

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

January 14, 2004

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 Marcell Daniels and Gregory Wagner
C.I. File No. 02-S-263; EC No. 1784

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
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
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

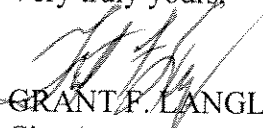
Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Marcell Daniels and Gregory Wagner. The claim is in the amount of \$838.34, including \$2.34 in disbursements for 7.60 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:enm

Enc.

2295

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

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

August 1, 2002

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

CITY OF MILWAUKEE
RECEIVED
'02 AUG -5 PM 3:50
CITY ATTORNEY

**RE: Citizen Complaint of Ms. Debra Sims
Against POs Marcell Daniels and Gregory Wagner
Complaint No.: 01-76
Date of Incident: November 13, 2001
EC No.: 1784**

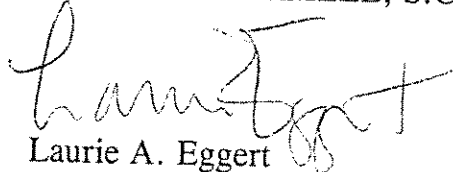
Dear Mr. Leonhardt:

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 missing child investigation. 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

CITY OF MILWAUKEE
2002 AUG -5 AM 11:47
RONALD D. LEONHARDT
CITY CLERK

1/14/04
O.K.
JTS
Letter 2295

LAE/ldl
DANIELS WAGNER

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

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

August 1, 2002

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

RE: Citizen Complaint of Ms. Debra Sims
Against PO Marcell Daniels and Gregory Wagner
FPC No: 01-76
Date of Incident: November 13, 2001

Professional services

	<u>Hours</u>
01/22/02 Review documents from Daniels; correspondence to MPD Open Records; open file; correspondence to FPC.	1.30
01/25/02 Review documents from Wagner; correspondence to FPC; telephone call to clients; memo to file.	1.90
01/28/02 Telephone call from Daniels; memo to file.	0.60
01/29/02 Review tape of statement; memo to file.	0.60
01/31/02 Review of correspondence from FPC; review Daniels' taped interview; memo to file.	0.80
04/10/02 Review of correspondence from FPC; review of file.	0.20
04/15/02 Review of correspondence from FPC; correspondence to clients.	0.30
04/17/02 Telephone call from FPC.	0.10

Mr. Ronald Leonhardt

Page 2

	<u>Hours</u>	
04/19/02 Telephone call from FPC; memo to file; telephone call to clients.	0.40	
05/01/02 Review of correspondence from FPC; review of file; correspondence to clients.	0.70	
05/07/02 Telephone call to FPC; review Fax from FPC.	0.20	
05/16/02 Review of correspondence from MPD Open Records; close file.	0.50	
		<u>Amount</u>
For professional services rendered	7.60	\$836.00
Additional charges:		
05/16/02 MPD Open Records request		2.34
Total costs		<u>\$2.34</u>
Total amount of this bill		<u>\$838.34</u>
Balance due		<u><u>\$838.34</u></u>

(Rate: \$110.00 per hour)

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

In Re:
THE CHARGES OF DEBRA A. SIMS
AGAINST POLICE OFFICERS MARCELL
DANIELS AND GREGORY WAGNER

ORDER OF DISMISSAL

To Officer Marcell Daniels:

It is hereby ordered that the Complaint of Debra A. Sims, Complaint No. 2001-76, filed with the Board on December 11, 2001, is dismissed because the Complainant has requested that the Complaint be dismissed, by the

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, APRIL 29, 2002.

c: Attorney Laurie Eggert

RECEIVED

MAY 1 2002

EGGERT & CERMELE, S.C.

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

In Re:
THE CHARGES OF DEBRA A. SIMS
AGAINST POLICE OFFICERS MARCELL
DANIELS AND GREGORY WAGNER

ORDER OF DISMISSAL

To Officer Gregory Wagner:

It is hereby ordered that the Complaint of Debra A. Sims, Complaint No. 2001-76, filed with the Board on December 11, 2001, is dismissed because the Complainant has requested that the Complaint be dismissed, by the

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, APRIL 29, 2002.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 13, 2002

TO: P.O. MARCELL DANIELS
DISTRICT FOUR

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 NOVEMBER 13, 2001
- 2) A citizen's complaint made by DEBRA SIMS
- 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: _____

Marcell Daniels
W. Paul Kraft

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

RECEIVED
02 SEP 25 AM 11:23
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 13, 2002

TO: P.O. GREGORY WAGNER
DISTRICT FOUR

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 NOVEMBER 13, 2001
- 2) A citizen's complaint made by DEBRA SIMS
- 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. Gregory S. Wagner

Print your name: P.O. GREGORY S. WAGNER

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

RECEIVED
02 SEP 25 AM 11:23
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION