

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

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BRUCE D. SCHRIMPF
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HAZEL MOSLEY
HARRY A. STEIN
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THOMAS J. BEAMISH
MAURITA F. HOUREN
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DAVID J. STANOSZ
SUSAN E. LAPPEN
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

March 19, 2001

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 Kerry Namin
C.I. File No. 99-S-321**

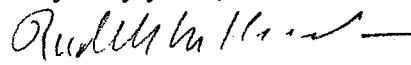
Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Kerry Namin. The claim is in the amount of \$288.75 including \$2.75 in disbursements for 2.60 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 Officer 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

CITY OF MILWAUKEE

Form CA-43

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June 24, 1999

BEVERLY A. TEMPLE
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MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
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CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS

Assistant City Attorneys

Deputy Inspector Dale Schunk
Milwaukee Police Department
749 West State Street, Room 714
Milwaukee, WI 53233

Re: C.I. File No. 99-S-321
Communication from EGGERT LAW OFFICE, S.C.

Dear Deputy Inspector Schunk:

Enclosed please find a claim filed by attorney Laurie Eggert for Attorney's fees incurred during her representation of officer Kerry Namin.

Please determine whether this officer was in fact involved in the matter described in Ms. Eggerts' claim, and have the officer verify Ms. Eggerts' representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'J. A. Smokowicz'.

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure

3/19/2001
OK
JAS
Letter # 2276

RECEIVED
99 JUL 13 AM 10:28
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

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

June 7, 1999

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

JUN 14 PM 4:23
CITY CLERK

**RE: MPD Criminal Investigation of PO Kerry Namin
Allegations Regarding Arrest of Mr. Ramon Justiano
Date of Incident: October 26, 1998
Location of Incident: 1920 S. 5th Place**

Dear Mr. Leonhardt:

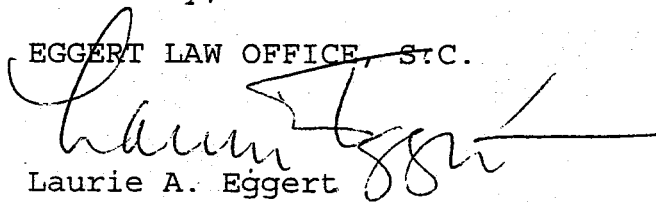
The above-named police officer has retained us to represent her in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent her, and as she was performing the duties of her office at the time of the events giving rise to the incident, the claim is hereby made on her behalf for the indicated legal fees. This incident involved an arrest on an outstanding warrant. Charges will not be issued against the officer; attached is a copy of the clearance report.

The attached is an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.



Laurie A. Eggert
Attorney at Law

1999 JUN 15 AM 10:57
CITY CLERK
NAMIN

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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June 4, 1999

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

RE: MPD Criminal Investigation
Regarding: PO Kerry Namin
Date of Incident: October 26, 1998
Location of Incident: 1920 South 5th Place

Professional services

| | <u>Hours</u> | |
|---|--------------|---------------|
| 11/12/98 Telephone call from client; office conference with client; open file. | 0.90 | |
| 11/13/98 Telephone call to IAD. | 0.20 | |
| 11/23/98 Telephone call to IAD. | 0.10 | |
| 11/24/98 Telephone call from and to IAD; telephone call to clients. | 0.20 | |
| 12/1/98 Telephone call to IAD; telephone call to clients. | 0.30 | |
| 12/18/98 Correspondence to client. | 0.10 | |
| 4/28/99 Discussion with IAD; correspondence to MPD Open Records. | 0.40 | |
| 5/20/99 Review of correspondence from MPD Open Records; correspondence to client; close file. | 0.40 | |
| | | <u>Amount</u> |
| For professional services rendered | 2.60 | \$286.00 |

Mr. Ronald D. Leonhardt

Page 2

Additional charges:

| | <u>Amount</u> |
|----------------------------------|------------------------|
| 5/20/99 MPD Open Records request | 2.75 |
| Total costs | <u>\$2.75</u> |
| Total amount of this bill | <u>\$288.75</u> |
| Balance due | <u><u>\$288.75</u></u> |

(Rate: \$110.00 per hour)

JUSTINIANO stated that he could not identify the friend he was with by anything other than a first name. JUSTINIANO added that he did not know his friends phone number or address.

Detectives checked department records and found that he was arrested by Officer David CLAAS, 63214, Dist. #2 - late power, Officer Jon DUCHATEAU, 63589, Dist. #2 - late power, and Officer Kerry NAMIN, 64289, Dist. #2 - late power. Arrest reports indicate that he was arrested on an OAR warrant and conveyed directly to the Criminal Justice Facility. The arresting officers as well as the officer who conveyed JUSTINIANO were interviewed but all refused to make a statement.

CONCLUSION:

Investigation by the CIU revealed that Ramon JUSTINIANO after a night of drinking with an unidentified friend was arrested by police on an outstanding warrant. JUSTINIANO who stated that he has no recollection of the circumstances of the arrest found that his wallet and \$1,000.00 were missing when he got to the Criminal Justice Facility. JUSTINIANO stated he has no idea what happened to the money and the wallet which possibly could have been missing before he was stopped by the police. This investigation will be suspended pending development of further information.

Respectfully submitted:



DAVID R. BRUESS
Lieutenant of Detectives
CIU/IAD

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

JULY 23, 1999

TO: PO KERRY NAMIN
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 OCTOBER 26, 1998
- 2) A citizen's complaint made by
- 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. Kerry Namin

Print your name: _____

P.O. KERRY NAMIN

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 JH
Deputy Inspector of Police
Internal Affairs Division

DTS:dnp