

# 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 13, 2005

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 Officer Rodney Young  
C.I. File No. 00-S-99/29; ELO 1627

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Rodney Young. The claim is in the amount of \$236.73 including \$16.73 in disbursements for 2.00 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 officer 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.

2276

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

**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

December 2, 2002

Mr. Jan Smokowicz  
Assistant City Attorney  
800 City Hall  
200 East Wells Street  
Milwaukee, WI 53202

**RE: Claim for Reimbursement of Legal Expenses Related to Criminal Investigation of PO Rodney Young arising from Allegations of Mr. Darwin Trigg  
ELO File: 1627  
City Claim No.: 01-S-99/29**

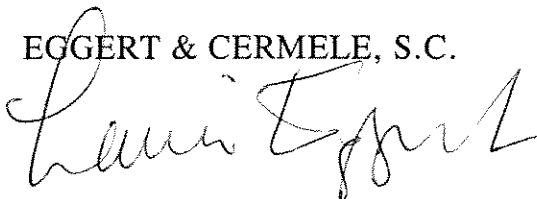
Attorney Smokowicz:

In your letter of November 20, 2002, you noted that the FPC had dismissed the complaint of Mr. Trigg, and referred it to the chief.

Please be advised that no discipline was imposed against the officer concerning this incident. If you have any other questions, please contact me.

Sincerely,

EGGERT & CERMELE, S.C.



Laurie A. Eggert  
Attorney at Law

LAE/ldl  
enclosure  
YOUNG 12202

9/20/04  
O.K  
JAS  
Letter 2276

# CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY  
City Attorney

RUDOLPH M. KONRAD  
Deputy City Attorney

THOMAS E. HAYES  
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November 21, 2002

BEVERLY A. TEMPLE  
THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
ROXANE L. CRAWFORD  
SUSAN D. BICKERT  
HAZEL MOSLEY  
HARRY A. STEIN  
STUART S. MUKAMAL  
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MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

Ms. Laurie A. Eggert  
Eggert Law Office, S. C.  
1840 North Farwell Avenue, Ste. 303  
Milwaukee, WI 53202

**RE: Claim for Reimbursement of Legal Expenses Related to Criminal Investigation  
of Police Officer Rodney Young arriving from Allegations of Mr. Darwin Trigg  
ELO No.: 1627  
Claim No.: 01-S-99/29**

Dear Ms. Eggert:

The materials that you provided in support of the above-noted claim indicates that while the criminal investigation was closed, the complaint has been referred to I.A.D. Personnel Unit for investigation into possible departmental rule violations. In order to advise the Common Council properly about this claim, we need to have the results of that personnel investigation. If you do not have the results of that investigation, I will contact I.A.D. directly. Please let me know if you have any questions or concerns regarding this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jan A. Smokowicz', written over a horizontal line.

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:lae  
60471

OFFICE COPY

**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 PO Rodney Young  
Allegations Regarding Mr. Darvin Trigg  
Date of Incident: July 5, 2000  
Location of Incident: 3610 North 11<sup>th</sup> Street  
ELO No.: 1627

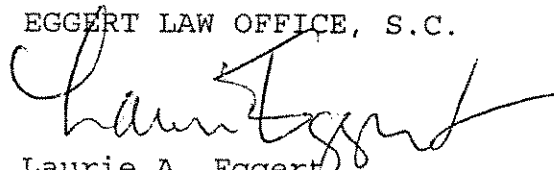
Dear Mr. Leonhardt:

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 the investigation of an armed robbery. Charges will not be issued against the officer. 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

CITY OF MILWAUKEE  
RECEIVED  
'01 MAR 19 PM 3:47  
OFFICE OF  
CITY ATTORNEY

JC/ldl  
YOUNG

11/11/02  
Need outcome  
IAD personal  
investigation  
- JKS

**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. Darvin Trigg  
Regarding: PO Rodney Young  
Date of Incident: July 5, 2000  
Location of Incident: 3610 North 11th Street

Professional services

	<u>Hours</u>	
2/5/01 Telephone call from PO Young; open file; telephone call to IAD.	0.50	
2/6/01 Telephone call from client.	0.10	
2/7/01 Telephone call from DA's office; telephone call to client.	0.30	
2/26/01 Telephone call to IAD.	0.10	
2/27/01 Telephone call to DA; telephone call to IAD; correspondence to MPD Open Records.	0.50	
3/13/01 Review of correspondence from MPD Open Records; correspondence to client; close file.	0.50	
		<u>Amount</u>
For professional services rendered	2.00	\$220.00

Mr. Ronald D. Leonhardt

Page 2

Additional charges:

	<u>Amount</u>
3/13/01 MPD Open Records request	16.73
Total costs	<u>\$16.73</u>
Total amount of this bill	<u>\$236.73</u>
Balance due	<u><u>\$236.73</u></u>

(Rate: \$110.00 per hour)

During Det. SCHMITZ' interview, she indicated that both Officer YOUNG and TRIGG "had attitude problems with each other." She stated that although she told Officer YOUNG the name wasn't necessary, "he persisted in bantering with TRIGG."

TRIGG's mother and father appeared at the door and gave the investigators TRIGG's information, but Officer YOUNG was not satisfied, stating he "wanted to hear it from him (TRIGG)." Based on the lack of cooperation from TRIGG, Officer YOUNG called for backup officers to meet him. When officers arrived, they arrested TRIGG based on "following the lead of Officer YOUNG."

TRIGG was arrested for State Disorderly Conduct and Resisting an Officer. The matter was reviewed at the District Attorney's Office by A.D.A. Michael MAHONEY, who declined to issue criminal charges against TRIGG.

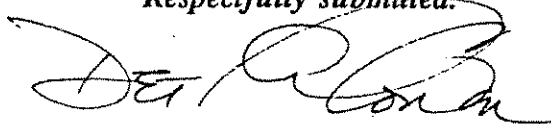
CONCLUSION:

TRIGG reported this matter to the Internal Affairs Division because he believe's Officer YOUNG falsified the arrest reports and he should never have been arrested.

This matter was reviewed by Deputy District Attorney Jon REDDIN, with TRIGG present during the conference. D.D.A. REDDIN declined to issue criminal charges against Officer YOUNG adding, "while this incident should never have gotten to the step it did, nothing criminal occurred."

This matter has been referred to I.A.D. Personnel Unit for investigation into possible departmental rule violations. Criminal investigation is complete.

Respectfully submitted:



Mercedes COWAN,  
Police Detective, 58393  
CIU/IAD, Early Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO RODNEY YOUNG  
DISTRICT FIVE

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 JULY 5, 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: \_\_\_\_\_

*Rodney B. Young*

*Rodney B. Young*

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 JH  
Commander of Police  
Internal Affairs Division

DTS:dnp