

# 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

August 20, 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 James Campbell and Luis Aguilar  
C.I. File No. 02-L-143; EC No. 1818

**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

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers James Campbell and Luis Aguilar. The claim is in the amount of \$1,136.75, including \$3.75 in disbursements for 10.30 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 officers 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. 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.  
2295

# CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY  
City Attorney

RUDOLPH M. KONRAD  
Deputy City Attorney

THOMAS E. HAYES  
PATRICK B. McDONNELL  
LINDA ULISS BURKE  
Special Deputy City Attorneys



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MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

November 5, 2002

Commander Steven Settingsgaard  
Milwaukee Police Dept., Internal Affairs Div.  
6680 North Teutonia Avenue, Rm 325  
Milwaukee, WI 53209

Re: C.I. File No. 02-L-143  
Communication from EGGERT & CERMELE, S.C.

Dear Commander Settingsgaard:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of police officers.(See Attachements)

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,

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:beg  
Enclosure  
5091

RECEIVED  
NOV - 7 PM 2:51  
MILWAUKEE POLICE DEPT.  
INTERNAL AFFAIRS  
DIVISION

**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

October 21, 2002

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

**RE: Various claims**

Dear Mr. Leonhardt:

Enclosed are the following claims:

<u>OFFICER(S)</u>	<u>OUR NO.</u>
Malone	1805
Balistreri	1814
Allen	1815
Hannah	1816
Sandoval/Zuberbier	1817
Campbell/Aguilar/Linzmeier	1818
Elwing	1819
Lemmie/McBride	1820
Horn	1821
Moody	1822

Respectfully,

EGGERT & CERMELE, S.C.

*Laurie A. Eggert*  
Laurie A. Eggert  
Attorney at Law

CITY OF MILWAUKEE  
2002 OCT 23 PM 12:00  
RONALD D. LEONHARDT  
CITY CLERK

CITY OF MILWAUKEE  
2002 OCT 29 PM 3:47  
CITY CLERK

REC-1  
02 NOV -7 PM 2:51  
MILWAUKEE POLICE  
INTERVIEW AFFAIRS  
DIVISION

LAE/ldl  
Enclosures  
CLAIMS 02-4

December 17, 2002

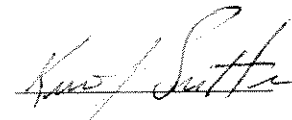
ACA Jan Smokowicz  
City Hall, Room 800  
Milwaukee, Wisconsin

Sir

Per your request, I am sending you reports regarding C.I. File # 02-L-143, attorney fees incurred during representation. Regarding the representation of Officer Luis Aguliar he was separated for the police department on 8-18-2002. If you have any questions please give me a call.

Sincerely,

Arthur L. Jones  
Chief of Police

A handwritten signature in black ink, appearing to read "Kurt J. Sutter". The signature is written in a cursive style with a horizontal line underneath the name.

Kurt J. Sutter  
Detective  
Internal Affairs Division

**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

October 21, 2002

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

**RE: Citizen Complaint of Ms. Mary A. Ehret  
(On behalf of Brent O. Ehret, minor)  
Against Det. Ronald Linzmeyer  
and POs James Campbell and Luis Aguilar  
Complaint No.: 02-16  
Date of Incident: February 9, 2002  
EC No.: 1818**

RONALD D. LEONHARDT  
CITY CLERK  
7999 OCT 23 PM 12:00  
CITY OF MILWAUKEE

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 an armed robbery investigation. The complainants filed a complaint with the Fire and Police Commission, as well as a complaint with the MPD Internal Affairs Division. Because the officers were required to give statements about the matter which was the subject of the pending Fire and Police Commission citizen complaint, this office represented the officers on their PI-21 interviews. 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 & CERMELE, S.C.

Laurie A. Eggert  
Attorney at Law

8/19/04  
O.K.  
JAS  
Letter 2295

LAE/ldl  
CAMPBELL CC

RECEIVED  
02 NOV -7 PM 2:51  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION

02 OCT 23 PM 9:48  
CITY OF MILWAUKEE

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

---

In Re:  
THE CHARGES OF MARY A. EHRET  
AGAINST POLICE OFFICERS JAMES  
CAMPBELL AND LUIS AGUILAR, AND  
DETECTIVE RONALD LINZMEYER

ORDER OF DISMISSAL

---

To Det. Ronald Linzmeyer:

It is hereby ordered that the Complaint of Mary A. Ehret, Complaint No. 02-16, filed with the Board on March 6, 2002, is dismissed against Police Officer James Campbell and Detective Ronald Linzmeyer because the Complaint against them has been successfully conciliated.

It is further ordered that the Complaint of Mary A. Ehret is dismissed against Police Officer Luis Aguilar because Officer Aguilar is no longer a member of the Milwaukee Police Department.

MILWAUKEE BOARD OF  
FIRE AND POLICE  
COMMISSIONERS

WOODY WELCH,  
CHAIRMAN

BY:

  
JOSEPH J. CZARNECKI  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, OCTOBER 7, 2002.

c: ✓ Attorney Laurie Eggert

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

---

In Re:  
THE CHARGES OF MARY A. EHRET  
AGAINST POLICE OFFICERS JAMES  
CAMPBELL AND LUIS AGUILAR, AND  
DETECTIVE RONALD LINZMEYER

ORDER OF DISMISSAL

---

To Mr. Luis Aguilar:

It is hereby ordered that the Complaint of Mary A. Ehret, Complaint No. 02-16, filed with the Board on March 6, 2002, is dismissed against Police Officer James Campbell and Detective Ronald Linzmeyer because the Complaint against them has been successfully conciliated.

