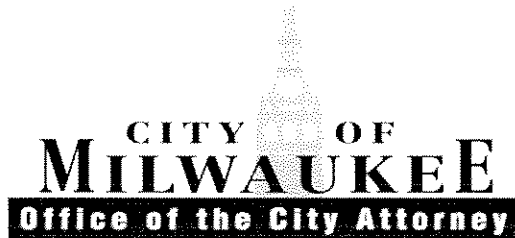


GRANT F. LANGLEY
City Attorney

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

September 11, 2007

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 Officers Mark Kapusta, Richard Schellhammer,
Brian Brosseau, and Scott Lackovic; C.I. File No. 04-S-457 EC 2116

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Police Officers Mark Kapusta, Richard Schellhammer, Brian Brosseau, and Scott Lackovic. The claim is in the amount of \$2,232.06 including \$10.06 in disbursements for 20.20 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. Sec. 895.35, Stats., 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.
122855v1

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 24, 2005

TO: P.O. MARK KAPUSTA
DISTRICT: SEVEN

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 APRIL 15, 2003
- 2) A citizen's complaint made by LATASHA REED
- 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: *Mark Kapusta*

Print your name: PO MARK KAPUSTA

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 JAN 27 AM 11:53
MILWAUKEE POLICE DEPARTMENT
PROFESSIONAL PERFORMANCE DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 24, 2005

TO: P.O. RICHARD SCHELLHAMMER
DISTRICT: SEVEN

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 APRIL 15, 2003
- 2) A citizen's complaint made by LATASHA REED
- 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: Richard Schellhammer

Print your name: Richard Schellhammer

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 JAN 28 AM 10:01
PROFESSIONAL PERFORMANCE DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 24, 2005

TO: P.O. BRIAN BROUSSEAU
DISTRICT: INTEL

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 APRIL 15, 2003
- 2) A citizen's complaint made by LATASHA REED
- 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: _____

Brian P. Brosseau

Print your name: _____

Brian P. Brosseau

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

Mary K. Hoerig MS

MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

05 JAN 29 AM 10:15
RECEIVED

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 24, 2005

TO: P.O. SCOTT LACKOVIC
DISTRICT: SEVEN

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 APRIL 15, 2003
- 2) A citizen's complaint made by LATASHA REED
- 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: Scott Lackovic

Print your name: Scott Lackovic

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 JAN 27 AM 11:53
MILWAUKEE POLICE DEPARTMENT
PROFESSIONAL PERFORMANCE DIVISION

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

December 23, 2004

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

**RE: Citizen Complaint of Ms. Latasha Reed
Against POs Mark Kapusta, Richard Schellhammer, Brian Brosseau
and Scott Lackovic
Complaint No.: 03-49
Date of Incident: April 15, 2003
EC No.: 2116**

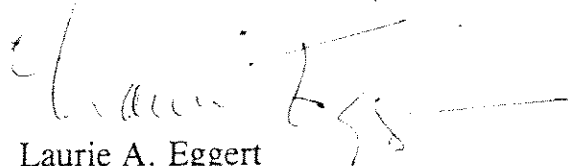
Dear Mr. Leonhardt:

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 checking for a wanted subject. 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
KAPUSTA 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

December 24, 2004

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

RE: Citizen Complaint of Ms. Latasha Reed
Against POs Mark Kapusta, Richard Schellhammer, Brian Brosseau and
Scott Lackovic
FPC No: 03-49
Date of Incident: April 15, 2003
Location of Incident: 2838 North 50th Street
Professional services

	<u>Hours</u>
9/22/2003 Conference with Schellhammer; open file; correspondence to FPC.	0.80
9/23/2003 Conference with Kapusta; correspondence to FPC; memo to file.	1.40
9/25/2003 Telephone call to and from FPC.	0.10
10/6/2003 Review documents from Brosseau; correspondence to FPC; memo to file; review of file.	0.70
10/7/2003 Review of correspondence from FPC; review of file.	0.20
11/18/2003 Review of file; correspondence to MPD Open Records.	0.60
11/19/2003 Telephone call to client; telephone call to and from Lackovic; memo to file; telephone call from Brosseau; correspondence to FPC.	1.60
12/3/2003 Telephone call to and from FPC; review of file; memo to file; CCAP update; telephone call to and from clients.	0.80
12/4/2003 Telephone call from and to FPC; memo to file.	0.20

	<u>Hours</u>
1/12/2004 Telephone call from client; telephone call to clients; telephone call to District #7; telephone call from FPC; memo to file.	1.10
1/16/2004 Telephone call from FPC; memo to file; telephone call to client; telephone call from client.	0.50
1/20/2004 Telephone call from FPC; review of file; memo to file.	0.20
1/23/2004 Review of correspondence from FPC; correspondence to clients; memo to file.	0.20
1/25/2004 Review of file.	0.10
1/26/2004 Preparation for and appearance at conciliation; conference with clients; memo to file; travel.	2.30
1/27/2004 Review of file; memo to file regarding conciliation and trial strategy; CCAP update; telephone call from client.	2.30
2/13/2004 Review of file; telephone call to FPC; memo to file.	0.30
2/18/2004 Review dismissal notices as to all but Kapusta; correspondence to clients.	0.20
3/1/2004 Telephone call from client; review of file.	0.20
3/11/2004 Telephone call from MPD Open Records; memo to file.	0.20
3/15/2004 Review documents from MPD Open Records.	0.40
3/16/2004 Review document from FPC; memo to file; review of file.	0.20
4/29/2004 Review of file; memo to file.	0.60
5/14/2004 Review of file; trial preparation.	1.30
5/18/2004 Review of file; draft witness and exhibit list.	0.10

