

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



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

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
DAVID R. HALBROOKS
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

Assistant City Attorneys

November 8, 2002

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 Officers Jeff Kaminski, Justin Carloni, and Tony Knox C.I. File No. 01-S-99/11; ELO No. 1623**

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Jeff Kaminski, Justin Carloni, and Tony Knox. The claim is in the amount of \$544.97, including \$5.97 in disbursements, for 4.90 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 Officers 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

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

March 15, 2001

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

RE: MPD Criminal Investigation of POs Jeff Kaminski,
Justin Carloni and Tony Knox
Allegations Regarding Mr. James McCarter
Date of Incident: May 14, 2000
Location of Incident: 53rd and Hampton
ELO No.: 1623

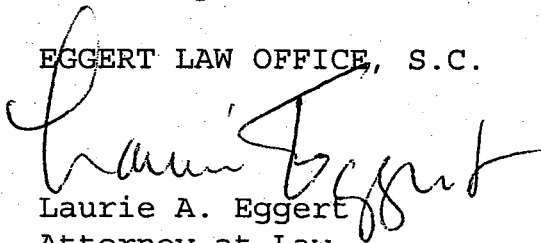
Dear Mr. Leonhardt:

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 foot chase. Charges will not be issued against the officers. Attached is a copy of the clearance report and an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.


Laurie A. Eggert
Attorney at Law

11/8/02

O.K.

JMS

Letter 2276

CITY OF MILWAUKEE
RECEIVED
'01 MAR 19 PM 3:46
OFFICE OF
CITY ATTORNEY

JC/lpl
KAMINSKI

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

March 15, 2001

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

RE: MPD Criminal Investigation re: Mr. James McCarter
Regarding: POs Jeff Kaminski, Justin Carloni, Tony Knox
Date of Incident: May 14, 2000
Location of Incident: 53rd and Hampton

Professional services

	<u>Hours</u>
8/16/00 Telephone call from PO Kaminski; open file; memo to file; telephone call to PO Knox.	0.80
8/21/00 Telephone call from PO Carloni; memo to file.	0.40
8/22/00 Discussion with IAD.	0.20
9/6/00 Telephone call to and from IAD.	0.40
9/7/00 Telephone call to PO Carloni; telephone call to PO Kaminski; telephone call to IAD; telephone call to PO Lelinski; telephone call to PO Knox.	0.90
9/8/00 Telephone call from PO Carloni; memo to file.	0.50
9/18/00 Telephone call to IAD.	0.20

	<u>Hours</u>	
9/26/00 Review of file; telephone call to IAD; memo to file.	0.20	
10/17/00 Telephone call IAD.	0.10	
10/18/00 Telephone call to IAD.	0.20	
11/10/00 Telephone call from IAD; correspondence to MPD Open Records; correspondence to clients.	0.50	
2/27/01 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	4.90	\$539.00
Additional charges:		
2/27/01 MPD Open Records request		5.97
Total costs		<u>\$5.97</u>
Total amount of this bill		<u>\$544.97</u>
Balance due		<u><u>\$544.97</u></u>

(Rate: \$110.00 per hour)

of her yard to the front street area. MAYO stated that at no time did she observe officers striking MCCARTER.

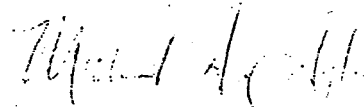
Also interviewed regarding this investigation were Officers John GRABER, Michael BRANSKI, Steven LELINSKI, Justin CARLONI, Michael FISCHER, David BRGWORDT, Jeffrey KAMINSKI, and Anthony KNOX.

Officers GRABER and BRANSKI gave statements advising that when they arrived on the scene, MCCARTER was already in custody so they left the scene without having contact with him. All other officers refused to make statements per Attorney Jon CERMELE.

CONCLUSION:

MCCARTER would be unable to participate in any further investigations of this incident and is unavailable for District Attorney review. MCCARTER is unable to identify the officer(s) alleged to be involved in this incident. Subsequently, no probable cause can be established against any officer involved in this investigation. At this time, it is not possible to substantiate the essential elements necessary per state statutes. Therefore, this case is cleared unfounded/baseless.

Respectfully submitted:



Michael SYKES
Police Detective, 53312
CIU/IAD, Day Shift

DS

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO JUSTIN CARLONI
DISTRICT SEVEN

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 MAY 14, 2000
- 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: _____

Print your name: _____

Justin Carloni
P.O. Justin CARLONI

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

1003

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO TONY KNOX
DISTRICT SEVEN

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 MAY 14, 2000
- 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: PO. Anthony R. Knox

Print your name: Anthony R. Knox

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 *ds*
Commander of Police
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO JEFF KAMINSKI
DISTRICT SEVEN

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 MAY 14, 2000
- 2) A citizen's complaint made by
- 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: _____

Print your name: _____

[Handwritten signature of Jeffrey Kaminski]
JEFFREY KAMINSKI

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 *st*
Commander of Police
Internal Affairs Division

DTS:dnp