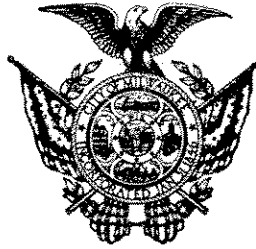


# CITY OF MILWAUKEE

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 286-2025  
FAX (414) 286-8550

May 9, 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 Officers Ryan Lemke and Thomas Kline  
C.I. File No. 03-S-433; EC 1962

Dear Council Members:

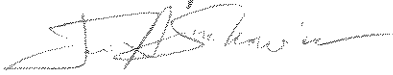
Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Ryan Lemke and Thomas Kline. The claim is in the amount of \$675.06 including \$4.06 in disbursements for 6.10 hours of service billed at the rate of \$110.00 per hour. We ask that this 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. 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.

1032-2003-3702.006/92883

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  
MEGAN T. CRUMP  
ELOISA DE LEÓN  
ADAM STEPHENS

Assistant City Attorneys

**EGGERT & CERMELE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Schneider

1840 North Farwell Avenue  
Suite 303  
Milwaukee, Wisconsin 53202  
(414) 276-8750  
FAX (414) 276-8906

November 10, 2003

CITY ATTORNEY

NOV. 12 RECD

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

**RE: MPD Criminal Investigation of POs Ryan Lemke and Thomas Kline  
Allegations Regarding Mr. Deon Wesley  
Date of Incident: April 2, 2003  
Location of Incident: 1964 North 25<sup>th</sup> Street  
EC No.: 1962**


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 an arrest.

The MPD initiated a criminal investigation in which the officers initially declined to give a statement without counsel. When they requested counsel, IAD compelled POs Lemke and Kline to give statements concerning the incident after issuing PI-21s. Later, the MPD did not bring 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  
Attorney at Law

5/9/05  
O.K.  
JAS  
Letter 2276

LAE/ldl  
attachment  
LEMKE KLINE

**EGGERT & CERMELE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Schneider

1840 North Farwell Avenue  
Suite 303  
Milwaukee, Wisconsin 53202  
(414) 276-8750  
FAX (414) 276-8906

November 10, 2003

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

RE: MPD Criminal Investigation re: Mr. Deon Wesley  
Regarding: POs Ryan Lemke and Thomas Kline  
Date of Incident: April 2, 2003  
Location of Incident: 2964 North 25th Street  
Professional services

	<u>Hours</u>		<u>Amount</u>
5/8/2003 Telephone call from and to client; open file; memo to file.	0.80		
5/9/2003 Preparation for and appearance at Kline PI-21 statements; travel; conference with client; memo to file.	1.30		
5/13/2003 Preparation for and appearance at Lemke's PI-21 statements; travel; review of file; conference with client; telephone call from client.	2.30		
6/3/2003 Review of file.	0.20		
9/5/2003 Review of file; memo to file.	0.10		
9/10/2003 Review of file; telephone call to Det.; memo to file; correspondence to clients; correspondence to MPD Open Records.	0.90		
10/24/2003 Review of correspondence from MPD Open Records; close file.	0.50		
For professional services rendered	6.10		\$671.00
Additional charges:			
10/24/2003 MPD Open Records request			4.06
Total costs			<u>\$4.06</u>
Total amount of this bill			<u>\$675.06</u>

Mr. Ronald D. Leonhardt

Page 2

Amount

Balance due

\$675.06

(Rate: \$110.00 per hour)

INCIDENT INFORMATION

INCIDENT  
 Battery  
 VICTIM  
 WESLEY, Deon Demetrius  
 VICTIM'S ADDRESS  
 2964 N. 25 Street

DATE OF INCIDENT  
 04-02-03  
 DATE OF REPORT  
 07-18-03

REP  
 CON#

LOCATION OF INCIDENT (ADDRESS)  
 2964 N. 25 Street

DIST.  
 3

REPORTED BY  
 SAME

COPY

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

- |                   |                    |                       |                          |                        |                   |
|-------------------|--------------------|-----------------------|--------------------------|------------------------|-------------------|
| 01-AIRCRAFT       | 09-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 DWL   | 35-STRUCT-OTHER   |
| 04-BICYCLES       | 11-DRUG/NARC EQUIP | 17-JEWELRY/PREC METAL | 23-OFFICE EQUIPMENT      | 30-STRUCT-OTHER DWL    | 36-TOOLS          |
| 06--CLOTHES/FURS  | 12-FARM EQUIPMENT  | 18-LIVESTOCK          | 77-OTHER                 | 31-STRUCT-OTHER COMB   | 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

RELATED INCIDENT #'S	EVIDENCE INVENTORY #'S N/A	ADDED PROPERTY ATTACHED PG-14	TOTAL VALUE RECOVERED PROPERTY \$
----------------------	----------------------------	-------------------------------	-----------------------------------

