

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

April 6, 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 Officer Rodney Young
C.I. File No. 03-S-382; EC No. 1947

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Rodney Young. The claim is in the amount of \$484.00 for 4.40 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 officer 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,

Handwritten signature of Grant F. Langley in black ink.

GRANT F. LANGLEY
City Attorney

Handwritten signature of Jan A. Smokowicz in black ink.

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

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
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
VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

91833/ 1032-2003-3167

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 24, 2003

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

**RE: MPD Criminal Investigation of PO Rodney Young
Allegations Regarding Tracy Eaton
Date of Incident: September 22, 2002
Location of Incident: Chambers Street and Martin Luther King Drive
EC No.: 1947**

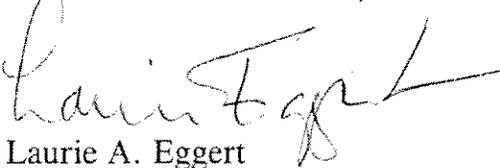
Dear Mr. Leonhardt:

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 field interview.

The MPD initiated a criminal investigation in which the officer initially declined to give a statement without counsel. When he requested counsel, IAD compelled PO Young to give a statement concerning the incident after issuing a PI-21. Later, the MPD cleared the complaint as unfounded. Attached is a copy of a status report from Cmdr. Settingsgaard of IAD, and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.


Laurie A. Eggert
Attorney at Law

4/3/05
o.k.
JAS
Letter 2277

CITY OF MILWAUKEE
CITY ATTORNEY
03 SEP 26 PM 3:43
CITY RECEIVED

JC/ldl
attachment
YOUNG

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
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September 23, 2003

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

RE: MPD Criminal Investigation re: Tracy Eaton
Regarding: PO Rodney Young
Date of Incident: September 22, 2002
Location of Incident: Chambers Street and Martin Luther King Drive
Professional services

	<u>Hours</u>	
11/14/2002 Telephone call from client regarding new criminal investigation; open file; conference with client.	0.70	
11/15/2002 Telephone call from PO Young; memo to file.	0.60	
11/20/2002 Review of file; meeting with PO Young at IAD; attend PO Young's PI-21 statement; travel; memo to file.	2.10	
1/9/2003 Fax to DDA Reddin.	0.10	
8/15/2003 Review of file; Fax to Cmdr. Settingsgaard.	0.30	
8/26/2003 Fax to IAD.	0.10	
9/3/2003 Receive and review Fax from IAD; correspondence to client; close file.	0.50	
		<u>Amount</u>
For professional services rendered	4.40	\$484.00
Balance due		<u>\$484.00</u>

(Rate: \$110.00 per hour)





AUG 27 2003

Police Department

Arthur L. Jones
Chief of Police

August 25, 2003

Attorney Jonathan Cermele
1840 North Farwell Avenue
Suite 303
Milwaukee, WI 53202

Dear Mr. Cermele:

Attached is the information you had requested via a fax dated August 15, 2003 regarding Criminal Investigations conducted by our Division.

If you have any further questions please feel free to contact the Internal Affairs Division at 935-7942.

Sincerely,

ARTHUR L. JONES
CHIEF OF POLICE

STEVEN M. SETTINGSGAARD
Police Commander
Internal Affairs Division

ALJ:SMS:lj

6. Officer(s): Rodney Young
Complainant: Tracey Eaton

Handled by: Detective Ivan Wick
CIU #02-264
IAD #02-1110
Dispo: Unfounded

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

OCTOBER 6, 2003

TO: P.O. RODNEY YOUNG
DISTRICT PPS

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 SEPTEMBER 22, 2002
- 2) A citizen's complaint made by TRACY EATON
- 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: _____

P.O. Rodney B. Young

Print your name: _____

Rodney B. Young

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

Steve Settingsgaard
Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs