

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

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Assistant City Attorneys

November 6, 2002

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 Officer Dean Newport
C.I. File No. 01-S-99/18; ELO No. 1615**

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Dean Newport. The claim is in the amount of \$412.74, including \$5.74 in disbursements for 3.70 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 Officer 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. 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:enm
Enc.
2276

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 15, 2001

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

**RE: MPD Criminal Investigation of PO Dean Newport
Allegations Regarding Mr. Vincent Harmon
Date of Incident: August 30, 2000
Location of Incident: 3845 West Sherman boulevard
ELO No.: 1615**

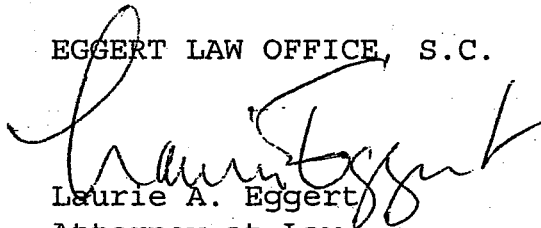
Dear Mr. Leonhardt:

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

Consistent with its policy, the City Attorney's Office has refused to represent him, and as he was performing the duties of his office at the time of the events giving rise to the incident, the claim is hereby made on his behalf for the indicated legal fees. This incident involved a traffic stop. Charges will not be issued against the officer. Attached is a copy of the clearance report and an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.



Laurie A. Eggert
Attorney at Law

CITY OF MILWAUKEE
RECEIVED
NEWPORT
'01 MAR 15 PM 3:47
OFFICE OF
CITY ATTORNEY

9/7/2001
O.K.
JAS
Letter # 2276

EGGERT LAW OFFICE, S.C.

Attorneys at Law

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March 15, 2001

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

RE: MPD Criminal Investigation re: Mr. Vincent Harmon
Regarding: PO Dean Newport
Date of Incident: August 30, 2000
Location of Incident: 3845 West Sherman Boulevard

Professional services

	<u>Hours</u>	
8/31/00 Open file; telephone call from and to witness; memo to file; telephone call from PO Newport; telephone call to IAD.	2.20	
9/7/00 Review of file.	0.20	
10/9/00 Review of file; telephone call to Internal Affairs; memo to file.	0.30	
10/25/00 Telephone call from and to IAD; correspondence to MPD Open Records; correspondence to clients.	0.50	
1/4/01 Review of correspondence from MPD Open Records; correspondence to client; close file.	0.50	
		<u>Amount</u>
For professional services rendered	3.70	\$407.00

Mr. Ronald D. Leonhardt

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Additional charges:

	<u>Amount</u>
1/4/01 MPD Open Records request	5.74
Total costs	<u>\$5.74</u>
Total amount of this bill	<u>\$412.74</u>
Balance due	<u>\$412.74</u>

(Rate: \$110.00 per hour)

TANEM further denies seeing any marijuana and not knowing if his partner, Officer NEWPORT, had searched Mr. HARMON'S car during this traffic stop. Officer TANEM states they did PR Mr. HARMON on a traffic warrant that he had for OAS. Officer TANEM also states Mr. HARMON never informed them that he had any warrants but that he was only revoked and didn't have a driver's license. Officer TANEM states he believes that Mr. HARMON may have also had a Glendale warrant but they could never confirm it and he believed it was a small dollar amount.

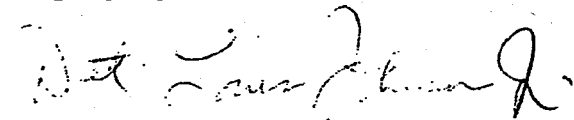
On August 30, 2000, this detective and Det. Charles SHEPARD Jr. also did have occasion to interview P.O. Dean NEWPORT. Officer NEWPORT stated that he did NOT wish to make a statement regarding this investigation and would be contacting the union to see if he wants to come in and make one at a later time. It should be noted that Officer NEWPORT through his attorney Jon CERMELE did not wish to make a statement regarding this investigation at all.

It should also be noted that this detective did have occasion to check with numerous houses in the 3200 block of N. 28th Street and was unable to locate any witnesses to this traffic stop.

CONCLUSION:

On Wednesday October 18, 2000, this case was reviewed at the Milwaukee County District Attorney's office before Assistant District Attorney Michael MAHONEY. Assistant DA MAHONEY, upon review of this case, did no process it as warrant refused because there was no proof that there was ever any money underneath the seat, even though the complainant, Mr. HARMON, states there was. Assistant DA MAHONEY relates that it is basically the complainant's word against the police officers words and there is thus insufficient evidence to file charges in this case.

Respectfully submitted:



Louis JOHNSON
Police Detective
CIU/IAD, Early Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO DEAN NEWPORT
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 AUGUST 30, 2000
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES NO

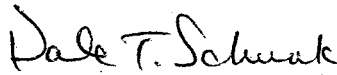
Did you receive legal representation
in this matter?

YES NO

Your signature: 

Print your name: Dean Newport

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


DALE T. SCHUNK *HS*
Commander of Police
Internal Affairs Division

DTS:dnp