

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

February 5, 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 John Amberg and Keyellia Morries
C.I. File No. 02-S-83; EC No. 1738

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers John Amberg and Keyellia Morries. The claim is in the amount of \$478.53 including \$5.53 in disbursements for 4.30 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 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. 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.

77653/1032-2002-683

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

February 27, 2002

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

**RE: MPD Criminal Investigation of POs John Amberg and Keyellia
Morries
Allegations Regarding Mr. Douglas Cannon
Date of Incident: June 5, 2001
Location of Incident: PPS
EC No.: 1738**

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 the processing of a prisoner at PPS.

The MPD initiated a criminal investigation in which the officers initially declined to give a statement without counsel. When they requested counsel, IAD compelled the officers to give statements concerning the incident after issuing PI-21s. Later, the MPD decided not to issue criminal charges against the officers. Attached is a copy of the clearance report and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Laurie A. Eggert
Laurie A. Eggert
Attorney at Law

JC/Idl
AMBMOR

2/5/04
O.K.
JAS
Letter 2276

1090011-0001
1090011-0001

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

February 27, 2002

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

RE: MPD Criminal Investigation re: Mr. Douglas Cannon
Regarding: POs John Amberg and Keyellia Morries
Date of Incident: June 5, 2001
Location of Incident: PPS

Professional services

	<u>Hours</u>
06/13/01 Telephone call from PO Amberg regarding new criminal investigation; open file; memo to file.	0.70
Telephone call to IAD; correspondence to clients; correspondence to MPD Open Records.	0.70
06/19/01 Review of file; meeting with PO Amberg at IAD; attend PO Amberg's PI-21 statement; travel; memo to file.	1.50
08/06/01 Telephone call to IAD.	0.10
08/16/01 Telephone call to DA.	0.20
08/17/01 Telephone call to IAD.	0.10
08/20/01 Telephone call from IAD; memo to file; correspondence to clients; correspondence to MPD Open Records.	0.50

Mr. Ronald D. Leonhardt

Page 2

	<u>Hours</u>	
11/06/01 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	4.30	\$473.00
Additional charges:		
11/06/01 MPD Open Records request		5.53
Total costs		<u>\$5.53</u>
Total amount of this bill		<u>\$478.53</u>
Balance due		<u>\$478.53</u>

(Rate: \$110.00 per hour)

INCIDENT INFORMATION	INCIDENT LOST OR STOLEN MONEY 943.20	DATE OF INCIDENT 06-07-01	DATE OF REPORT 07-02-01	REP CON#
	VICTIM CANNON, DOUGLAS J.	LOCATION OF INCIDENT (ADDRESS) 749 W. STATE STREET		DIST. 1
	VICTIM'S ADDRESS 1020 W. CENTER STREET MILWAUKEE, WI 53206	REPORTED BY SAME		

COPY

PROPERTY CODES -- LIST CODE FOR EACH ITEM OF PROPERTY IN "CODE # " COLUMN--

01-AIRCRAFT	05-CREDIT CARDS	15-HEAVY EQUIPMENT	21-NEGOTIABLE INSTRUMENT	27-RECORD/AUDIO VISUAL	34-STRUCT-STORAGE
02-ALCOHOL	10-DRUGS/NARCOTICS	16-HOUSEHOLD GOODS	22-NONNEGOT INSTRUMENT	29-STRUCT-SINGLE DML	35-STRUCT-OTHER
04-BICYCLES	11-DRUG/NARC EQUIP	17-JEWELRY/PREC METAL	23-OFFICE EQUIPMENT	30-STRUCT-OTHER DML	36-TOOLS
06-CLOTHES/FURS	12-FARM EQUIPMENT	18-LIVESTOCK	77-OTHER	31-STRUCT-OTHER COMM	38-VEH/PART/ACC
07-COMPUTER WARES	13-FIREARMS	19-MERCHANDISE	25-PURSE/BAG/WALLET	32-STRUCT-INDUST MFG	39-WATERCRAFT
08-CONSUMABLES	14-GAMBLING EQUIP	20-MONEY	26-RADIO/TV/VCR	33-STRUCT-PUBLIC	99-

QUANT	TYPE OF PROPERTY	DESCRIPTION	SERIAL #	INVENTORY #	CODE #	VALUE
1	MONEY	U.S. CURRENCY & COINS, VARIOUS DENOMINATIONS			20	\$17.16

RELATED INCIDENT #'S	EVIDENCE INVENTORY #'S	ADDED PROPERTY ATTACHED PO-14	TOTAL VALUE RECOVERED PROPERTY \$17.16
----------------------	------------------------	-------------------------------	--

