

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

December 11, 2003

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

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

Re: Communication from Attorney Laurie A. Eggert, Eggert Law Office, S.C. for legal fees for Police Officers Tim Koesterling, Mark Haase, Ala Awadallah and Jason Mucha
C.I. File No. 01-S-311; ELO No. 1680

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Tim Koesterling, Mark Haase, Ala Awadallah and Jason Mucha. The claim is in the amount of \$1,577.00 including \$4.00 in disbursements for 14.30 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 a criminal investigation. No criminal charges were brought against the Police 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. 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.

2276

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

September 5, 2001

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

**RE: MPD Criminal Investigation of POs Tim Koestering, Mark
Haase, Ala Awadallah and Jason Mucha
Allegations Regarding Ms. Sherina Riggins
Date of Incident: January 7, 2001
Location of Incident: 3925 West North Avenue
ELO No.: 1680**

Dear Mr. Leonhardt:

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

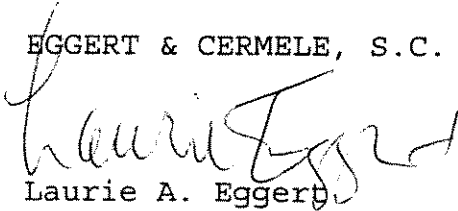
Consistent with its policy, the City Attorney's Office has refused to represent them, and as they were performing the duties of their office at the time of the events giving rise to the incident, the claim is hereby made on their behalf for the indicated legal fees. This incident involved the transfer of a prisoner to the district station after an arrest.

The MPD initiated a criminal investigation in which the officers initially declined to give a statement without counsel. When they requested counsel, IAD compelled POs Koestering, Haase, Awadallah and Mucha to give statements concerning the incident after issuing PI-21s.

Later, the MPD decided not to issue criminal charges against the officers. Attached is an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.


Laurie A. Eggert
Attorney at Law

JC/LAE/ldl
KOESTERING

12/10/03
OK
JHS
Letter 2276

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
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(414) 276-8750
FAX (414) 276-8906

September 5, 2001

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

RE: MPD Criminal Investigation re: Ms. Sherina Riggins
Regarding: POs Tim Koesterling, Mark Haase,
Ala Awadallah and Jason Mucha
Date of Incident: January 7, 2001
Location of Incident: 3925 West North Avenue

Professional services

	<u>Hours</u>
01/15/01 Telephone calls from client Koesterling (2); open file; telephone call from CIU.	0.90
01/16/01 Telephone call from client; memo to file.	0.20
01/17/01 Telephone call to IAD; review of file; office conference with client.	1.40
01/19/01 Several discussions with IAD; telephone call to PO Awadallah; memo to file; telephone call to PO Haase.	0.90
01/23/01 Review of file; meeting with POs Awadallah and Haase at IAD; attend PO Awadallah's PI-21 statement; attend PO Haase's PI-21 statement; travel; memo to file; return to IAD PO Koesterling's PI-21 statement; conference with client; return travel; memo to file.	4.10

	<u>Hours</u>	
01/24/01 Telephone call to witness; telephone call to IAD.	0.40	
01/25/01 Telephone call from witness; telephone call to IAD.	0.40	
01/26/01 Telephone call to and from PO Mucha; telephone call to IAD.	0.40	
02/01/01 Review of file; meeting with PO Mucha at IAD; attend PO Mucha's PI-21 statement to IAD; travel; memo to file.	1.90	
02/27/01 Telephone call to DA.	0.20	
02/28/01 Discussion with DA.	0.20	
03/01/01 Discussion with DA.	0.10	
03/02/01 Telephone calls to POs Koesterling, Haase, Awadallah and Mucha.	0.40	
03/05/01 Telephone call from PO Koesterling.	0.20	
03/21/01 Review of file; conference with client; attend PO Koesterling's statement to DA; travel; memo to file.	2.10	
05/21/01 Telephone call to DA; telephone call to IAD; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	14.30	\$1,573.00

Mr. Ronald D. Leonhardt

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Additional charges:

	<u>Amount</u>
03/21/01 Parking	4.00
Total costs	<u>\$4.00</u>
Total amount of this bill	<u>\$1,577.00</u>
Balance due	<u><u>\$1,577.00</u></u>

(Rate: \$110.00 per hour)

Late Power

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 13, 2001

TO: P.O. TIM KOESTERING
DISTRICT THREE

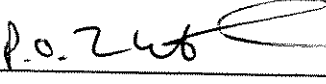
RE: Receipt of Legal Services from Law Firm of
Attorney

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 7, 2001
- 2) A citizen's complaint made by SHERINA RIGGINS
- 3) A police shooting incident occurring on

Is this information correct? YES TWK NO _____

Did you receive legal representation in this matter? YES TWK NO _____

Your signature: P.O.  Koesterling

Print your name: Tim Koesterling

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

STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

DTS:dnp

01 NOV 27 11:10:13
Internal Affairs
SHERINA RIGGINS

01 NOV 19 AM 10:29

MILWAUKEE POLICE DEPARTMENT

INTERNAL AFFAIRS DIVISION

MEMORANDUM

NOVEMBER 13, 2001

TO: P.O. MARK HAASE
DISTRICT SIX

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 7, 2001
- 2) A citizen's complaint made by SHERINA RIGGINS
- 3) A police shooting incident occurring on

Is this information correct? YES X NO _____

Did you receive legal representation in this matter? YES X NO _____

Your signature: P.O. Mark Haase

Print your name: MARK HAASE

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

STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

DTS:dnp

late

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 13, 2001

TO: P.O. ALA AWADALLAH
DISTRICT THREE

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 7, 2001
- 2) A citizen's complaint made by SHERINA RIGGINS
- 3) A police shooting incident occurring on

Is this information correct? YES X NO _____

Did you receive legal representation in this matter? YES X NO _____

Your signature: 

Print your name: Ala Awadallah

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

STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

DTS:dnp

NOV 27 11:10:49
MILWAUKEE POLICE DEPARTMENT

WASZ-Late

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 13, 2001

TO: P.O. JASON MUCHA
DISTRICT THREE

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 7, 2001
- 2) A citizen's complaint made by SHERINA RIGGINS
- 3) A police shooting incident occurring on

Is this information correct?

YES X NO _____

Did you receive legal representation in this matter?

YES X NO _____

Your signature: [Signature] MUCHA

Print your name: JASON R. MUCHA

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

STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

DTS:dnp

NOV 27 AM 10:40
POLICE ACADEMY
INTERNAL AFFAIRS DIVISION