

CITY OF MILWAUKEE

Form CA-43

GRANT F. LAINGLEY
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
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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
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VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

March 9, 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 Eliseo Medina, Chris Blaszak, Jose Lopez III
and Juan Lopez; Claim File No. 03-S-347; EC No. 1916

Dear Council Members:

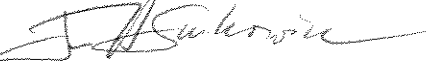
Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Eliseo Medina, Chris Blaszak, Jose Lopez III and Juan Lopez. The claim is in the amount of \$2,011.00, including \$9.00 in disbursements for 18.20 hours of service billed at the rate 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. Wis. Stat. § 895.35, *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LAINGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney
JAS:enm
Enc.

90985/1032-2003-2890.008

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

September 3, 2003

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

**RE: Citizen Complaint of Mr. Florentino Castillo
Against POs Eliseo Medina, Chris Blaszak, Jose Lopez III and Juan
Lopez
Complaint No.: 00-35
Date of Incident: March 13, 2000
EC No.: 1916**

OFFICE OF THE CLERK
CITY OF MILWAUKEE
2003 SEP -5 PM 3:06
RONALD D. LEONHARDT
CITY CLERK

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 foot chase.

The complaint was initially filed against Jose Lopez III, Eliseo Medina and Christopher Blaszak. The Fire and Police Commission dismissed the charges against Jose Lopez III on December 26, 2001, because the officer was not involved in the incident, and amended the complaint to name Officer Juan Lopez. The Fire and Police Commission dismissed the charges against Medina on January 31, 2002, when he resigned from the MPD. The Fire and Police Commission dismissed the complaint against Blaszak and Juan Lopez on May 14, 2003. Attached are copies of the dismissal notices and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Laurie A. Eggert
Attorney at Law

Laurie A. Eggert

*2/15/05
Note: Castillo
imprisoned for several
years for drug
charges.*

*O.K.
JAS*

letter 2295

JC/LAE/ldl
attachment
MEDLOPBLAS

OFFICE OF THE CLERK
CITY OF MILWAUKEE
2003 SEP -5 PM 3:43
RONALD D. LEONHARDT
CITY CLERK

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

September 03, 2003

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

RE: Citizen Complaint of Mr. Florentino Castillo
Against POs Eliseo Medina, Chris Blaszak, Jose Lopez III and Juan Lopez
FPC No: 00-35
Date of Incident: March 13, 2000
Location of Incident: Greenfield and Cesar Chavez
Professional services

	<u>Hours</u>
8/10/2000 Telephone calls from clients; open file.	0.40
8/14/2000 Office conference with POs Blaszak and Lopez; memo to file.	1.10
8/16/2000 Telephone call from PO Medina.	0.10
8/17/2000 Telephone call from PO Lopez; telephone call from PO Blaszak; telephone call to and from PO Medina; office conference with PO Medina.	1.50
11/24/2000 Telephone call from IAD; memo to file.	0.10
1/3/2001 Several telephone calls from PO Lopez; review of file; attend complainant's criminal trial at courthouse; conference with clients; travel.	3.50
1/5/2001 Meeting with clients at courthouse; attend complainant's criminal trial; telephone call to and from PO Blaszak.	2.20
1/11/2001 Correspondence to FPC regarding POs Eliseo Medina, Jose Lopez III and Chris Blaszak.	0.10
1/24/2001 Telephone call to FPC.	0.10
1/25/2001 Telephone call to PO Blaszak.	0.20

	<u>Hours</u>
1/26/2001 Telephone call from client.	0.20
2/6/2001 Telephone calls from FPC (2); memo to file.	0.20
2/7/2001 Telephone call from FPC; review of file; telephone calls to clients.	0.30
2/27/2001 Review of file; telephone call to and from PO Blaszak; telephone call from court reporter.	0.40
3/21/2001 Discussion with PO Blaszak; telephone call to FPC.	0.40
3/29/2001 Telephone call to clients; telephone call from PO Medina.	0.30
3/30/2001 Telephone call to and from FPC; telephone call to clients; memo to file.	0.30
4/2/2001 Telephone call to and from FPC.	0.20
4/16/2001 Receive and review complainant's Judgment of Conviction; Fax same to FPC; correspondence to clients.	0.30
4/19/2001 Telephone call from court reporter regarding prior request for transcript.	0.10
4/30/2001 Review of correspondence from FPC; intra-office conference; telephone call to PO Lopez.	0.40
5/1/2001 Telephone call to and from PO Lopez.	0.40
5/2/2001 Correspondence to clients.	0.10
5/23/2001 Telephone call from FPC; telephone calls to POs Blaszak and Medina.	0.50
6/4/2001 Review of file; meeting with Fronk at FPC; travel; telephone calls to POs Blaszak and Medina; memo to file.	1.20
7/20/2001 Review of file; telephone call to and from FPC.	0.30
7/26/2001 Several telephone calls from PO Medina; memo to file; telephone call to PO Blaszak.	0.50

	<u>Hours</u>	
10/12/2001 Discussion with Heard.	0.30	
11/29/2001 Several telephone calls to and from PO Medina regarding resignation; correspondence to FPC; telephone call from Heard.	0.60	
1/3/2002 Review of correspondence from FPC regarding Jose Lopez; correspondence to client.	0.30	
2/1/2002 Review of correspondence from FPC regarding PO Medina's dismissal.	0.30	
2/4/2002 Correspondence to clients.	0.10	
9/6/2002 Receive and review status on FPC's complaint and appeal report.	0.10	
9/20/2002 Telephone call from and to FPC; memo to file.	0.30	
6/30/2003 Telephone call to FPC; receive and review Faxed Order of Dismissal; correspondence to clients.	0.30	
8/19/2003 Fax to and from FPC; close file.	0.50	
	<hr/>	<u>Amount</u>
For professional services rendered	18.20	\$2,002.00
Additional charges:		
1/3/2001 Parking		5.00
1/5/2001 Parking		3.00
6/4/2001 Parking		1.00
		<hr/>
Total costs		\$9.00
		<hr/>
Total amount of this bill		\$2,011.00
		<hr/>
Balance due		\$2,011.00
		<hr/> <hr/>