It is further ordered that the Complaint of Mary A. Ehret is dismissed against Police Officer Luis Aguilar because Officer Aguilar is no longer a member of the Milwaukee Police Department.

MILWAUKEE BOARD OF  
FIRE AND POLICE  
COMMISSIONERS

WOODY WELCH,  
CHAIRMAN

BY:



JOSEPH J. CZARNECKI  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, OCTOBER 7, 2002.

c: ✓ Attorney Laurie Eggert

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

---

In Re:  
THE CHARGES OF MARY A. EHRET  
AGAINST POLICE OFFICERS JAMES  
CAMPBELL AND LUIS AGUILAR, AND  
DETECTIVE RONALD LINZMEYER

ORDER OF DISMISSAL

---

To Officer James Campbell:

It is hereby ordered that the Complaint of Mary A. Ehret, Complaint No. 02-16, filed with the Board on March 6, 2002, is dismissed against Police Officer James Campbell and Detective Ronald Linzmeyer because the Complaint against them has been successfully conciliated.

It is further ordered that the Complaint of Mary A. Ehret is dismissed against Police Officer Luis Aguilar because Officer Aguilar is no longer a member of the Milwaukee Police Department.

MILWAUKEE BOARD OF  
FIRE AND POLICE  
COMMISSIONERS

WOODY WELCH,  
CHAIRMAN

BY:



JOSEPH J. CZARNICKI  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, OCTOBER 7, 2002.

c: ✓ Attorney Laurie Eggert



**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

October 21, 2002

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

RE: Citizen Complaint of Ms. Mary A. Ehret  
(on behalf of Brent O. Ehret, minor)  
Against POs James Campbell and Luis Aguilar and  
Det. Ronald Linzmeyer  
FPC No: 02-16  
Date of Incident: February 9, 2002  
Location of Incident: 25th/26th and Wisconsin

Professional services

	<u>Hours</u>
04/24/02 Telephone call from client; open file; conference with client; memo to file; correspondence to FPC; correspondence to MPD Open Records.	2.60
05/01/02 Telephone call from Det. Linzmeyer; memo to file.	0.60
05/06/02 Review of correspondence from FPC; review of file; telephone call to and from Campbell and Aguilar; travel to IAD; reschedule PI-21.	1.30
05/14/02 Telephone call from Campbell; memo to file.	0.30
06/06/02 Review of file.	0.20
07/01/02 Review documents from MPD Open Records.	0.60
08/27/02 Review of file; telephone call to client; review PI-21 records.	0.70

	<u>Hours</u>	
08/30/02 Telephone call from client; memo to file; review of file.	0.40	
09/16/02 Telephone call from FPC; memo to file; review of file.	0.30	
09/20/02 Telephone call from FPC; review of file; memo to file.	0.20	
09/23/02 Review of correspondence from FPC; correspondence to clients; memo to file.	0.30	
09/27/02 Telephone call from FPC; memo to file; telephone call to client.	0.60	
09/30/02 Preparation for and appearance at conciliation; conference with clients; memo to file; travel.	1.70	
10/08/02 Review of correspondence from FPC; correspondence to clients; close file.	0.50	
	<hr/>	<u>Amount</u>
For professional services rendered	10.30	\$1,133.00
Additional charges:		
07/01/02 MPD Open Records request		1.75
09/30/02 Parking		2.00
Total costs		<hr/> \$3.75
Total amount of this bill		<hr/> \$1,136.75
Balance due		<hr/> <hr/> \$1,136.75

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

JANUARY 20, 2004

TO: P.O. JAMES CAMPBELL  
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 FEBRUARY 9, 2002
- 2) A citizen's complaint made by MARY EHRET
- 3) A police shooting incident occurring on N/A

Is this information correct?

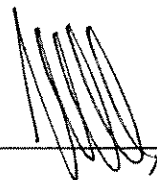
YES  NO

Did you receive legal representation  
in this matter?

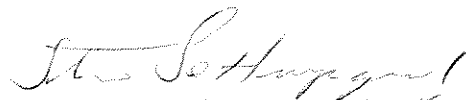
YES  NO

Your signature: \_\_\_\_\_

Print your name: \_\_\_\_\_

 James A. Campbell  
James A. Campbell

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

  
Steven M. Settingsgaard *K53*  
Police Commander  
Internal Affairs Division

SMS:kjs

**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

FAX

TO: Jan Smokowicz  
FROM: Laurie Eggert  
RE: Luis Aguilar EC 1818  
DATE: May 6, 2004

Dear Mr. Smokowicz

You have asked whether former police officer Luis Aguilar left his employment because he had a pending Fire and Police Commission complaint. The answer is no. Aguilar left the MPD to be come a member of the Milwaukee Fire Department.

If you have any other questions, please feel free to contact me.



\*\*\*\*\*  
*The information contained in this message is confidential for the named recipient only. If you have received this message in error, or have had transmission problems in receiving it, please contact this office immediately at (414) 276-8750.*

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 25, 2002

TO: Detective Ronald Linzmeyer  
CIB *EARLY*

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 February 9, 2002
- 2) A citizen's complaint made by Mary Ehret
- 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: *Det. Ronald Linzmeyer*

Print your name: DET. RONALD LINZMEYER

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

RECEIVED  
02 DEC -4 PM 3:14  
MILWAUKEE  
INTERNAL AFFAIRS  
DIVISION

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

SMS:kjs