

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

September 15, 2004

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

Re: Communication from Attorney Laurie Eggert, Eggert Law Office, S.C.
for legal fees for Police Officers Christopher Elser and Robert Rehbein
C.I. File No. 99-S-174; ELO No. 1249

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Christopher Elser and Robert Rehbein. The claim is in the amount of \$640.00, including \$2.00 in disbursements for 5.80 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. 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
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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

December 2, 2002

Mr. Jan Smokowicz
Assistant City Attorney
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

**RE: Citizen Compliant of Robert Harris and Erica Stanfield
Against Pos Christopher Elser and Robert Rehbein
ELO File: 1249
City Claim No.: 99-S-174**

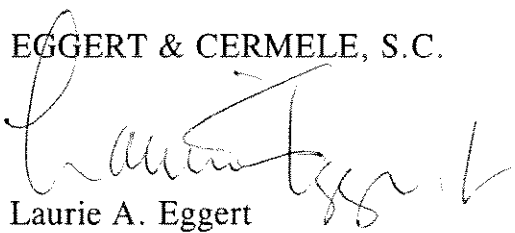
Attorney Smokowicz:

In your letter of November 20, 2002, you noted that the FPC had dismissed the complaint of Mr. Harris against Officer Rehbein, and referred it to the chief. The complaint of Ms. Stanfield against Rehbein was dismissed without any referral to the chief; both complaints against Officer Elser were dismissed without any referral.

Please be advised that no discipline was imposed against either officer concerning this incident. If you have any other questions, please contact me.

Sincerely,

EGGERT & CERMELE, S.C.


Laurie A. Eggert
Attorney at Law

LAE/Idl
enclosure
ELSER REHBEIN 12202

9/14/04
a.k.
JWS
Letter 2295

CITY OF MILWAUKEE

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GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
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MILWAUKEE, WISCONSIN 53202-3551
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FAX (414) 286-8550

November 20, 2002

Ms. Laurie A. Eggert
Eggert Law Office, S. C.
1840 North Farwell Avenue, Ste. 303
Milwaukee, WI 53202

RECEIVED

NOV 23 2002

EGGERT & OSWALD P.C.

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
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MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

RE: Citizen Complaint of Robert Harris and Erica Stanfield Against POs Elser and Robert Rehbein
C.I. File No.: 99-S-174 1249

Dear Ms. Eggert:

Accompanying this letter, you will find a copy of your March 18, 1999 submission to Mr. Leonhardt. You indicated in your submission that the Fire and Police Commission dismissed the complaint. In your supporting materials, however, I note that one of the Orders of Dismissal, that is the complaint by Mr. Harris against Officer Rehbein had been referred to the Chief of Police.

Would you please provide me with the Chief's disposition of this matter. If you do not have that information, I will obtain it directly from the department.

Very truly yours,

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:lae
Enclosure
60474

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
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November 20, 2002

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
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G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

Ms. Laurie A. Eggert
Eggert Law Office, S. C.
1840 North Farwell Avenue, Ste. 303
Milwaukee, WI 53202

**RE: Citizen Complaint of Robert Harris and Erica Stanfield Against POs Elser and Robert Rehbein
C.I. File No.: 99-S-174**

Dear Ms. Eggert:

Accompanying this letter, you will find a copy of your March 18, 1999 submission to Mr. Leonhardt. You indicated in your submission that the Fire and Police Commission dismissed the complaint. In your supporting materials, however, I note that one of the Orders of Dismissal, that is the complaint by Mr. Harris against Officer Rehbein had been referred to the Chief of Police.

Would you please provide me with the Chief's disposition of this matter. If you do not have that information, I will obtain it directly from the department.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Jan A. Smokowicz'.

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:lae
Enclosure
60474

OFFICE COPY

EGGERT LAW OFFICE, 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

CITY OF MILWAUKEE
92 MAR 27 1999
CITY ATTORNEY

March 18, 1999

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

1999 MAR 25 PM 2:35
CITY OF MILWAUKEE
RECEIVED
CITY ATTORNEY

**RE: Citizen Complaint of Robert Harris and Erica Stanfield
Against POs Christopher Elser and Robert Rehbein
Complaint No.: 98-78
Date of Incident: November 18, 1998**

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 traffic stop at 56th and Mill Road. The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice.

The attached is an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.

Laurie A. Eggert
Attorney at Law

LAE/ldl
ELSER

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
CHARLES R. THEIS
Special Deputy City Attorneys



CITY OF MILWAUKEE
RECEIVED

1999 MAY -5 AM 11:59

CITY ATTORNEY

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

April 8, 1999

BEVERLY A. TEMPLE
THOMAS O. GARTNER
LINDA ULISS BURKE
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
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DONALD L. SCHRIEFER
EDWARD M. EHRlich
CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS

Assistant City Attorneys

Deputy Inspector Dale Schunk
Milwaukee Police Department
749 West State Street, Room 714
Milwaukee, WI 53233

Re: C.I. File No. 99-S-174
Communication from EGGERT LAW OFFICE
Date of Incident: November 18, 1998
Complaint No.: 98-78

RECEIVED
APR 12 AM 10:42
MILWAUKEE POLICE DEPARTMENT
INVESTIGATIVE DIVISION

Dear Deputy Inspector Schunk:

Enclosed please find a claim filed by attorney Laurie Eggert for Attorney's fees incurred during her representation of officers Christopher Elser & Robert Rehbein.