USE FOR WEAPONS IN POSSESSION OF PRISONER AT TIME OF ARREST -- CHECK ALL APPLICABLE ITEMS

1 2	1 2	1 2	1 2	1 2	1 2	1 2	1 2
<input type="checkbox"/> ALTERED STOCK	<input type="checkbox"/> CHROME/NICKEL	<input type="checkbox"/> HANDGUN	<input type="checkbox"/> OTHER	<input type="checkbox"/> REVOLVER	<input type="checkbox"/> SHOTGUN	<input type="checkbox"/> OTHER FIREARM	<input type="checkbox"/> SIMULATED WEAPON
<input type="checkbox"/> AUTOMATIC	<input type="checkbox"/> DOUBLE EBL	<input type="checkbox"/> IMPLIED WEAPON	<input type="checkbox"/> OTHER FIREARM	<input type="checkbox"/> RIFLE	<input type="checkbox"/> SAWS OFF	<input type="checkbox"/> PERSONAL WEAPON	<input type="checkbox"/> SINGLE EBL
<input type="checkbox"/> BOLT ACTION	<input type="checkbox"/> DRUG/NARCOTIC	<input type="checkbox"/> KNIFE/CUTTING INSTR	<input type="checkbox"/> POISON	<input type="checkbox"/> SEMI AUTO	<input type="checkbox"/> THROWN OBJECT	<input type="checkbox"/> PUMP ACTION	<input type="checkbox"/> UNKNOWN
<input type="checkbox"/> BLUE STEEL	<input type="checkbox"/> EXPLOSIVES	<input type="checkbox"/> LIQUID GAS	<input type="checkbox"/> MOTOR VEHICLE	<input type="checkbox"/> SHORT/SMUE EBL			
<input type="checkbox"/> BLUNT OBJECT	<input type="checkbox"/> FIRE/INCENDIARY						

ARRESTED #1 LAST NAME	FIRST NAME	MID	RACE	SEX	DATE OF BIRTH	AGE	ETHNIC ORIGIN
							<input type="checkbox"/> HISPANIC <input type="checkbox"/> NON-HISPANIC

ADDRESS	CITY	STATE	HEIGHT	WEIGHT	BUILD	HAIR	EYES

ALIAS	SCARS, MARKS, MOLES, DEFORMITIES, AMPUTATIONS, FACIAL HAIR, SKINTONE, TATTOOS, PECULIARITIES ETC.

I.D. DIV #	SOC. SEC. #	ADDED WEAPON INFO ARRESTED #1

RESIDENT OF COUNTY	Y N	GANG RELATED	Y N	DRUG RELATED	Y N	LOCATION OF ARREST	DATE/TIME OF ARREST	TYPE OF ARREST	<input type="checkbox"/> ORDERED IN/CITED <input type="checkbox"/> W/WARR/SUSP CARD <input type="checkbox"/> ALL OTHER ARRESTS

CHARGES	POSSESSED SUSPECTED DRUGS AT TIME OF ARREST	Y N

ARRESTED #2 LAST NAME	FIRST NAME	MID	RACE	SEX	DATE OF BIRTH	AGE	ETHNIC ORIGIN
							<input type="checkbox"/> HISPANIC <input type="checkbox"/> NON-HISPANIC

ADDRESS	CITY	STATE	HEIGHT	WEIGHT	BUILD	HAIR	EYES

ALIAS	SCARS, MARKS, MOLES, DEFORMITIES, AMPUTATIONS, FACIAL HAIR, SKINTONE, TATTOOS, PECULIARITIES ETC.

I.D. DIV #	SOC. SEC. #	ADDED WEAPON INFO ARRESTED #1

RESIDENT OF COUNTY	Y N	GANG RELATED	Y N	DRUG RELATED	Y N	LOCATION OF ARREST	DATE/TIME OF ARREST	TYPE OF ARREST	<input type="checkbox"/> ORDERED IN/CITED <input type="checkbox"/> W/WARR/SUSP CARD <input type="checkbox"/> ALL OTHER ARRESTS

CHARGES	POSSESSED SUSPECTED DRUGS AT TIME OF ARREST	Y N

VEHICLE USED	MAKE	MODEL	TYPE	COLOR	STATE	EXP	TYPE	V.I.N. #

REPORTING OFFICER	PAYROLL #	LOC #	ASSISTING OFFICER	SUPERVISOR	TOTAL ARRESTS
DET. RONALD HARDEN	49288	04		J. May	0

CLEARANCE REPORT
PAGE 2.

INVESTIGATIVE NARRATIVE:

This report was dictated by Det. Ronald HARDEN, of the Criminal Investigation Unit/Internal Affairs Division (CIU/IAD), day shift.

On Wednesday, June 27, 2001, while at the Criminal Justice Facility I met with Deputy Vicky STRACHOTA from the Prisoner Records Department to receive prisoner records, which I requested on Friday, June 22, 2001. Deputy STRACHOTA provided me with copies of computer generated sheets of the Daily Booking Rosters for June 6, 2001 and June 7, 2001. Additionally, she provided computer generated Cash Transaction Rolls from prisoner accounts for June 6, 2001 and June 7, 2001.

