

# CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY  
City Attorney

RUDOLPH M. KONRAD  
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Assistant City Attorneys

November 8, 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 Officers Erik Villarreal and Robert O'Grosky C.I. File No. 01-S-99/26; ELO No. 1626**

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Erik Villarreal and Robert O'Grosky. The claim is in the amount of \$511.01, including \$5.01 in disbursements, for 4.60 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 Officers 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 POs Erik Villarreal and  
Robert O'Grosky  
Allegations Regarding Ms. Alice Wynn  
Date of Incident: May, 2000  
Location of Incident: 6555 N. Beale, #3  
ELO No.: 1626**

Dear Mr. Leonhardt:

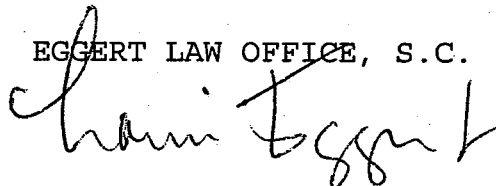
The above-named police officers have retained us to represent them in connection with the above-referenced matter.

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 the search of a residence. Charges will not be issued against the officers. Attached is a copy of the clearance report and an itemization of the time and services rendered.

CITY OF MILWAUKEE  
RECEIVED  
'01 MAR 19 PM 3:47  
OFFICE OF  
CITY ATTORNEY

Sincerely,

EGGERT LAW OFFICE, S.C.



Laurie A. Eggert  
Attorney at Law

LAE/ldl  
VILLARREAL

**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: Alice Wynn  
Regarding: Det. Erik Villarreal and PO Robert O'Grosky  
Date of Incident: May, 2000  
Location of Incident: 6555 N. Beale, #3

Professional services

	<u>Hours</u>
11/2/00 Telephone call from Det. Villarreal; open file; telephone call to IAD.	0.70
11/28/00 Review of file; telephone call to and from IAD; telephone call to witness; memo to file.	0.50
12/5/00 Telephone call to IAD; telephone call to Det. Villarreal; correspondence to MPD Open Records; correspondence to Det. Villarreal.	0.50
1/25/01 Telephone call from IAD; review of file; telephone call to PO O'Grosky; memo to file.	0.60
1/26/01 Review of file; meeting with PO O'Grosky at IAD; attend PO O'Grosky's statement to IAD; travel; memo to file.	1.80
3/8/01 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50

Mr. Ronald D. Leonhardt

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	<u>Hours</u>	<u>Amount</u>
For professional services rendered	4.60	\$506.00
Additional charges:		
3/7/01 MPD Open Records request		5.01
Total costs		<u>\$5.01</u>
Total amount of this bill		<u>\$511.01</u>
Balance due		<u><u>\$511.01</u></u>

(Rate: \$110.00 per hour)

RE: CIU#00-113 - THEFT  
PAGE 2


Detective Todd FISCHER and Officer Robert OGROSKY stated to Detective SYKES that they did recall photos being shown to the children at the scene however, neither remembers seeing nude photos. Both denied taking any photos from the residence.

Detective VILLARREAL declined to make a statement regarding this investigation.

CONCLUSION:

Because complainant Alice WYNN has permanently moved out of state with no forwarding address, she would be unavailable for District Attorney review or prosecution in this investigation. WYNN also did not allow her two children, the only witnesses to the officers being in possession of the photos, to be interviewed. Subsequently, probable cause cannot be established at this time, against the officers involved in this investigation, without further cooperation from the complainant. This inquiry will be cleared as unfounded/baseless.

Respectfully submitted:

  
Michael SYKES  
Police Detective, 53312  
CIUIAD, Day Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO ROBERT O'GROSKY  
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 MAY , 2000
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct? YES   X   NO       

Did you receive legal representation in this matter? YES   X   NO       

Your signature: PO Robert O'Grosky

Print your name: PO Robert O'Grosky

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  
Commander of Police  
Internal Affairs Division

DTS:dnp

RECEIVED  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION  
01 MAY 31 AM 10:25

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: DET ERIK VILLARREAL  
CRIM INVEST BUREAU

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 MAY , 2000
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES X NO \_\_\_\_\_

Did you receive legal representation  
in this matter?

YES A NO \_\_\_\_\_

Your signature: DET Erik Villarreal

Print your name: ERIK VILLARREAL

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 JH  
Commander of Police  
Internal Affairs Division

DTS:dnp