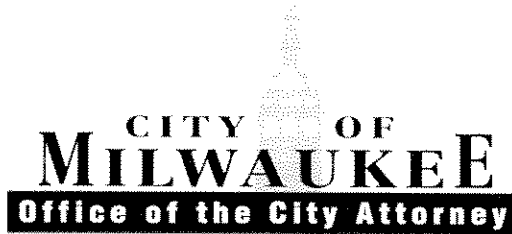


GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
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
KATHRYN M. ZALEWSKI
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
Assistant City Attorneys

September 12, 2007

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 David Kurzynski and Aaron Froh
C.I. File No. 05-S-90 EC 2146

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers David Kurzynski and Aaron Froh. The claim is in the amount of \$6,339.62 including \$355.62 in disbursements for 54.40 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 officers 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. 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:amp
Enc.

1032-2004-3292-122855v2

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

April 15, 2005

TO: P.O. DAVID KURZYNSKI
DISTRICT: ONE

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

*Missing
Baron Froh's
Certification
- left dept on
9/29/03*

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 28, 1999
- 2) A citizen's complaint made by TIMOTHY SMITH
- 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: *David R. Kurzynski*

Print your name: David R. Kurzynski

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

Mary K. Hoerig RTS
MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

RECEIVED
05 APR 32 AM 9:43
MILWAUKEE POLICE
INTERNAL AFFAIRS
3301 W. WISCONSIN

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings

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

March 16, 2005

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

CITY OF MILWAUKEE
2005 MAR 18 PM 2:46
RONALD D. LEONHARDT
CITY CLERK

**RE: Citizen Complaint of Mr. Timothy Smith
Against POs David Kurzynski and Aaron Froh
Complaint No.: 99-68
Date of Incident: June 28, 1999
EC No.: 2146**

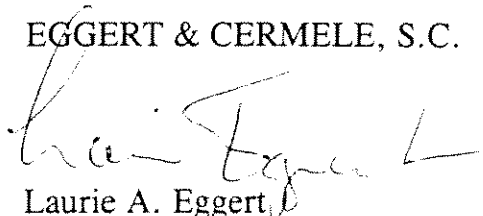
Dear Mr. Leonhardt:

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 call for service. The Fire and Police Commission dismissed the complaint. Attached are copies of the dismissal notices and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.


Laurie A. Eggert
Attorney at Law

CITY OF MILWAUKEE
2005 MAR 21 PM 4:18
OFFICE OF
CITY ATTORNEY

LAE/ldl
attachment
KURZYNSKI FROH

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings

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

March 16, 2005

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

RE: Citizen Complaint of Mr. Timothy Smith
Against POs David Kurzynski and Aaron Froh
FPC No: 99-68
Date of Incident: June 28, 1999
Location of Incident: 2868 South 16th Street
Professional services

	<u>Hours</u>
12/3/1999 Conference with client; open file; telephone call from client; review complaint; correspondence to FPC; memo to file; correspondence to Department of Justice, MPD Open Records.	2.30
12/8/1999 Conference with Froh; memo to file; correspondence to FPC.	1.30
12/11/1999 Review of correspondence from FPC.	0.10
1/7/2000 Review of correspondence from Department of Justice.	0.20
2/21/2000 Review of file.	0.40
2/22/2000 Review documents from MPD Open Records.	0.40
3/21/2000 Telephone call from client.	0.30
4/13/2000 Review of file; telephone call to FPC; telephone call to clients; memo to file.	0.70
4/14/2000 Telephone call to FPC.	0.10
4/17/2000 Conference with FPC.	0.20
5/12/2000 Review of file; telephone call to FPC; memo to file.	0.30

Mr. Ronald Leonhardt

Page 2
Hours

5/23/2000 Review of file.	0.10
5/31/2000 Telephone call from FPC; memo to file; review of file.	0.30
6/5/2000 Telephone call from Froh; memo to file.	0.50
6/12/2000 Statements to IAD regarding same allegations; conference with clients; memo to file; travel.	1.40
6/19/2000 Telephone call from client; memo to file.	0.20
6/26/2000 Conference with client; travel to District 2; memo to file; interview with IAD.	0.90
6/29/2000 Telephone call to FPC; review of file.	0.20
8/3/2000 Review of file.	0.20
8/24/2000 Review of file; telephone call to FPC; telephone call to clients; memo to file.	0.50
9/11/2000 Telephone call from Heard; review of file; telephone call to FPC.	0.30
10/4/2000 Review of file; telephone call to FPC; memo to file.	0.20
12/4/2000 Telephone call from FPC.	0.10
2/6/2001 Telephone call from FPC; memo to file; review of file.	0.40
3/7/2001 Telephone call to FPC; review of file.	0.30
3/28/2001 Telephone call from clients; telephone call to FPC; correspondence to MPD Personnel; review of file.	0.80
3/29/2001 Telephone call from FPC; correspondence to clients.	0.30
4/5/2001 Telephone call from and to Heard.	0.20
4/26/2001 Review of file; memo to file.	0.20
4/27/2001 Conference with Heard; memo to file.	0.10
6/7/2001 Review of correspondence from and correspondence to MPD Personnel; review of file.	0.60

