

**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  
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 Z. BLOCK  
MEGAN T. CRUMP  
ELOISA DE LEÓN  
ADAM B. STEPHENS  
KEVIN P. SULLIVAN  
BETH CONRADSON CLEARY  
THOMAS D. MILLER  
HEIDI E. GALVÁN  
Assistant City Attorneys

March 17, 2008

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 David Martinez  
C.I. File No. 06-S-333 (3); EC 2374

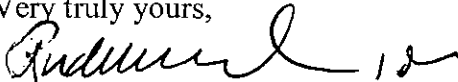
Dear Council Members:

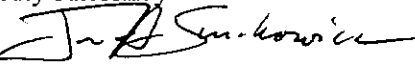
Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer David Martinez. The claim is in the amount of \$1,002.00 including \$1.00 in disbursements for 9.10 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be 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 the filing of a citizen's complaint against the officer 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:amp  
Enc.

1032-2006-3039:124771v1

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 8, 2006

TO: P.O. DAVID MARTINEZ  
DISTRICT: SEVEN

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

RECEIVED  
06 NOV 20 PM 1 18  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION

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 SEPTEMBER 14, 2004
- 2) A citizen's complaint made by ROUAL DAVIS

Is this information correct?

YES  NO

Did you receive legal representation  
in this matter?

YES  NO

Your signature: \_\_\_\_\_

*P.O. David Martinez*

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

P.O. DAVID MARTINEZ

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

MARY K. HOERIG  
Deputy Inspector  
Professional Performance Division

MKH:kjs

# CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE  
LAURIE A. EGGERT  
RACHEL L. PINGS  
MATTHEW L. GRANITZ

6310 WEST BLUEMOUND ROAD  
SUITE 200  
MILWAUKEE, WISCONSIN 53213  
(414) 276-8750  
FAX (414) 276-8906

October 19, 2006

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

**RE: Citizen Complaint of Mr. Roual Davis  
Against PO David Martinez  
Complaint No.: 04-71  
Date of Incident: September 14, 2004**

CITY OF MILWAUKEE  
2006 OCT 25 PM 1:25  
RONALD D. LEONHARDT  
CITY CLERK

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, this claim is hereby made on his behalf for the indicated legal fees. This incident involved police response to a drug dealing 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,

CERMELE & ASSOCIATES, S.C.

Jon Cermele

CITY OF MILWAUKEE  
RECEIVED  
2006 OCT 25 PM 2:39  
OFFICE OF  
CITY ATTORNEY

/kjs  
Attachments  
MARTINEZ

# CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE  
LAURIE A. EGGERT  
RACHEL L. PINGS  
MATTHEW L. GRANITZ

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MILWAUKEE, WISCONSIN 53213  
(414) 276-8750  
FAX (414) 276-8906

October 19, 2006

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

RE: Citizen Complaint of Mr. Roul Davis  
Against PO David Martinez  
FPC No: 04-71  
Date of Incident: September 14, 2004  
Professional services

	<u>Hours</u>
12/9/2004 Telephone call from PO Martinez; open file.	0.50
1/4/2005 Conference with client; memo to file; search municipal website regarding court date for municipal ticket; telephone call to and from FPC; telephone call to client regarding cancelled conciliation.	2.00
Conference with client.	0.30
1/12/2005 Review of file.	0.10
1/18/2005 Review of correspondence from FPC.	0.10
1/21/2005 Telephone call from client; memo to file.	0.30
2/1/2005 Telephone call from FPC.	0.10
2/7/2005 Review and sign correspondence to FPC.	0.10
2/8/2005 Telephone call from client; telephone call to FPC; remove conciliation from calendar.	0.50
2/10/2005 Receive and review correspondence from FPC; correspondence to client.	0.20

	<u>Hours</u>
3/2/2005 Telephone call from FPC regarding scheduling conciliation.	0.10
3/15/2005 Review Complaint and Appeal Report regarding status.	0.10
3/22/2005 Telephone call from and to FPC.	0.10
3/29/2005 Several telephone calls from and to client; telephone call to FPC regarding rescheduling conciliation.	0.20
3/31/2005 Telephone call from witness; memo to file.	0.20
Telephone call from FPC; reschedule conciliation; calendar same; telephone call to client; telephone call to witness.	0.20
4/4/2005 Telephone call to FPC; memo to file regarding same.	0.20
4/5/2005 Receive and review correspondence from FPC; file same; telephone call to client; telephone call to witness.	0.20
4/6/2005 Intra-office conference with Cermele; telephone call from FPC; telephone call to client; memo to file.	0.30
4/11/2005 Receive and review correspondence from FPC; file same.	0.10
6/27/2005 Review of file; copy portions for the criminal file regarding this.	0.30
9/23/2005 Telephone call from client; review of file.	0.10
2/21/2006 Receive and review correspondence from FPC; correspondence to witness.	0.20
3/15/2006 Telephone call to FPC; schedule and calendar conciliation.	0.10
3/22/2006 Receive and review Notice of Conciliation; review and sign correspondence to client; telephone call from client; telephone call to FPC to reschedule conciliation.	0.30
4/6/2006 Telephone call from FPC regarding scheduling conciliation; review file; telephone call to FPC.	0.20

	<u>Hours</u>	
4/7/2006 Telephone call from FPC regarding scheduling conciliation; calendar same.	0.10	
4/24/2006 Receive and review correspondence from FPC regarding conciliation; review and sign correspondence to client.	0.20	
5/4/2006 Review file; travel to and perform conciliation; return travel.	1.50	
8/23/2006 Receive and review FPC order of dismissal.	0.10	
8/24/2006 Correspondence to client; close file.	0.10	
		<u>Amount</u>
For professional services rendered	9.10	\$1,001.00
Additional charges:		
5/4/2006 Parking		1.00
Total costs		<u>\$1.00</u>
Total amount of this bill		<u>\$1,002.00</u>
Balance due		<u><u>\$1,002.00</u></u>

(Rate: \$110.00 per hour)

REC'D

AUG 22 2006

CERMELE & ASSOCIATES, S.C.

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

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In Re:  
THE CHARGES OF ROUAL DAVIS  
AGAINST POLICE OFFICER DAVID MARTINEZ

ORDER OF DISMISSAL

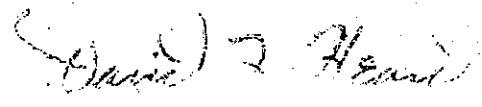
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To Officer David Martinez:

It is hereby ordered that the Complaint of Roual Davis, Complaint No. 04-71, filed with the Board on September 28, 2004, is dismissed because the Complainant does not wish to pursue the complaint, by the

MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS  
LEONARD J. SOBCZAK, CHAIRMAN

BY:



DAVID L. HEARD  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, AUGUST 21, 2006.

c: Attorney Rachel Pings ✓