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
<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"/> AUTOMATIC	<input type="checkbox"/> DOUBLE BBL	<input type="checkbox"/> IMPLIED WEAPON	<input type="checkbox"/> OTHER FIREARM	<input type="checkbox"/> RIFLE	<input type="checkbox"/> SIMULATED WEAPON
<input type="checkbox"/> BOLT ACTION	<input type="checkbox"/> DRUG/NARCOTIC	<input type="checkbox"/> KNIFE/CUTTING INSTR	<input type="checkbox"/> PERSONAL WEAPON	<input type="checkbox"/> SAWED OFF	<input type="checkbox"/> SINGLE BBL
<input type="checkbox"/> BLUE STEEL	<input type="checkbox"/> EXPLOSIVES	<input type="checkbox"/> LIQUID GAS	<input type="checkbox"/> POISON	<input type="checkbox"/> SEMI AUTO	<input type="checkbox"/> THROWN OBJECT
<input type="checkbox"/> BLUNT OBJECT	<input type="checkbox"/> FIRE/INCENDIARY	<input type="checkbox"/> MOTOR VEHICLE	<input type="checkbox"/> PUMP ACTION	<input type="checkbox"/> SHORT/SNUB BBL	<input type="checkbox"/> UNKNOWN

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
---------	---	-----

V E H USED	VEHICLE MAKE	MODEL	TYPE	COLOR	STATE	EXP	TYPE	V.I.N. #
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REPORTING OFFICER <i>Det. Karen Dubis</i> DET. Karen DUBIS	PAYROLL # 46086	LOC 04	ASSISTING OFFICER	SUPERVISOR <i>[Signature]</i>	TOTAL ARRESTS 0
--	--------------------	-----------	-------------------	----------------------------------	--------------------

ANCE REPORT

2

INVESTIGATIVE NARRATIVE:

This report was completed by Detective Karen Dubis of the Internal Affairs Division (CIU/IAD) Day Shift.

On Thursday, July 17, 2003, at 8:30 a.m., this incident was reviewed by A.D.A. Thomas Mc Adams, PH: 278-5090, of the Milwaukee County District Attorney's Office. Present during this review was the complainant Mr. Deon WESLEY, and Detective Karen DUBIS.

After reviewing the information as presented to A.D.A. Mc Adams, he will issue a "No Process" disposition in regard to the theft of earrings taken in this incident. A.D.A. Mc Adams stated that he had no way of proving which if any police officer took the two earrings from the complainant's bedroom during the search of the residence. A.D.A. Mc Adams also stated that the search and entry to the residence was already reviewed by A.D.A. Julius Kim who decided that a legal entry and search had been conducted in this incident.

This incident is being cleared at this time after review in the District Attorney's Office.

REVIEWING D.A. A.D.A. Thomas Mc Adams	P.O./DET. ASSIGNED Det. Karen Dubis	COURT CASE NUMBER
FINAL CHARGE No Process	DISPOSITION/DATE 07-18-03	VICTIM NOTIFIED BY Letter
INCIDENT STATUS	<input type="checkbox"/> CLEARED BY ARREST 18 OR OVER <input type="checkbox"/> PARTIAL CLEARANCE BY ARREST <input type="checkbox"/> UNFOUNDED/BASELESS <input type="checkbox"/> VICTIM RESUSES TO COOPERATE (SUSPECT INFORMATION NEEDED)	<input type="checkbox"/> PROPERTY RECOVERED <input type="checkbox"/> WARRANT REFUSED <input type="checkbox"/> ARREST UNDER 18 <input type="checkbox"/> A. Detained at MCCC <input type="checkbox"/> B. Ordered in to MCCC DATE: ___ <input type="checkbox"/> WAIVED AS AN ADULT
----- C.I.B. ADMINISTRATIVE USE ONLY -----		
CLEARED EXCEPTIONALLY	<input type="checkbox"/> A. Death of Offender <input type="checkbox"/> B. Prosecution Declined	<input type="checkbox"/> C. Extradition Denied <input type="checkbox"/> D. Refused to Cooperate <input type="checkbox"/> E. Juvenile, no custody <input type="checkbox"/> F. Not Applicable
JUSTIFIABLE HOMICIDE OF CRIME	<input type="checkbox"/> A. SUSP ATTCKD PO AND SAME PO KILLED SUSP <input type="checkbox"/> B. SUSP ATTCKD PO AND OTHER PO KILLED SUSP <input type="checkbox"/> C. SUSP ATTCKD CIVILIAN <input type="checkbox"/> D. SUSP ATTEMPTED FLIGHT FROM CRIME	<input type="checkbox"/> E. SUSP KILLED IN COMMISSION <input type="checkbox"/> F. SUSP RESISTED ARREST <input type="checkbox"/> G. UNABLE TO DETERMINE/NOT <input type="checkbox"/> H. SUSPECT KILLED BY PRIVATE <input type="checkbox"/> I. SUSPECT KILLED BY POLICE
ENOUGH INFORMATION CITIZEN OFFICER		

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 18, 2003

TO: P.O. RYAN LEMKE  
DISTRICT SEVEN

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 2, 2003
- 2) A citizen's complaint made by DEON WESLEY
- 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: *Ryan J. Lemke*  
 Print your name: P.O. Ryan J. Lemke

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

MILWAUKEE POLICE  
 INTERNAL AFFAIRS  
 DIVISION  
 03 NOV 20 PM 12:24  
 RECEIVED

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 18, 2003

TO: P.O. THOMAS KLINE  
DISTRICT SEVEN

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 2, 2003
- 2) A citizen's complaint made by DEON WESLEY
- 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: \_\_\_\_\_



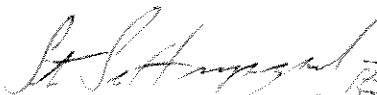
Print your name: \_\_\_\_\_

Thomas Kline

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

SMS:kjs

Steven M. Settingsgaard  
Police Commander  
Internal Affairs Division



MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION

03 NOV 20 PM 12: 21

RECEIVED