6/8/2001 Telephone call from FPC; review of file; memo to file.	0.40
7/16/2001 Telephone call to and from FPC; memo to file.	0.50
8/2/2001 Review of file; memo to file.	0.20
8/23/2001 Preparation for conciliation.	0.80
8/24/2001 Meeting with Heard; telephone calls to Froh and Kurzynski regarding adjournment.	0.40
9/17/2001 Review of file; telephone call to FPC.	0.30
9/27/2001 Review of file; telephone call to and Fax to MPD Personnel; telephone call to FPC.	0.80
9/28/2001 Review of file; telephone call to FPC regarding scheduling; memo to file.	0.30
10/12/2001 Telephone call from and to FPC; review of file.	0.30
10/16/2001 Telephone call from FPC.	0.10
11/20/2001 Review documents from internal affairs investigation; research regarding municipal court citations; memo to file.	0.70
12/18/2001 Review of file; telephone call to and from FPC.	0.30
12/20/2001 Telephone call from FPC; memo to file; review of file.	0.30
1/2/2002 Review of correspondence from FPC; memo to file; correspondence to clients.	0.30
1/14/2002 Telephone call from client; telephone call to FPC; memo to file.	0.40
1/16/2002 Review of correspondence from FPC.	0.10
3/18/2002 Review of file; telephone call to FPC; telephone call to clients.	0.70
3/20/2002 Conference with FPC.	0.10
4/22/2002 Telephone call from and to MPD Personnel; review of file.	0.40

Mr. Ronald Leonhardt

Page 4
Hours

6/7/2002	Review of file; review documents from MPD.	0.60
6/21/2002	Review of file; correspondence to FPC; memo to file.	0.60
7/12/2002	Telephone call from Heard; memo to file; telephone call to clients.	0.60
7/15/2002	Telephone call from clients; memo to file; telephone call to and from FPC.	0.70
8/19/2002	Review of correspondence from FPC; correspondence to clients; review of file.	0.40
9/19/2002	Telephone call from FPC; review of file; memo to file; telephone call to clients.	0.70
9/20/2002	Telephone call from FPC; memo to file; telephone call to FPC.	0.30
10/16/2002	Review of file; telephone call to FPC.	0.40
10/22/2002	Telephone call from and to FPC; review of file; memo to file.	0.40
11/16/2002	Review of file; correspondence to FPC.	0.30
11/18/2002	Fax to FPC.	0.10
11/21/2002	Telephone call from and to FPC; memo to file; telephone call to clients.	0.40
11/22/2002	Telephone call from Eisenberg; review of file.	0.10
1/22/2003	Review of file; telephone call to FPC.	0.30
1/31/2003	Review of correspondence from FPC; correspondence to clients.	0.30
3/13/2003	Telephone call to and from FPC; review of file; telephone call from client.	0.30
3/14/2003	Preparation for and appearance at conciliation; conference with clients; memo to file; travel; correspondence to client; computer search regarding witness.	2.80
3/24/2003	Telephone call to and from investigator; memo to file.	0.40
5/5/2003	Conference with investigator; review of file.	0.70

Mr. Ronald Leonhardt

Page 5
Hours

5/16/2003	Review of correspondence from FPC.	0.10
5/20/2003	Telephone call from FPC; review of file.	0.30
6/25/2003	Telephone call to Kurzynski, District #2, District #1; memo to file.	0.30
6/26/2003	Telephone call to Froh; review of file .	0.30
6/27/2003	Review reports from investigator; telephone call from FPC.	0.60
7/30/2003	Review of correspondence from FPC.	0.10
9/10/2003	Review of file; correspondence to Froh; memo to file.	0.70
10/28/2003	Review of file; correspondence to FPC.	0.30
11/10/2003	Review of correspondence from Eisenberg; telephone call to city attorney; review of file regarding adjournment requests; review Soldiers and Sailors' Act.	0.80
11/11/2003	Correspondence to FPC.	0.20
1/29/2004	Review of correspondence from FPC; memo to file; close file as to Froh.	0.50
2/13/2004	Review of file; correspondence to client.	0.10
2/16/2004	Memo to file regarding FPC decision to place complaint on hold until complainant's return.	0.10
3/9/2004	Conference with City Attorney.	0.20
3/18/2004	Telephone call from and to Froh; correspondence to FPC.	0.40
7/13/2004	Review of correspondence from FPC.	0.10
7/29/2004	Review document from FPC; review of file; memo to file; telephone call to FPC.	0.40
8/23/2004	Telephone call from and to FPC; review of file.	0.20
8/25/2004	Review of file; telephone call to and from witnesses; memo to file.	1.40