Please determine whether these officers were in fact involved in the matter described in Ms. Eggert's claim, and have the officers verify Ms. Eggert's representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure

Chief's
Need disposition of charges by
Harris

EGGERT LAW OFFICE, 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

March 19, 1999

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

RE: Citizen Complaint of Robert Harris and Erica Stanfield
Against POs Christopher Elser and Robert Rehbein
FPC No: 98-78
Date of Incident: November 18, 1998
Location of Incident: 56th and Mill Road

Professional services

	<u>Hours</u>
12/11/98 Conference with client; open file; review documents; memo to file; correspondence to FPC.	2.20
12/14/98 Review of file.	0.20
12/16/98 Telephone call from FPC; memo to file.	0.10
12/21/98 Review of correspondence from FPC.	0.10
12/23/98 Review of correspondence from FPC; correspondence to client; memo to file.	0.40
1/6/99 Telephone call from investigator; memo to file.	0.20
1/12/99 Telephone call from FPC; telephone call to client; review of file.	0.20

	<u>Hours</u>	
1/13/99 Preparation for and appearance at conciliation; conference with client; memo to file.	1.30	
1/14/99 Memo to file re: conciliation.	0.60	
1/27/99 Review of correspondence from file; correspondence to clients; close file.	0.50	
	<hr/>	<u>Amount</u>
For professional services rendered	5.80	\$638.00
Additional charges:		
1/13/99 Parking		2.00
Total costs		<hr/> \$2.00
Total amount of this bill		<hr/> \$640.00
Balance due		<hr/> <hr/> \$640.00

(Rate: \$110.00 per hour)

RECEIVED

JAN 27 1999

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

EGGERT LAW OFFICE, S.C

In Re:
THE CHARGES OF ERICA STANFIELD
AGAINST POLICE OFFICERS ROBERT
REHBEIN AND CHRISTOPHER ELSER

ORDER OF DISMISSAL

To Officer Robert Rehbein:

The Complaint of Erica Stanfield, being Complaint No. 98-78, having been filed with the Board on November 20, 1998, and the Complainant having stated at time of conciliation/pretrial that the accused officers were not a party to the action complained of, now, therefore, upon all records, files and reports,

It is ordered that the Complaint of Erica Stanfield against Officers Elser and Rehbein is dismissed,
by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

AUGUST G. ERDMANN,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JANUARY 25, 1999.

c: Attorney Laurie Eggert ✓

RECEIVED

JAN 27 1999

EGGERT: [unclear]

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

In Re:
THE CHARGES OF ROBERT HARRIS
AGAINST POLICE OFFICERS ROBERT
REHBEIN AND CHRISTOPHER ELSER

ORDER OF DISMISSAL

To Officer Robert Rehbein:

It is hereby ordered that the Complaint of Robert Harris, Complaint No. 98-78, filed with the Board on November 20, 1998, is dismissed against Police Officer Christopher Elser because the Complaint against him has been successfully conciliated.

It is further ordered that the Complaint of Robert Harris is dismissed against Police Officer Robert Rehbein because the Board, upon review of the Complaint at its Regular Meeting of January 21, 1999, determined that investigation and disposition by the Milwaukee Police Department would be more appropriate. The Complaint against Officer Rehbein has therefore been referred to the Chief of Police.

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

AUGUST G. ERDMANN,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JANUARY 25, 1999.

c: Attorney Laurie Eggert ✓

RECEIVED

JAN 27 1999

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

EGGERT LAW OFFICE, S.C.

In Re:
THE CHARGES OF ERICA STANFIELD
AGAINST POLICE OFFICERS ROBERT
REHBEIN AND CHRISTOPHER ELSE

ORDER OF DISMISSAL

To Officer Christopher Elser:

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It is ordered that the Complaint of Erica Stanfield against Officers Elser and Rehbein is dismissed,
by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

AUGUST G. ERDMANN,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JANUARY 25, 1999.

c: Attorney Laurie Eggert ✓

RECEIVED

JAN 27 1999

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

EGGERT LAW OFFICES, S.C.

In Re:
THE CHARGES OF ROBERT HARRIS
AGAINST POLICE OFFICERS ROBERT
REHBEIN AND CHRISTOPHER ELSER

ORDER OF DISMISSAL

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MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

AUGUST G. ERDMANN,
CHAIRMAN

BY:



JOSEPH J. CZARNECKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JANUARY 25, 1999.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 15, 1999

TO: PO. ROBERT REHBEIN
DISTRICT FOUR

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:

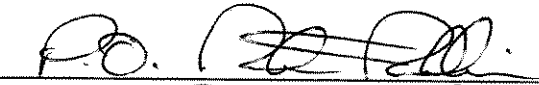
- 1) An incident occurring on NOVEMBER 18, 1998
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: P.O. 

Print your name: P.O. Robert Rehbein

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



DALE T. SCHUNK
Deputy Inspector of Police
Internal Affairs Division 34

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 15, 1999

TO: PO. CHRISTOPHER ELSER
DISTRICT FOUR

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 NOVEMBER 18, 1998
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: Cheryl Elser

Print your name: CHRISTOPHER ELSER

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

Dale T. Schunk
DALE T. SCHUNK
Deputy Inspector of Police JH
Internal Affairs Division

DTS:dnp