

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

February 5, 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 Melissa Cwiklinski and Shane Pecoraro
C.I. File No. 02-S-83; EC No. 1753

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Melissa Cwiklinski and Shane Pecoraro. The claim is in the amount of \$176.00 for 1.60 hours of service billed at the rate of \$110 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. A criminal investigation was initiated against the police officers on whose behalf this claim was filed, but they were ultimately not charged.

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. LANGLEY
City Attorney


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

77654/ 1032-2002-716

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

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

February 27, 2002

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

**RE: MPD Criminal Investigation of POs Melissa Cwiklinski and Shane Pecoraro
Allegations Regarding Mr. Barry Malone
Date of Incident: October 15, 2001
EC No.: 1753**

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 drug investigation.

No charges were issued against the officers. Attached is an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Laurie A. Eggert
Laurie A. Eggert
Attorney at Law

JC/LAE/ldl
CWIKLINSKI

2/15/02
O.K.
JAS
Letter 2277

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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

February 27, 2002

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

RE: MPD Criminal Investigation re: Mr. Barry Malone
Regarding: POs Melissa Cwiklinski and Shane Pecoraro
Date of Incident: October 15, 2000
Location of Incident: 3551 North 9th Street

Professional services

	<u>Hours</u>	
10/16/00 Telephone call from Cwiklinski; open file; memo to file.	0.50	
10/18/00 Telephone call from Pecoraro; memo to file.	0.40	
10/26/00 Review closed criminal.	0.20	
11/07/00 Telephone call from Cwiklinski; intra-office conference; close file.	0.50	
		<u>Amount</u>
For professional services rendered	1.60	\$176.00
Balance due		<u>\$176.00</u>

(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 5, 2002

TO: P.O. MELISSA CWIKLINSKI
District #5

RE: Receipt of Legal Services from Law Firm of Attorney

RECEIVED
02 DEC 11 AM 10:18
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

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 OCTOBER 15, 2001
- 2) A citizen's complaint made by BARRY MALONE
- 3) A police shooting incident occurring on N\A

Is this information correct? YES / NO

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

Your signature: PO Melissa A. Pette - Cwiklinski

Print your name: PO MELISSA A. PETTE Cwiklinski

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

5th DISTRICT
RECEIVED

DEC 10 2002

District #5
CAPTAIN

SMS:kjs

1AD

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

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 5, 2002

TO: P.O. SHAANE PECORARO
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 OCTOBER 15, 2001
- 2) A citizen's complaint made by BARRY MALONE
- 3) A police shooting incident occurring on N\A

Is this information correct?

YES _____ NO X

Did you receive legal representation
in this matter?

YES X NO _____

Your signature: PO Shane A. Pecoraro

Print your name: Shane A. Pecoraro

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 DEC 10 PM 2:23
MILWAUKEE POLICE DEPARTMENT
INTERNAL AFFAIRS
DIVISION