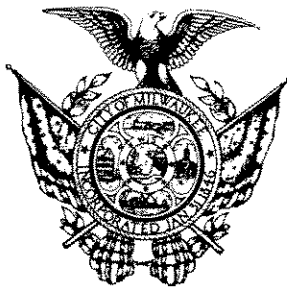


CITY OF MILWAUKEE

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

January 16, 2004

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Laurie A. Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officers Richard Sandoval and Karl Zuberbier
C.I. File No. 02-L-143; EC No. 1817

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Richard Sandoval and Karl Zuberbier. The claim is in the amount of \$2,783.75 including \$22.75 in disbursements for 25.10 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

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

October 21, 2002

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

2002 OCT 23 PM 3:00
RONALD D. LEONHARDT
CITY CLERK

**RE: MPD Criminal Investigation of POs Richard Sandoval and Karl Zuberbier
Allegations Regarding Mr. Samuel Rodriguez
Date of Incident: June 27, 2002
Location of Incident: 2000 Block of South 8th Street
EC No.: 1817**

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 officer involved shooting, resulting in an inquest. The District Attorney accepted the jury's advisory verdict that the officers' actions were privileged. The incident was investigated as a critical incident, with PI-21 statements being compelled on the day of the incident while the criminal was pending. Attached is an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Laurie A. Eggert
Attorney at Law

11/15/04
O.K.
JAS
Letter 2276

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

2002 OCT 23 PM 3:48
CITY ATTORNEY

JC/ldl
SAND ZUB INQ

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: MPD Criminal Investigation re: Shooting Death
(Mr. Samuel Rodriguez)
Regarding: POs Richard Sandoval and Karl Zuberbier
Date of Incident: June 27, 2002
Location of Incident: 2000 Block of South 8th Street

Professional services

	<u>Hours</u>
06/27/02 Telephone call from PO Honzelka regarding officer involved shooting; telephone call to CIB; open file; meeting with POs Sandoval and Zuberbier at PAB; attend POs Sandoval and Zuberbier's statements to CIB and District Attorney; attend POs Sandoval and Zuberbier's PI-21 statements; memos to file; travel.	6.50
06/28/02 Review of file; several telephone calls to and from CIB; memo to file.	1.00
07/09/02 Receive and review CAD report.	0.40
07/23/02 Discussion with CIB.	0.40
08/12/02 Discussion with ADA Mahoney; telephone call to PO Sandoval.	0.40
08/13/02 Telephone call to and from PO Sandoval.	0.40

	<u>Hours</u>	
09/11/02 Telephone call to and from CIB; telephone call to PO Sandoval; telephone call to PO Zuberbier; receive and review Faxed copy of subpoena; letter to court; Fax to ADA Mahoney.	0.60	
09/12/02 Telephone call to and from CIB.	0.60	
09/13/02 Brief meeting with CIB.	0.30	
09/17/02 Telephone call to and from clients.	0.40	
09/18/02 Several telephone calls to and from Sgt. Kuspa (expert witness); memo to file; obtain medical examiner's report; intra-office conference; review clients' statements to CIB; office conference with both clients; prepare for inquest.	3.60	
09/19/02 Prepare for inquest; travel; meeting with clients; attend inquest; return travel; telephone call to clients.	10.00	
09/20/02 Telephone call to and from clients; close file.	0.50	
	<hr/>	<u>Amount</u>
For professional services rendered	25.10	\$2,761.00
Additional charges:		
06/27/02 Parking		9.00
09/19/02 Parking		9.00
Meals - Lunch		4.75
		<hr/>
Total costs		\$22.75
		<hr/>
Total amount of this bill		\$2,783.75

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 25, 2002

TO: P.O. Richard Sandoval
CIB

RECEIVED
02 NOV 27 AM 9:54
MILWAUKEE
INTERNAL AFFAIRS
DIVISION

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 June 27, 2002
- 2) A citizen's complaint made by Samuel Rodriguez
- 3) A police shooting incident occurring on June 27, 2002

Is this information correct? YES X NO _____

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

Your signature: *Richard N. Sandoval*
Print your name: RICHARD N. SANDOVAL

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

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

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 25, 2002

TO: P.O. Karl Zuberbier
CIB

RE: Receipt of Legal Services from Law Firm of
Attorney

02 NOV 27 AM 9:54
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 June 27, 2002
- 2) A citizen's complaint made by Samuel Rodriguez
- 3) A police shooting incident occurring on June 27, 2002

Is this information correct? YES *J* NO

Did you receive legal representation in this matter? YES *J* NO

Your signature: *Karl Zuberbier*
Print your name: KARL ZUBERBIER

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

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

SMS:kjs