

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

August 24, 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 Laura Captain
C.I. File No. 03-S-107/23; EC No. 1840

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Laura Captain. The claim is in the amount of \$872.00, including \$3.00 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 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.

2295

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 24, 2003

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

**RE: Citizen Complaint of Ms. Carmen I. Munoz
Against PO Laura Captain
Complaint No.: 02-31
Date of Incident: March 24, 2002
EC No.: 1840**

RECEIVED
MILWAUKEE POLICE DEPARTMENT
INTERNAL AFFAIRS DIVISION
MAR 25 11 09 25

Dear Mr. Leonhardt:

The above-named police officer has retained us to represent her in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent her, and as she was performing the duties of her office at the time of the events giving rise to the incident, the claim is hereby made on her behalf for the indicated legal fees. This incident occurred in a district station concerning the arrest of a juvenile. 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

RECEIVED
03 MAR 11 PM 1:49
MILWAUKEE POLICE DEPARTMENT
INTERNAL AFFAIRS DIVISION

LAE/ldl
attachment
CAPTAIN

2/20/04
O.K.
JAS
Letter 2295

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 18, 2003

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

RE: Citizen Complaint of Ms. Carmen I. Munoz
Against PO Laura Captain
FPC No: 02-31
Date of Incident: March 24, 2002
Location of Incident: District #2

Professional services

	<u>Hours</u>
8/1/02 Conference with client; open file; review documents; correspondence to FPC; memo to file.	1.80
8/19/02 Review of file; telephone call from client; review of correspondence from FPC.	0.40
8/20/02 Review message from client.	0.10
8/26/02 Telephone call from FPC; review of file; memo to file.	0.40
9/16/02 Telephone call from FPC; memo to file; review of file.	0.30
9/20/02 Telephone call from FPC; review of file; memo to file.	0.20
9/23/02 Review of correspondence from FPC; correspondence to client; memo to file.	0.30
9/27/02 Review of file.	0.20

		<u>Hours</u>	
9/30/02	Preparation for and appearance at conciliation; conference with clients; memo to file; travel.	0.90	
11/5/02	Telephone call from FPC; memo to file; review of file; telephone call to FPC.	0.40	
11/11/02	Review of correspondence from FPC; correspondence to client; telephone call from client.	0.40	
11/14/02	Review of file.	0.20	
11/15/02	Preparation for and appearance at conciliation; conference with client; memo to file; travel.	1.60	
1/13/03	Telephone call to FPC; memo to file.	0.20	
1/28/03	Review of correspondence from FPC; correspondence to clients; close file.	0.50	
		<u>7.90</u>	<u>Amount</u>
	For professional services rendered		\$869.00
Additional charges:			
9/30/02	Parking		2.00
11/15/02	Parking		1.00
Total costs			<u>\$3.00</u>
Total amount of this bill			<u>\$872.00</u>
Balance due			<u><u>\$872.00</u></u>

Mr. Ronald Leonhardt

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(Rate: \$110.00 per hour)

JAN 27 2003

EGGERT & CERMELE, S.C.

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

In Re:
THE CHARGES OF CARMEN I. MUNOZ
AGAINST POLICE OFFICER LAURA CAPTAIN

ORDER OF DISMISSAL

To Officer Laura Captain:

It is hereby ordered that the Complaint of Carmen I. Munoz, Complaint No. 02-31, filed with the Board on April 15, 2002, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JANUARY 23, 2003.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

March 21, 2003

TO: P.O. LAURA CAPTAIN
PPS

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 MARCH 24, 2002
- 2) A citizen's complaint made by CARMEN I. MUNOZ
- 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: *P.O. Laura J. Captain*
 Print your name: LAURA L. CAPTAIN

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

Stu Settingsgaard
 Steven M. Settingsgaard
 Police Commander
 Internal Affairs Division

MILWAUKEE POLICE DEPARTMENT
 INTERNAL AFFAIRS
 DIVISION
 KJ

03 MAR 28 PM 2:01

RECEIVED

SMS:kjs