

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 9, 2004

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officer Brian Bowen
C.I. File No. 02-S-83; EC No. 1739

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Brian Bowen. The claim is in the amount of \$4,685.97, including \$692.97 in disbursements for 36.30 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 the filing of a citizen's complaint against the officer with the Fire and Police Commission. The complaint was dismissed by the Commission.

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.

77748/ 1032-2002-695

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
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

**RE: Citizen Complaint of Mr. Habib Manjee
Against PO Brian Bowen
Complaint No.: 99-66
Date of Incident: April 24, 1999
EC No.: 1739**

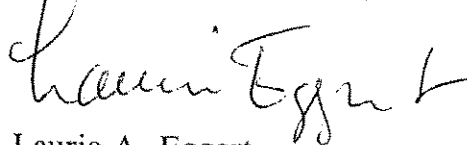
Dear Mr. Leonhardt:

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 a traffic stop. The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.



Laurie A. Eggert
Attorney at Law

2/9/04
a.k.
JAS
Letter 2295

JC/LAE/ldl
BOWEN

01/27/02
102 1028-4 12 4 01

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 Leonhardt
Milwaukee City Clerk
City Hall
200 East Wells Street
Milwaukee WI 53202

RE: Citizen Complaint of Mr. Habib Manjee
Against PO Brian Bowen
FPC No: 99-66
Date of Incident: April 24, 1999
Location of Incident: 8500 North 107th Street

Professional services

	<u>Hours</u>
11/18/99 Conference with client; open file; review complaint.	1.20
11/22/99 Correspondence to FPC.	0.20
12/02/99 Review of correspondence from FPC.	0.20
12/06/99 Review of correspondence from FPC; correspondence to client.	0.20
12/15/99 Conference with FPC; correspondence to Department of Justice.	0.30
01/07/00 Receive and review criminal conviction history of complainant.	0.20
01/10/00 Review of file.	0.40
01/11/00 Preparation for and appearance at conciliation; conference with client; memo to file; travel; telephone call to Heard; telephone call to Investigator; correspondence to MPD Open Records.	3.10

	<u>Hours</u>
01/17/00 Conference with Investigator; review of file.	0.40
01/27/00 Review of correspondence from FPC.	0.10
02/10/00 Review of file.	0.20
03/07/00 Conference with Investigator; telephone call from and to MPD Open Records; memo to file.	1.20
03/09/00 Review documents from health department and MPD re: enforcement.	0.80
03/11/00 Review of correspondence from MPD Open Records; memo to file.	0.80
04/13/00 Review of file.	0.20
05/12/00 Review of file.	0.30
05/26/00 Review of correspondence from Albrecht; review of file.	0.40
06/13/00 Telephone call to and from city attorney; telephone call to client; review of file; review of correspondence from FPC.	2.60
06/19/00 Review claim and response from client; review of file.	0.80
06/28/00 Conference with investigator; memo to file.	0.30
06/29/00 Review of file; draft witness and exhibit list; memo to file.	2.60

	<u>Hours</u>
06/30/00 Review of file; correspondence to opposing attorney; draft medical release; correspondence to Department of Transportation.	4.40
07/07/00 Review witness list from Albrecht.	0.40
07/12/00 Review of file; revise witness and exhibit list; telephone call to and from opposing attorney; telephone call to Investigator.	3.30
07/13/00 Revise witness and exhibit list; telephone call to city attorney; telephone call to Fronk; review Department of Transportation information; review of file.	0.90
07/14/00 Review of file; conference with Investigator.	1.10
07/19/00 Telephone call from Investigator; memo to file; review of file.	0.40
07/20/00 Review of correspondence from Sheriff.	0.20
07/21/00 Review of correspondence from Investigator.	0.40
08/12/00 Review of correspondence from FPC.	0.10
08/21/00 Review of correspondence from FPC.	0.10
08/24/00 Telephone call to FPC; review of file.	0.40
08/30/00 Telephone call from Fronk; memo to file; review of file.	0.60

	<u>Hours</u>
09/05/00 Review of file; telephone call to and from Albrecht; telephone call to client; memo to file.	0.80
09/06/00 Telephone call from FPC; telephone call to Fronk.	0.30
09/07/00 Telephone call from client; memo to file; review of file.	0.60
09/11/00 Review of correspondence from FPC.	0.10
11/15/00 Telephone call from FPC; memo to file; review of file.	0.40
12/04/00 Telephone call from FPC.	0.10
02/06/01 Telephone call from FPC; memo to file; review of file.	0.40
03/29/01 Telephone call from FPC; review of file; memo to file.	0.30
04/10/01 Review of correspondence from FPC; correspondence to client.	0.20
04/26/01 Telephone call from FPC; telephone call to client; memo to file.	0.30
04/27/01 Telephone call from client.	0.10
05/23/01 Review FPC document.	0.10
07/05/01 Review of file; telephone call to FPC; memo to file; correspondence to client.	0.60
07/30/01 Preparation for and appearance at conciliation; conference with client; memo to file; travel.	1.80

	<u>Hours</u>	
10/25/01 Review of correspondence from FPC.	0.10	
11/29/01 Telephone call from opposing attorney; memo to file; correspondence to client; telephone call to FPC.	0.70	
11/30/01 Review of correspondence from opposing counsel.	0.10	
01/03/02 Review of correspondence from FPC; correspondence to client; close file.	0.50	
		<u>Amount</u>
For professional services rendered	36.30	\$3,993.00
Additional charges:		
12/17/99 Department of Justice		13.00
01/11/00 Parking		4.50
03/10/00 Investigator		487.50
MPD Open Records request		22.87
06/30/00 Department of Transportation		3.00
07/13/00 Records - Milwaukee County Sheriff's Department (CJF)		5.00
07/21/00 Investigator		155.60
07/30/01 Parking		1.50
Total costs		<u>\$692.97</u>
Total amount of this bill		<u>\$4,685.97</u>

Mr. Ronald Leonhardt

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Amount

Balance due

\$4,685.97

(Rate: \$110.00 per hour)

RECEIVED

JAN 3 2002

EGGERT & CERMELE, S.C.

BOARD OF

FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

In Re:

THE CHARGES OF HABIB MANJEE
AGAINST POLICE OFFICER BRIAN BOWEN

ORDER OF DISMISSAL

To Officer Brian Bowen:

It is hereby ordered that the Complaint of Habib Manjee, Complaint No. 99-66, filed with the Board on October 27, 1999, is dismissed because the Complainant has requested that the Complaint be dismissed, by the

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:


JOSEPH J. ZARNECKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, DECEMBER 27, 2001.

c: Attorney Jonathan Cermele ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 5, 2002

TO: P.O. BRIAN BOWEN
SOB CYCLES

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 APRIL 24, 1999
- 2) A citizen's complaint made by HABIB MANJEE
- 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: _____

Brian Bowen

Print your name: _____

BRIAN BOWEN

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