I conducted cross-referencing of prisoners booked at the PPS on June 6th and June 7th and the amount of money shown on their Prisoner Property Receipt against the records from the Criminal Justice Facility. I discovered that Tamara L. DAUER, white female, DOB 01-20-62, of 2444 N. 58th Street was booked into the PPS on June 7th and is listed as having \$0.35 at the time of her processing.

On the Criminal Justice Facility Cash Transaction Roll for June 7th, there is a transaction for Prisoner Property Account #163944007 in the amount of \$17.51. This prisoner account number lists to the same Tamara L. DAUER listed on the PPS prisoner receipt as having \$0.35.

The difference in the \$17.51 and the \$0.35 equals \$17.16. The exact amount missing from the Cash Property of Douglas CANNON. It appears that there may have been an inadvertent transfer of CANNON's cash to the Criminal Justice Facility along with another prisoner's property.

As a result of discovering the \$17.16, this complaint is cleared as baseless.

RH:vll 07-04-01
01-196\01-196.CLR

REVIEWING D.A. NONE	P.O./DET. ASSIGNED DET. RONALD HARDEN	COURT CASE NUMBER
FINAL CHARGE	DISPOSITION/DATE 07-02-01	VICTIM NOTIFIED BY DET. RONALD HARDEN
INCIDENT STATUS	<input type="radio"/> CLEARED BY ARREST 18 OR OVER <input type="radio"/> PARTIAL CLEARANCE BY ARREST <input checked="" type="radio"/> UNFOUNDED/BASELESS <input type="radio"/> NO PROSECUTION DESIRED	<input type="radio"/> PROPERTY RECOVERED <input type="radio"/> WARRANT REFUSED <input type="radio"/> ARREST UNDER 18 <input type="radio"/> A. Detained at MCCC <input type="radio"/> B. Ordered in to MCCC DATE: _____ <input type="radio"/> WAIVED AS AN ADULT
----- C.I.B. ADMINISTRATIVE USE ONLY -----		
CLEARED EXCEPTIONALLY	<input type="radio"/> A. Death of Offender <input type="radio"/> B. Prosecution Declined	<input type="radio"/> C. Extradition Denied <input type="radio"/> D. Refused to Cooperate <input type="radio"/> E. Juvenile, no custody <input type="radio"/> F. Not Applicable
JUSTIFIABLE HOMICIDE INFORMATION	<input type="radio"/> A. SUSP ATTKCKD PO AND SAME PO KILLED SUSP <input type="radio"/> B. SUSP ATTKCKD PO AND OTHER PO KILLED SUSP <input type="radio"/> C. SUSP ATTKCKD CIVILIAN <input type="radio"/> D. SUSP ATTEMPTED FLIGHT FROM CRIME	<input type="radio"/> E. SUSP KILLED IN COMMISSION OF CRIME <input type="radio"/> F. SUSP RESISTED ARREST <input type="radio"/> G. UNABLE TO DETERMINE/NOT ENOUGH <input type="radio"/> H. SUSPECT KILLED BY PRIVATE CITIZEN <input type="radio"/> I. SUSPECT KILLED BY POLICE OFFICER

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 5, 2002

TO: P.O. JOHN AMBERG
PPS

RE: Receipt of Legal Services from Law Firm of
Attorney

RECEIVED
02 DEC 12 PM 1:31
MILWAUKEE POLICE DEPARTMENT
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 5, 2001
- 2) A citizen's complaint made by DOUGLAS CANNON
- 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: *P.O. John Amberg*
Print your name: John AMBERG

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

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

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 5, 2002

TO: P.O. KEYELLIA MORRIES
PPS

RE: Receipt of Legal Services from Law Firm of
Attorney

RECEIVED
02 DEC 12 PM 1:31
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 5, 2001
- 2) A citizen's complaint made by DOUGLAS CANNON
- 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. Keyellia Morris

Print your name: Keyellia MORRIES

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

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

SMS:kjs

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 19, 2002

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

Re: C.I. File No. 02-S-83
Communication from Eggert Law Office

Dear Commander Settingsgaard:

Enclosed please find a claim filed by Attorney Laurie A. Eggert for attorney's fees incurred during her representation of officers Amberg/Morries, Bowen, Chaim/Suarez, Dzievit/Tabaska, Gonzalez, Hannah, Johnson, Kowalczyk, et al., Lopez, et al., Osowski/Newport, Riestra, et al., Sanchez, Siller, Smolen/Bryce, Wells, et al., Cwiklinski/Pecoraro, Pecoraro, Matecki and Estacio/Henry.

Please determine whether these officers were in fact involved in the matters described in Ms. Eggert's claims, and have these officers verify Ms. Eggert's representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

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

JAN A. SMOKOWICZ
Assistant City Attorney

JAS
Encls.

RECEIVED
02 DEC - 2 AM 11:59
MILWAUKEE POLICE DEPARTMENT
INTERNAL AFFAIRS
DIVISION