

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
CHARLES R. THEIS
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
200 EAST WELLS STREET, SUITE 800
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

September 7, 2001

BEVERLY A. TEMPLE
THOMAS O. GARTNER
LINDA ULISS BURKE
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
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LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

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 Devlin Harris
C.I. File No. 00-S-430; ELO No. 1589**

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Devlin Harris. The claim is in the amount of \$4,914.89 including \$173.89 in disbursements for 43.10 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 officer 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,

A handwritten signature in cursive script that reads "Rudolph M. Konrad, Jr.".

GRANT F. LANGLEY
City Attorney

A handwritten signature in cursive script that reads "Jan A. Smokowicz".

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:enm
Enc.
2295

EGGERT LAW OFFICE, 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

November 20, 2000

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

RE: Citizen Complaint of Mr. Mark S. Marker
Against PO Devlin Harris
Complaint No.: 99-09
Date of Incident: January 31, 1999
ELO No.: 1589

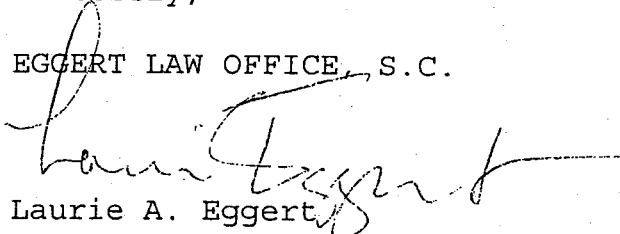
Dear Mr. Leonhardt:

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 the transport of a suspect in custody. 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 LAW OFFICE, S.C.


Laurie A. Eggert
Attorney at Law

LAE/ldl
HARRIS

5/21/2001

O.K.

JHS

Letter # 2295

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414)276-8750
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November 20, 2000

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

RE: Citizen Complaint of Mr. Mark S. Marker
Against PO Devlin Harris
FPC No: 99-09
Date of Incident: January 31, 1999
Location of Incident: 2327 W. Michigan, #110

Professional services

	<u>Hours</u>
4/23/99 Conference with client; review documents; open file; correspondence to FPC; correspondence to MPD Open Records; correspondence to Department of Justice.	2.30
5/5/99 Review of correspondence from FPC.	0.10
5/6/99 Review of file.	0.10
5/11/99 Telephone call from and to FPC; review of file; memo to file.	0.60
5/25/99 Review of file.	0.20
6/7/99 Review documents and tape from MPD Open Records.	0.40
6/8/99 Review tape; memo to file.	0.20

	<u>Hours</u>
6/15/99 Telephone call to FPC; memo to file; review of file; correspondence to client.	0.30
6/29/99 Telephone call from client; review of file.	0.30
6/30/99 Review of file.	0.20
7/1/99 Preparation for and appearance at conciliation; conference with client; memo to file; travel.	1.90
9/16/99 Review of file; correspondence to complainant.	0.30
9/29/99 Review of file.	0.20
10/7/99 Review of correspondence from Marker; correspondence to hospital.	0.30
10/15/99 Review of file.	0.20
10/22/99 Review of file; telephone call to Department of Justice; correspondence to St. Luke's; memo to file; correspondence to MPD Open Records.	1.10
10/25/99 Telephone call from and to Department of Justice; memo to file.	0.40
11/1/99 Review FAX and correspondence from FPC; telephone call to Fronk; review of file.	0.50
11/3/99 Telephone call from MPD Open Records; review of file; correspondence to CJF Open Records; correspondence to CJF medical section.	0.60

	<u>Hours</u>
11/5/99 Review documents from MPD Open Records.	0.20
11/8/99 Review of correspondence from FPC; review of file; memo to file.	0.40
11/17/99 Review medical records from CJF and Mt. Sinai Hospital; review county records; correspondence to MFD and MPD Open Records; draft witness and exhibit list.	2.30
11/29/99 Review of correspondence from, and correspondence to, MFD; telephone call from and to complainant; correspondence to CJF.	1.40
12/10/99 Review of correspondence from Sheriff.	0.10
1/31/00 Telephone call from MPD Open Records.	0.10
2/14/00 Telephone call from Fronk; review of file; telephone call to client; correspondence to Department of Justice.	1.70
2/16/00 Review of file.	0.30
3/11/00 Review of correspondence from MPD Open Records.	0.40
3/21/00 Review correspondence from Department of Justice; correspondence to MPD Open Records.	0.20
4/7/00 Telephone call from FPC.	0.20
4/13/00 Review of file; telephone call to witnesses; correspondence to Oak Creek Police Dept.; review medical records; telephone call to client.	1.80

	<u>Hours</u>
4/19/00 Telephone call from and to Cudahy Open Records; review of file; telephone call to witnesses.	1.20
4/29/00 Review information re: witness; telephone call from and to Cudahy Open Records.	0.40
5/12/00 Review of file.	0.30
5/15/00 Review of file.	0.60
5/23/00 Review of correspondence from Cudahy Open Records.	0.10
6/9/00 Review of correspondence from MPD Open Records.	0.10
6/29/00 Review of file; telephone call to FPC; memo to file.	0.80
7/31/00 Review of correspondence from FPC; telephone call to FPC; review of file.	0.10
8/2/00 Review of file; telephone call to Fronk; telephone call to witness.	0.40
8/3/00 Telephone call from witness; review of file; telephone call to Fronk.	0.60
8/24/00 Review of file; telephone call to Fronk.	0.40
9/6/00 Telephone call from FPC; memo to file; review of file.	0.20
9/8/00 Review of correspondence from FPC.	0.10
9/11/00 Telephone call from client; review of file.	0.40

