CHARGES OF JERRY HURT  
AGAINST POLICE OFFICERS JASON  
KANE AND LANE GRADY

ORDER OF DISMISSAL

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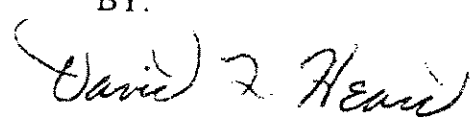
To Officer Jason Kane:

It is hereby ordered that the Complaint of Jerry Hurt, Complaint No. 03-10, filed with the Board on February 4, 2003, is dismissed without prejudice due to the unavailability of the Complainant, by the

MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

WOODY WELCH,  
CHAIRMAN

BY:



DAVID L. HEARD  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, NOVEMBER 21, 2003.

c: Attorney Laurie Eggert ✓

CDL

NOV 24 2003.

BOARD OF  
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

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In Re:  
THE CHARGES OF JERRY HURT  
AGAINST POLICE OFFICERS JASON  
KANE AND LANE GRADY

ORDER OF DISMISSAL

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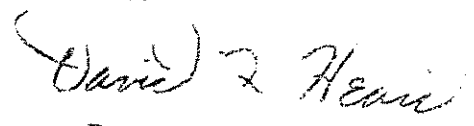
To Officer Lane Grady:

It is hereby ordered that the Complaint of Jerry Hurt, Complaint No. 03-10, filed with the Board on February 4, 2003, is dismissed without prejudice due to the unavailability of the Complainant, by the

MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

WOODY WELCH,  
CHAIRMAN

BY:



DAVID L. HEARD  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, NOVEMBER 21, 2003.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

FEBRAURY 17, 2004

TO: P.O. JASON KANE  
DISTRICT: PATROL SUPPORT 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 JANUARY 14, 2003
- 2) A citizen's complaint made by JERRY HURT
- 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. Jason D Kane*

Print your name: \_\_\_\_\_

*P.O. JASON KANE 64681*

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

*St. Settingsgaard*  
Steven M. Settingsgaard  
Police Commander  
Internal Affairs Division

SMS:kjs

04 FEB 23 AM 10:31

RECEIVED

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

FEBRAURY 17, 2004

TO: P.O. LANE GRADY  
DISTRICT: PATROL SUPPORT TEU

RE: Receipt of Legal Services from Law Firm of  
Attorney

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- 2) A citizen's complaint made by JERRY HURT
- 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:           Lane Grady          

Print your name:           Lane GRADY          

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

SMS:kjs

MILWAUKEE POLICE  
INTERNAL AFFAIRS  
04 FEB 20 PM 12:30  
RECEIVED