	<u>Hours</u>		
5/19/2004	Review of file; revise witness and exhibit list; conference with Miller regarding hitch sheet and CAD.	1.20	
5/20/2004	Review witness and exhibit list; trial preparation	0.40	
5/21/2004	Correspondence to FPC.	0.10	
5/25/2004	Telephone call from client; memo to file; telephone call from FPC.	0.30	
7/6/2004	Telephone calls to FPC.	0.20	
7/12/2004	Receive and review correspondence from Fronk.	0.20	
7/13/2004	Telephone call to client; memo to file.	0.20	
10/14/2004	Review of file.	0.10	
10/18/2004	Telephone call to Fronk; memo to file.	0.20	
10/22/2004	Telephone call to and from FPC.	0.20	
11/24/2004	Review of correspondence from FPC; correspondence to client; close file.	0.50	
			<u>Amount</u>
	For professional services rendered	20.20	\$2,222.00
	Additional charges:		
1/26/2004	Parking		6.00
3/15/2004	MPD Open Records request		4.06
	Total costs		<u>\$10.06</u>
	Total amount of this bill		<u>\$2,232.06</u>

Mr. Ronald Leonhardt

Page 4

Amount

Balance due

\$2,232.06

(Rate: \$110.00 per hour)

622

RECEIVED

NOV 24 2004

EGGERT & CERMELE, S.C.

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

In Re:
THE CHARGES OF LATASHA REED
AGAINST POLICE OFFICER MARK KAPUSTA

ORDER OF DISMISSAL

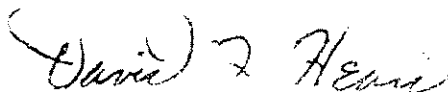
To Officer Mark Kapusta:

It is hereby ordered that the Complaint of Latasha Reed, Complaint No. 03-49, filed with the Board on May 27, 2003, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, NOVEMBER 19, 2004.

c: Attorney Laurie Eggert ✓

RECEIVED

FEB 19 2004

EGGERT & CERMELE, S.C.

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

In Re:
THE CHARGES OF LATASHA REED
AGAINST POLICE OFFICERS RICHARD SCHELLHAMMER,
BRIAN BROSSAU, MARK KAPUSTA AND SCOTT LACKOVIC

ORDER OF DISMISSAL

To Officer Richard Schellhammer:

It is hereby ordered that the Complaint of Latasha Reed, Complaint No. 03-49, filed with the Board on May 27, 2003, is dismissed only against Police Officers Richard Schellhammer, Brian Brosseau and Scott Lackovic because the Complaint has been successfully conciliated, with the Complaint against all other accused member(s) remaining in full force and effect, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, FEBRUARY 12, 2004.

RECEIVED

FEB 12 2004

EGGERT & CERMELE, S.C.

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

In Re:
THE CHARGES OF LATASHA REED
AGAINST POLICE OFFICERS RICHARD SCHELLHAMMER,
BRIAN BROSSAU, MARK KAPUSTA AND SCOTT LACKOVIC

ORDER OF DISMISSAL

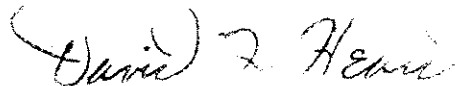
To Officer Brian Brosseau:

It is hereby ordered that the Complaint of Latasha Reed, Complaint No. 03-49, filed with the Board on May 27, 2003, is dismissed only against Police Officers Richard Schellhammer, Brian Brosseau and Scott Lackovic because the Complaint has been successfully conciliated, with the Complaint against all other accused member(s) remaining in full force and effect, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, FEBRUARY 12, 2004.

Jc: Attorney Laurie Eggert

RECEIVED

FEB 18 2004

EGGERT & CERMELE, S.C.

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

In Re:
THE CHARGES OF LATASHA REED
AGAINST POLICE OFFICERS RICHARD SCHELLHAMMER,
BRIAN BROSSAU, MARK KAPUSTA AND SCOTT LACKOVIC

ORDER OF DISMISSAL

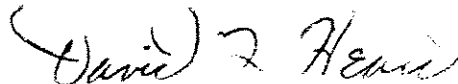
To Officer Scott Lackovic:

It is hereby ordered that the Complaint of Latasha Reed, Complaint No. 03-49, filed with the Board on May 27, 2003, is dismissed only against Police Officers Richard Schellhammer, Brian Brosseau and Scott Lackovic because the Complaint has been successfully conciliated, with the Complaint against all other accused member(s) remaining in full force and effect, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, FEBRUARY 12, 2004.

lc: Attorney Laurie Eggert