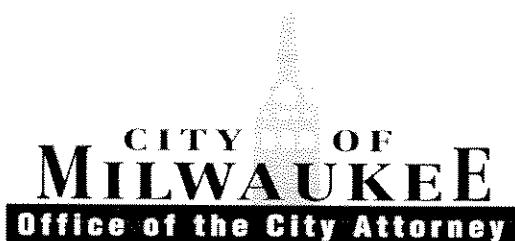


GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
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ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
Assistant City Attorneys

October 10, 2007

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

Re: Communication from Attorney Jon Cermele, Eggert & Cermele, S.C.
for legal fees for Police Officer Tim Koestering
C.I. File No. 05-S-235; EC 2208

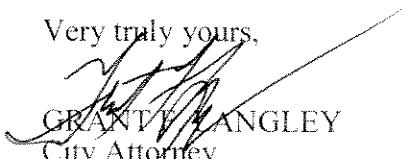
Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officer Tim Koestering. The claim is in the amount of \$455.10 including \$4.10 in disbursements for 4.10 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. Sec. 895.35, Stats., Bablitich and Bablitich v. Lincoln County, 82 Wis. 2d 574 (1978).

Very truly yours,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:amp
Enc.

1032-2004-3292-122855v1

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings
Timothy J. Walther

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

RONALD D. LEONHARDT
CITY CLERK
CITY OF MILWAUKEE
2005 AUG 16 PM 2:33

August 11, 2005

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

**RE: Citizen Complaint of Mr. Dean Zarkos
Against PO Tim Koesterling
Complaint No.: 04-51
Date of Incident: August 8, 2004
EC No.: 2208**

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 City citation. 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.

Jon Cermele

RLP/lcl
attachment
KOESTERLING

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

August 11, 2005

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

RE: Citizen Complaint of Mr. Dean Zarkos
Against PO Tim Koesterling
FPC No: 04-51
Date of Incident: August 8, 2004
Professional services

	<u>Hours</u>
9/27/2004 Conference with client; open file; memo to file; correspondence to MPD Open Records; check status of tickets on municipal website.	1.70
9/29/2004 Correspondence to FPC.	0.10
10/25/2004 Review of correspondence from MPD Open Records.	0.30
11/29/2004 Review of correspondence from FPC.	0.10
1/12/2005 Review of file.	0.20
1/24/2005 Review of correspondence from MPD Open Records.	0.30
2/1/2005 Telephone call from FPC.	0.10
2/9/2005 Correspondence to client.	0.10
2/28/2005 Review of file; telephone call from client.	0.20
3/15/2005 Review Complaint and Appeal Report regarding status.	0.10
3/22/2005 Telephone call from and to FPC.	0.20

Mr. Ronald Leonhardt

Page 2

	<u>Hours</u>	
3/29/2005 Correspondence to client.	0.10	
4/18/2005 Telephone call from FPC; memo to file; telephone call to client.	0.30	
4/19/2005 Telephone call from client.	0.10	
7/20/2005 Review correspondence from FPC; correspondence to client; close file.	0.20	
	<u>Amount</u>	
For professional services rendered	4.10	\$451.00
Additional charges:		
1/24/2005 MPD Open Records request	4.10	
 Total costs	 \$4.10	
Total amount of this bill	\$455.10	
 Balance due	 \$455.10	

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

In Re:
THE CHARGES OF DEAN ZARKOS
AGAINST POLICE OFFICER TIMOTHY KOESTERING

RECEIVED

JUL 20 2005

ORDER OF DISMISSAL

To Officer Timothy Koestering:

It is hereby ordered that the Complaint of Dean Zarkos, Complaint No. 04-51, filed with the Board on August 4, 2004, is dismissed because the Complainant has requested that the Complaint be dismissed, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:

David L. Heard

DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JULY 14, 2005.

c: Attorney Rachel Pings ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

September 15, 2005

TO: P.O. TIM KOESTERING

DISTRICT: THREE

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 8, 2004
- 2) A citizen's complaint made by Mr. Dean Zarkos
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES NO _____

Did you receive legal representation
in this matter?

YES NO _____

Your signature: P-O 2 t Koesterling

Print your name: Timothy Koesterling

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

MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs