

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
Assistant City Attorneys

September 7, 2007

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

Re: Communication from Attorney D. Michael Guerin
for legal fees for Sergeant Timothy Wilger
C.I. File No. 06-S-300

Dear Council Members:


Returned herewith is a document filed by Attorney D. Michael Guerin for attorney's fees for representing Sergeant Timothy Wilger. The claim is in the amount of \$5,214.00 for 47.40 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 a criminal investigation. No criminal charges were brought against the sergeant 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
Enc.

123315



GIMBEL • REILLY • GUERIN • BROWN

Writer's Direct E-mail
dmguerin@grgblaw.com

September 28, 2006

Mr. Ronald D. Leonhardt
Attn: Marian Hartner
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, Wisconsin 53202

CITY OF MILWAUKEE
2006 OCT -3 PM 1:26
RONALD D. LEONHARDT
CITY CLERK

Re: Sergeant Timothy Wilger
Shooting Incident August 21, 2005 of Juan A. Perez, Jr. D/O/B 12-6-87

Dear Ms. Hartner:

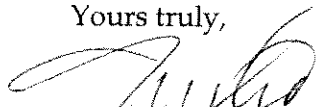
Sergeant Timothy Wilger, Milwaukee Police Sergeant retained our firm to represent him in connection with an incident which took place on August 21, 2005 involving shooting Juan A. Perez, Jr. There was an inquest into the death of Mr. Perez.

Consistent with its ethical obligation and the policy, the City Attorney's office was unable to represent Sergeant Wilger in this matter. It was determined by the inquest jury that the conduct of Sergeant Wilger was privileged by either the privilege of self-defense or the privilege of a police officer to use deadly force to accomplish an arrest and/or prevent an escape. The district attorney's office concurred with the verdict rendered by the inquest jury. Deputy District Attorney Patrick J. Kenney advised that no criminal charges would be brought against Sergeant Wilger.

I am enclosing the printout of time at the hourly rate of \$110.00 an hour for services rendered regarding Sergeant Wilger.

If you have any questions, please feel free to contact me.

Yours truly,



D. MICHAEL GUERIN

DMG/ker
Enclosure

cc: Attorney Jan Smokowicz
Mpso/Wilger, Tim/Hartnerbill2006-09-28

TWO PLAZA EAST
SUITE 1170
330 E. KILBOURN AVE.
MILWAUKEE, WI 53202
P: 414-271-1440
F: 414-271-7680
WWW.GRGBLAW.COM

5/18/07
O.K.
JAS
Letter 2277

CITY OF MILWAUKEE
RECEIVED
OFFICE OF
CITY ATTORNEY
2006 OCT -4 AM 9:14

MILWAUKEE

GIMBEL, REILLY, GUERIN & BROWN
Two Plaza East, Suite 1170 - 330 East Kilbourn Avenue
Milwaukee, Wisconsin 53202 - www.grgblaw.com
Telephone (414) 271-1440 - Facsimile (414) 271-7680

Family Law, Personal Injury, Criminal Law, Real Estate,
Business, Estate Planning, Civil & Commercial Litigation
in State and Federal Courts
Federal Tax ID 39-1094570

Milwaukee Police Supervisors Organization
8704 W. Howard Avenue
Milwaukee WI 53228

Page: 1
September 30, 2006
ACCOUNT NO. 200534008M
STATEMENT NO: 1

Criminal - Tim Wilger

Our invoices for services are due and payable within 60 days from the invoice date. Failure to pay charges within that time will result in an interest charge of 1-1/2% on the unpaid balance per month thereafter

	HOURS
08/21/05 DMG Telephone conference with Al Johnson; review scene of police shooting on 28th and Lincoln; attend meeting with client at the Detective Bureau.	4.00
08/24/05 DMG Prepare correspondence to client; prepare memorandum to file.	0.60
10/19/05 DMG Intra-office conference with K. Roemer regarding setting hearing date with Judge Rosa.	0.60
11/02/05 DMG Review file; attend hearing with Judge Rosa.	1.50
02/03/06 DMG Review correspondence from Deputy District Attorney Kenney to Attorney Arellano.	0.20
02/07/06 DMG Review subpoena from Joe Links; telephone	

Criminal - Tim Wilger

	HOURS
call left message for Sgt James McGillis and Lt. Klusman; discuss testimony and training issues.	0.80
02/08/06 DMG Telephone conference with Sgt. McGillis regarding need to shore up Tim's presence; discuss with client and Lt. Klusman agree to get client into Thompson class.	1.30
02/15/06 DMG Research inquest; office conference with client; intra-office conference with K. Roemer.	3.50
02/23/06 DMG Attend meeting with Pat Kenney regarding inquest at Children's Center.	2.50
02/27/06 DMG Review file and meeting with witnesses; attend inquest in Judge Rosa's court.	8.00
02/28/06 DMG Review written reports; attend inquest 2nd day with Judge Rosa.	9.50
03/01/06 DMG Attend inquest hearing before Judge Rosa.	8.00
03/02/06 DMG Attend inquest before Judge Rosa.	6.00
03/15/06 DMG Review correspondence from Attorney Kenney to Chief Hegerty.	0.20
DMG Review correspondence from Attorney Kenney to Chief Hegerty regarding case done; prepare correspondence to client enclosing correspondence from Attorney Kenney.	0.70
FOR CURRENT SERVICES RENDERED	47.40
	5,214.00

Milwaukee Police Supervisors Organization

Page: 3
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Criminal - Tim Wilger

RECAPITULATION			
<u>TIMEKEEPER</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D. M. Guerin	47.40	\$110.00	\$5,214.00
TOTAL CURRENT WORK			5,214.00
BALANCE DUE			<u><u>\$5,214.00</u></u>

PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT.

THANK YOU!

GIMBEL, REILLY, GUERIN & BROWN
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Milwaukee Police Supervisors Organization

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Review correspondence from Attorney Kenney to Chief Hegerty regarding case done; prepare correspondence to client enclosing correspondence from Attorney Kenney.

FOR CURRENT SERVICES RENDERED	5,214.00
TOTAL CURRENT WORK	5,214.00
BALANCE DUE	<u><u>\$5,214.00</u></u>

PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT.

THANK YOU!

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 17, 2006

TO: SGT. TIMOTHY WILGER
DISTRICT: SIX

RE: Receipt of Legal Services from Law Firm of
Attorney Michael Guerin

Attorney Michael Guerin 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 AUGUST 21, 2005
- 2) A citizen's complaint made by JUAN A. PEREZ

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO


Your signature: _____



Print your name: _____

SGT TIMOTHY WILGER
E

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


MARY K. HOERIG
Deputy Inspector
Professional Performance Division

MKH:kjs

RECEIVED
06 NOV 27 AM 11:41
MILWAUKEE POLICE
PROFESSIONAL PERFORMANCE DIVISION