Mr. Ronald Leonhardt

Page 4

(Rate: \$110.00 per hour)

RECEIVED

JAN 3 2002

EGGERT & O'NEILL

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

In Re:
THE CHARGES OF FLORENTINO CASTILLO
AGAINST POLICE OFFICERS JOSE LOPEZ III,
ELISEO MEDINA AND CHRISTOPHER BLASZAK

ORDER OF DISMISSAL
NOTICE OF AMENDED COMPLAINT

To Officer Jose Lopez III:

It is hereby ordered that the Complaint of Florentino Castillo, Complaint No. 2000-35, filed with the Board on May 25, 2000, is dismissed only against Officer Jose Lopez III because the Committee on Rules and Complaints has learned that the accused officer was not a party to the action complained of. It is further ordered that this complaint has been amended to add Police Officer Juan Lopez as a named accused. The Complaint itself remains in full force and effect against all other accused member(s).

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNECKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, DECEMBER 26, 2001

c: Attorney Jonathan Cermele ✓

RECEIVED

FEB 1 2002

BOARD OF

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

EGGERT & CERMELE, S.C.

In Re:

THE CHARGES OF FLORENTINO CASTILLO
AGAINST POLICE OFFICERS ELISEO MEDINA,
CHRISTOPHER BLASZAK AND JUAN LOPEZ

ORDER OF DISMISSAL

To Officer Eliseo Medina:

WHEREAS, accused Police Department member Eliseo Medina resigned from the Milwaukee Police Department effective November 17, 2001, and is therefore no longer under the jurisdiction of the Fire and Police Commission,

IT IS HEREBY ORDERED that the Complaint of Florentino Castillo, Complaint No. 2000-35, filed with the Board on May 25, 2000, is dismissed only against Officer Eliseo Medina, with the Complaint against all other accused member(s) remaining in full force and effect, by the

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JANUARY 31, 2002.

c: Attorney Jonathan Cermele ✓

MAY 16

JONATHAN CERMELE, S.C.

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

In Re:
THE CHARGES OF FLORENTINO CASTILLO
AGAINST DETECTIVE CHRISTOPHER
BLASZAK AND POLICE OFFICER JUAN LOPEZ

ORDER OF DISMISSAL

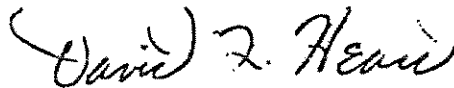
To Det. Christopher Blaszak:

It is hereby ordered that the Complaint of Florentino Castillo, Complaint No. 2000-35, filed with the Board on May 25, 2000, 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, MAY 14, 2003.

c: Attorney Jonathan Cermele ✓

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

In Re:
THE CHARGES OF FLORENTINO CASTILLO
AGAINST DETECTIVE CHRISTOPHER
BLASZAK AND POLICE OFFICER JUAN LOPEZ

ORDER OF DISMISSAL

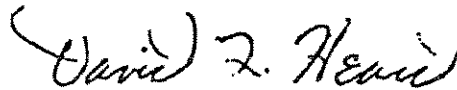
To Officer Juan Lopez:

It is hereby ordered that the Complaint of Florentino Castillo, Complaint No. 2000-35, filed with the Board on May 25, 2000, 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, MAY 14, 2003.

MILWAUKEE POLICE DEPARTMENT

SEPTEMBER 16, 2003

MEMORANDUM

TO: DET. CHRIS BLASZAK
DISTRICT CIB

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 MARCH 13, 2000
- 2) A citizen's complaint made by FLORENTINO CASTILLO
- 3) A police shooting incident occurring on N/A

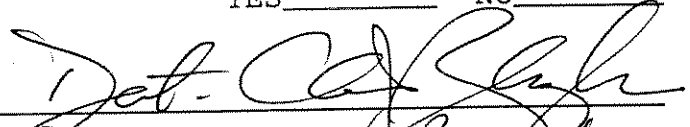
Is this information correct?

YES X NO _____

Did you receive legal representation in this matter?

YES X NO _____


Your signature: _____



Print your name: _____

DET. CHRISTOPHER BLASZAK

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


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

SMS:kjs

MILWAUKEE POLICE DEPARTMENT
INTERNAL AFFAIRS
DIVISION

03 SEP 19 AM 11:58

RECEIVED

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 16, 2003

TO: P.O. JOSE LOPEZ III
DISTRICT TWO

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 MARCH 13, 2000
- 2) A citizen's complaint made by FLORENTINO CASTILLO
- 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 _____ NO X

Your signature: Jose A. Lopez III

Print your name: JOSE A. LOPEZ III

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

SM Settingsgaard
Steven M. Settingsgaard
Police Commander
Internal Affairs Division

MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

03 SEP 22 PM 2:29

RECEIVED

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 16, 2003

TO: P.O. JUAN LOPEZ
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 MARCH 13, 2000
- 2) A citizen's complaint made by FLORENTINO CASTILLO
- 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: _____

P.O. Juan A. Lopez

P.O. JUAN A. LOPEZ

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 *KJS*
Police Commander
Internal Affairs Division

SMS:kjs