

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
CHARLES R. THEIS
Special Deputy City Attorneys



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

BEVERLY A. TEMPLE
THOMAS O. GARTNER
LINDA ULISS BURKE
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
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

May 7, 2001

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 Marvin Harrell and Frederick Terriquez
C.I. File No. 00-S-368-9/ELO 1460**

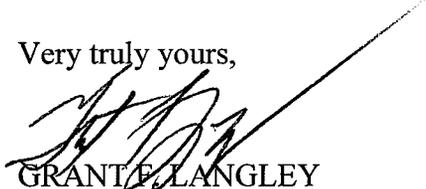
Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Marvin Harrell and Frederick Terriquez. The claim is in the amount of \$881.75 including \$12.75 in disbursements for 7.90 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

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
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200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

October 18, 2000

Commander Dale Schunk
Milwaukee Police Department
Internal Affairs Division
6680 North Teutonia Avenue, Rm 325
Milwaukee, WI 53209

Re: C.I. File No. 00-S-368-9
Communication from EGGERT LAW OFFICE

Dear Commander Schunk:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of the following officers:

Beauchene
Gebhardt/Dineen
Guardiola
Harrell/Terriquez
Johnson/Santos

Lopez/Lintonen/Sarnow
Mayers
Randazzo/Dzievit
Sment/Clark
Zaremba, et al.

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,

A handwritten signature in black ink, appearing to read "Jan A. Smokowicz".

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
5091

BEVERLY A. TEMPLER
THOMAS O. GARTNER
LINDA ULISS BURKE
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
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MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

INTERNAL AFFAIRS
DIVISION

OCT 30 AM 11:35

RECORDED

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

October 6, 2000

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

RE: Various claims

Dear Mr. Leonhardt:

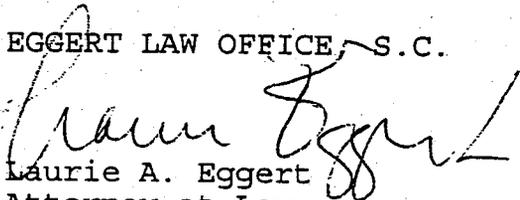
Enclosed are the following claims:

<u>OFFICER(S)</u>	<u>OUR NO.</u>
Beauchene	1528
Gebhardt/Dineen	1501
Guardiola	1438
Harrell/Terriguez	1460
Johnson/Santos	1510
Lopez/Lintonen/Sarnow	1514
Meyers	1523
Randazzo/Dzievit	1530
Sment/Clark	1464
Zaremba, et al.	1512

RONALD D. LEONHARDT
CITY CLERK
CITY OF MILWAUKEE
OCT 10 PM 3:33

Respectfully,

EGGERT LAW OFFICE, S.C.


Laurie A. Eggert
Attorney at Law

LAE/ldl
Enclosures
OFC\CLAIMS.11

CITY ATTORNEY
OCT 11 PM 2:42
MILWAUKEE

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

October 6, 2000

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

**RE: MPD Criminal Investigation of POs Marvin Harrell and
Frederick Terriquez
Allegations Regarding Ms. Melissa Hart
Date of Incident: February 12, 2000
Location of Incident: 2425 West Oklahoma Avenue
ELO No.: 1460**

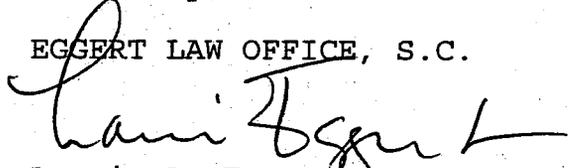
Dear Mr. Leonhardt:

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 juvenile arrest. 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

JC/ldl
HARRELL

5/7/2001

O.K.

JAS

Letter # 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

October 4, 2000

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

RE: MPD Criminal Investigation
Regarding: POs Marvin Harrell and Frederick Terriquez
Date of Incident: February 12, 2000
Location of Incident: 2425 W. Oklahoma

Professional services

	<u>Hours</u>
3/17/00 Telephone call from PO Harrell; review applicable criminal statutes; telephone call to IAD; telephone call to DA; several telephone calls to client; open file; office conference with PO Harrell; telephone call to and from PO Terriquez; office conference with PO Terriquez.	3.90
3/21/00 Review of file; review statutes; meeting with POs Harrel and Terriquez at Safety Building; attend charging conference; travel.	1.90
3/22/00 Correspondence to MPD Open Records; correspondence to clients.	0.40
3/29/00 Discussion with DDA Reddin; obtain copy of his letter confirming no charges would issue; forward same to client.	0.40

	<u>Hours</u>	
5/1/00 Review of file.	0.40	
7/24/00 Receive and review denial of MPD Open Records request; telephone call to and from, and Fax to, Cpt. Edman.	0.40	
8/3/00 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	7.90	\$869.00
Additional charges:		
3/21/00 Parking		4.00
10/2/00 MPD Open Records request		8.75
Total costs		<u>\$12.75</u>
Total amount of this bill		<u>\$881.75</u>
Balance due		<u><u>\$881.75</u></u>

(Rate: \$110.00 per hour)

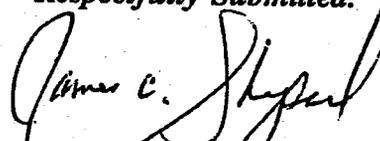
Officer HARRELL further offered that he was only trying to help Melissa get her life back together and he knew he had enough drugs to test for a city citation.

CONCLUSION:

On Tuesday, May 21, 2000 this matter was reviewed in the office of the District Attorney. It was the determination of Deputy District Attorney Jon REDDIN that a charge of Misconduct in Public Office relative to P.O. TERRIQUEZ and P.O. HARRELL would not be pursued. It was Deputy District Attorney REDDIN'S opinion that Officer TERRIQUEZ had no culpability but further added that Officer HARRELL clearly committed a act of Misconduct in Public Office, but believed a jury would not convict due to Officer HARRELL'S benevolent motive.

It is for said reasons that this incident will be cleared as warrant refused.

Respectfully Submitted:


JAMES C. SHEPARD
Captain of Police
CIU/IAD

JS:laf

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 20, 2000

TO: PO MARVIN HARRELL
DISTRICT SIX

Resigned

10-10-00

ATD NOV 22 2000

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 12, 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: _____

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

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 20, 2000

TO: PO FREDERICK TERRIQUEZ - E
DISTRICT SIX

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 12, 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: *Frederick Terriquez*

Print your name: FREDERICK TERRIQUEZ

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 *jt*
Commander of Police
Internal Affairs Division

DTS:dnp