Mr. Ronald Leonhardt

Page 6
Hours

8/26/2004 Telephone calls from FPC; review of file; memo to file; telephone call to FPC; correspondence to client and witnesses.	0.80
8/30/2004 Telephone call from witness; memo to file; review of file.	0.20
9/23/2004 Review of file; prepare witness and exhibit list; research regarding parking tickets processing; memo to file.	1.70
10/22/2004 Review of file; telephone call to FPC; memo to file; telephone call from FPC.	0.30
11/3/2004 Review document from FPC; review of file; memo to file; correspondence to FPC.	0.30
11/4/2004 Review of correspondence from FPC.	0.10
11/12/2004 Review of correspondence from FPC.	0.10
11/17/2004 Telephone call to witness; prepare subpoena; correspondence to witness.	0.60
11/29/2004 Review of file as hearing preparation.	2.00
11/30/2004 Conference with client and witness as preparation for hearing; telephone call to FPC; telephone call from client; memo to file.	3.30
12/1/2004 Telephone call from Froh; conference with client; preparation for and appearance at hearing; memo to file; travel.	4.80
12/2/2004 Research regarding complainant availability and credibility.	0.70
1/3/2005 Review of correspondence from FPC; correspondence to client; close file.	0.50

	<u>54.40</u>	<u>Amount</u>
For professional services rendered	54.40	\$5,984.00

Costs:

12/3/1999 Department of Justice	13.00
2/28/2000 MPD Open Records request	3.52

Mr. Ronald Leonhardt

Page 7
Amount

6/7/2001 MPD Personnel file	4.75
8/24/2001 Parking	0.25
11/15/2001 IAD file	5.00
6/7/2002 MPD Open Records request	4.25
3/14/2003 Parking	3.00
6/27/2003 Investigator	307.85
11/17/2004 Subpoena	6.00
12/1/2004 Parking	8.00
Total costs	<u>\$355.62</u>
Total amount of this bill	<u>\$6,339.62</u>
Balance due	<u><u>\$6,339.62</u></u>

(Rate: \$110.00 per hour)

RECEIVED

DEC 24 2004

EGGERT & CERNELE, S.C.

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

In Re:
THE CHARGES OF TIMOTHY SMITH
AGAINST POLICE OFFICER DAVID KURZYNSKI, JR.

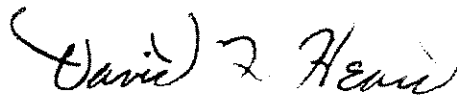
ORDER OF DISMISSAL

To Officer David Kurzynski, Jr.:

It is hereby ordered that the Complaint of Timothy Smith, Complaint No. 99-68, filed with the Board on November 3, 1999, is dismissed due to the Complainant's failure to appear at the scheduled trial, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS
ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, DECEMBER 23, 2004.

c: Attorney Laurie Eggert ✓

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

In Re:
THE CHARGES OF TIMOTHY SMITH
AGAINST POLICE OFFICERS AARON
FROH AND DAVID KURZYNSKI, JR.

MAY 18 2004

AMENDED ORDER OF DISMISSAL

To Attorney Laurie Eggert:

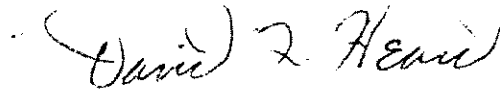
WHEREAS, the accused Police Department member, Officer Aaron Froh, retired from the Milwaukee Police Department effective September 17, 2003, and is therefore no longer under the jurisdiction of the Fire and Police Commission,

IT IS HEREBY ORDERED that the Complaint of Timothy Smith, Complaint No. 99-68, filed with the Board on November 3, 1999 is dismissed only against Officer Froh, with the Complaint against all other accused member(s) remaining in full force and effect, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, MAY 17, 2004.

c: PO Aaron Froh

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

In Re:
THE CHARGES OF TIMOTHY SMITH
AGAINST POLICE OFFICERS AARON
FROH AND DAVID KURZYNSKI, JR.

RECEIVED

JAN 29 2004

EGGERT & GERWELE, S.C.

ORDER OF DISMISSAL

To Attorney Laurie Eggert:

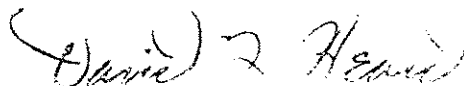
WHEREAS, accused Police Department member Officer Aaron Froh resigned from the Milwaukee Police Department effective September 17, 2003, and is therefore no longer under the jurisdiction of the Fire and Police Commission,

IT IS HEREBY ORDERED that the Complaint of Timothy Smith, Complaint No. 99-68, filed with the Board on November 3, 1999 is dismissed only against Officer Froh, with the Complaint against all other accused member(s) remaining in full force and effect, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JANUARY 27, 2004.

c: PO Aaron Froh