

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 8, 2003

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 Trevor DeBoer
C.I. File No. 01-S-311; ELO No. 1673

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Trevor DeBoer. The claim is in the amount of \$468.00 including \$6.00 in disbursements for 4.20 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 a municipal citation. The citation brought against the Police Officer was dismissed.

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

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. SCHRIFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

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: On-Duty Traffic Incident
Regarding PO Trevor DeBoer
Date of Incident: April 23, 2001
Location of Incident: 2nd and Wells Streets
ELO No.: 1673

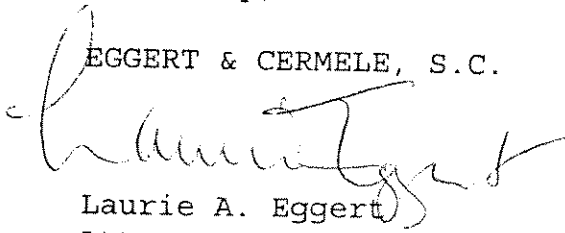
Dear Mr. Leonhardt:

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, the claim is hereby made on his behalf for the indicated legal fees. This incident involved a charge of inattentive driving. The MPD issued a traffic citation which was dismissed by the municipal court. 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

12/8/03

O.K.

JHs

Letter 2276

JC/LAE/ldl
DEBCER

NOTE : a/c 12/8/03,
no review of citation,
the dismissed on 7/01 w/c
prejudice - likely not to be
reinstated

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

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Suite 303
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(414) 276-8750
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September 5, 2001

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

RE: Traffic Citation
Regarding: PO Trevor DeBoer
Date of Incident: April 23, 2001
Location of Incident: 2nd and Wells Streets

Professional services

	<u>Hours</u>
05/14/01 Detailed telephone call from client regarding citation issued for on-duty conduct; open file; memo to file.	0.60
05/17/01 Receive and review documents from client; Fax to City Atty. Theis regarding same.	0.30
06/07/01 Telephone call from client; telephone call to and from City Atty. Theis.	0.40
06/13/01 Review of file; telephone call to city attorney; memo to file; telephone call to client.	0.50
06/14/01 Telephone call to and from city attorney; memo to file; telephone call to client.	0.50
07/30/01 Review of file; travel to Municipal Court; meeting with Special Prosecutor.	1.90

	<u>Hours</u>	
		<u>Amount</u>
Pyzyk; attend Pre-Trial; obtain Order of Dismissal; return travel; telephone call to client; memo to file; letter to client; close file.		
For professional services rendered	4.20	\$462.00
Additional charges:		
04/12/01 Parking		2.00
07/30/01 Parking		4.00
Total costs		<u>\$6.00</u>
Total amount of this bill		<u>\$468.00</u>
Balance due		<u><u>\$468.00</u></u>

(Rate: \$110.00 per hour)

Milwaukee Municipal Court

951 N JAMES LOVELL ST
MILWAUKEE, WI 53233-1449
414-286-3800

DEFENDANT NOTICE

CASE NUMBER: 01049425
CITY of MILWAUKEE VS.

July 30, 2001

DEBOER, TREVOR D
749 W STATE ST
MILWAUKEE, WI 53233

Date of Birth: 12/07/69

Violation: Disregarding Official Sign
Judge: BUTLER, LOUIS B. Jr.

Citation #: B6286766

JUDGMENT

Date: 07/30/01
Finding: Dismiss w/o prejudice

Total due: \$ 0.00

Due Date: 07/30/01

REC'D
01 NOV 19 AM 10:29
MILWAUKEE POLICE DEPARTMENT

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 15, 2001

TO: P.O. TREVOR DEBOUR
DISTRICT ONE

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 23, 2001
- 2) A citizen's complaint TRAFFIC ACCIDENT
- 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: Trevor D. DeBoer

Print your name: Trevor D. DeBoer

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