	<u>Hours</u>	
9/18/00 Review of file; draft subpoenas; telephone call to and from FPC; memo to file.	2.00	
9/22/00 Telephone call from client; review of file; conference with client; serve subpoenas.	2.80	
9/25/00 Telephone call to MFD; travel to MFD; review of file.	0.40	
9/26/00 Telephone call from witness; memo to file.	1.30	
9/29/00 Telephone call from witness; memo to file.	0.60	
10/2/00 Telephone call from and to witnesses; telephone call to FPC; memo to file.	1.80	
10/3/00 Preparation for hearing; telephone call from witness.	3.10	
10/4/00 Preparation for hearing; telephone call from and to witnesses.	3.70	
10/5/00 Preparation for and appearance at hearing; conference with client and witness; telephone call to witness on call; memo to file; travel.	1.80	
10/12/00 Review of correspondence from FPC.	0.10	
11/10/00 Review of correspondence from FPC; correspondence to client; close file.	0.50	
		<u>Amount</u>
For professional services rendered	43.10	\$4,741.00

Additional charges:

	<u>Amount</u>
4/28/99 Department of Justice	13.00
5/4/99 MPD Open Records	8.25
6/7/99 MPD Open Records request	17.65
7/1/99 Parking	1.50
11/8/99 Medical Records - Sinai Samaritan Medical Center	35.20
MPD Personnel file	3.55
Records - Milwaukee County Sheriff's Department	5.00
2/16/00 Department of Justice (2)	26.00
3/14/00 Records - Milwaukee County Sheriff's Department	2.50
5/19/00 Cudahy Open Records request	26.66
6/9/00 MPD Open Records request	1.08
9/20/00 Subpoenas (5)	30.00
9/25/00 Parking	0.50
10/5/00 Parking	3.00
	<hr/>
Total costs	\$173.89
	<hr/>
Total amount of this bill	\$4,914.89
	<hr/>
Balance due	<u>\$4,914.89</u>

Mr. Ronald Leonhardt

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(Rate: \$110.00 per hour)

NOV 9 2000

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

In Re:
THE CHARGES OF MARK S. MARKER
AGAINST POLICE OFFICER DEVLIN HARRIS

ORDER OF DISMISSAL

To Officer Devlin Harris:

It is hereby ordered that the Complaint of Mark S. Marker, Complaint No. 99-09, filed with the Board on March 2, 1999, is dismissed due to the Complainant's failure to appear at the scheduled trial, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNECKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, NOVEMBER 7, 2000.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 28, 2000

TO: PO DEVLIN HARRIS
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 31, 1999
- 2) A citizen's complaint made by MARK MARKER
- 3) A police shooting incident occurring on*

Is this information correct?

YES NO

Did you receive legal representation in this matter?

YES NO

Your signature: P.O. Devlin Harris

Print your name: P.O. Devlin HARRIS

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

Dale T. Schunk
DALE T. SCHUNK
Commander of Police
Internal Affairs Division

DTS:dnp

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

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November 29, 2000

BEVERLY A. TEMPLE
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G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

Commander Dale Schunk
Milwaukee Police Department
Internal Affairs Division
6680 North Teutonia Avenue, Rm 325
Milwaukee, WI 53209

Re: C.I. File No. 00-S-430
Communication from EGGERT LAW OFFICE

Dear Commander Schunk:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of officers Anderson, Clarke/Polka, Fonte, Harris, Kronschnabel, Larson/Rohde, Newport, Ortiz/Miller, Reaves/Davis, Riley, Santiago/Schellhammer, Sirna, Stojsavljevic, et al., Van Erden/Smith, Velasquez, Washington/Jenkins.

Please determine whether these officers were in fact involved in the matter described in Ms. Eggert's claim, and have these officers verify Ms. Eggert's representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jan A. Smokowicz', written over a light blue horizontal line.

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
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November 20, 2000

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

CITY OF MILWAUKEE
00 NOV 21 PM 1:33
RONALD D. LEONHARDT
CITY CLERK

RE: Various claims

Dear Mr. Leonhardt:

Enclosed are the following claims:

<u>OFFICER(S)</u>	<u>OUR NO.</u>
Anderson	1587
Clarke/Polka	1563
Fonte	1588
Harris	1589
Kronschnabel	1586
Larson/Rohde	1585
Newport	1581
Ortiz/Miller	1569
Reaves/Davis	1576
Riley	1502
Santiago/Schellhammer	1582
Sirna	1543
Stojsavljevic, et al.	1498
Van Erden/Smith	1591
Velasquez	1561
Washington/Jenkins	1580

Respectfully,

EGGERT LAW OFFICE, S.C.

Laurie A. Eggert
Attorney at Law

LAE/ldl
Enclosures
OFC\CLAIMS.13

CITY OF MILWAUKEE
00 NOV 21 PM 3:51
CITY CLERK