

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



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800 CITY HALL
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JAN A. SMOKOWICZ
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G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

January 25, 2005

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 Officers Robert Lacy and Greg Geniesse
C.I. File No. 03-S-107; EC No. 1848

Dear Council Members:

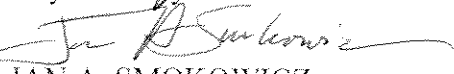
Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Robert Lacy and Greg Geniesse. The claim is in the amount of \$396.00 for 3.60 hours of service billed at the rate of \$110 per hour. We ask that this matter be introduced and referred 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. A criminal investigation was initiated against the police officers on whose behalf this claim was filed, but they were ultimately not charged.

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.

89576/ 1032-2003-784

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

MAR 27 03 2:25
MILWAUKEE POLICE DEPARTMENT
INTERNAL AFFAIRS DIVISION

**RE: MPD Criminal Investigation of POs Robert Lacy and Greg Geniesse
Allegations Regarding Mr. Roy Lawson
Date of Incident: August 8, 2002
Location of Incident: McGovern Park (51st and Custer)
EC No.: 1848**

Dear Mr. Leonhardt:

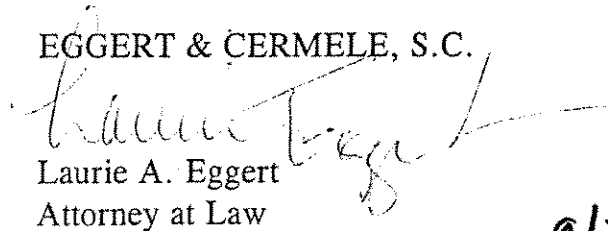
The above-named police officers have retained us to represent them in connection with the above-referenced matter.

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.

The MPD initiated a criminal investigation in which the officers initially declined to give a statement without counsel. When they requested counsel, IAD compelled POs Lacy and Geniesse to give statements concerning the incident after issuing PI-21s. Later, the MPD decided not to issue criminal charges against the officers. Attached is a copy of the clearance report 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 1:50
MILWAUKEE POLICE DEPARTMENT
INTERNAL AFFAIRS
DIVISION

JC/ldl
attachment
LACGEN

9/24/04
O.K.
JAS
Letter 2277

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

RE: MPD Criminal Investigation re: Mr. Roy Lawson
Regarding: POs Robert Lacy and Greg Geniesse
Date of Incident: August 8, 2002
Location of Incident: McGovern Park (51st and Custer)

Professional services

	<u>Hours</u>	
8/23/02 Telephone call from PO Lacy regarding new criminal investigation; open file; memo to file; telephone call to PO Geniesse; memo to file.	0.80	
9/18/02 Telephone call from PO Geniesse.	0.40	
9/19/02 Preparation for and appearance at Geniesse PI-21 statement; conference with client; memo to file; travel.	1.20	
10/9/02 Telephone call to and from IAD.	0.30	
1/9/03 Fax to DDA Reddin.	0.10	
1/16/03 Review of correspondence from DA.	0.30	
1/17/03 Correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	3.60	\$396.00

Mr. Ronald D. Leonhardt

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Amount

Balance due

\$396.00

(Rate: \$110.00 per hour)



OFFICE OF DISTRICT ATTORNEY

Milwaukee County

E. MICHAEL McCANN • District Attorney

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Mark S. Williams
Linda Johnson
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Lovell Johnson, Jr.
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Shannon Carrick
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Bruce W. Becker
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Mary M. Sowinski
Kathryn K. Samer
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John Busch
Stephan Edward Notten
Eric D. DeFort
Christine M. Quinn
Megan Fisher
Munjed A. Anmad
Mary C. Theisen
Michele A. Ackerman

January 14, 2003

Mr. Jonathan Cermele
Attorney at Law
Eggert & Cermele
1840 N. Farwell Avenue, Suite 303
Milwaukee, WI 53202

JAN 16 2003

JONATHAN CERMELE, S.O.

Re: Your Inquiry

Dear Mr. Cermele:

I have received your January 9, 2003, letter inquiring into the status of 20 cases involving various of your client City of Milwaukee Police Officers. I have also received your second January 9, 2003, letter asking about another case, apparently as an afterthought. Of the cases listed, I am currently reviewing 2, have previously reviewed and made decisions on 4 and have no knowledge of the remaining 15.

I am currently reviewing the following cases:

- 1. Incident of 7/25/02, complainant Calvin Brown (#7 on your list).
2. Incident of 8/4/02, complainant Justin Royce (#16 on your list).

I have previously reviewed and made a decision on the following cases:

- 1. Incident of 7/10/02, complainant Terrence Ward (#9 on your list). On 9/20/02 I declined prosecution on that complaint, because I found that the force used to secure the arrest of a combative Mr. Ward atop a 2' platform on a railroad car was not excessive.
2. Incident of 8/8/02, complainant Roy Lawson (#10 on your list). On 10/23/02 I declined prosecution on that complaint, which Mr. Lawson no longer wished to pursue, because there was no corroboration of his claim that officer Lacy put on brass knuckles with a blade in them and threatened to kill him.
3. Incident of 6/10/02, complainant Reginald Taylor (#17 on your list). On 10/23/02 I declined prosecution on that complaint

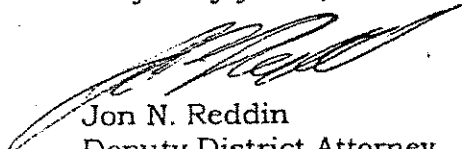
Mr. Cermele
January 14, 2003
Page 2

because I found that the force used to arrest Mr. Taylor, who was high and fighting with the officers, was not excessive.

4. Incident of 6/13/02, complainant Andrew Perry (in your second letter). On 8/14/02 I declined prosecution on that complaint because it was impossible to prove whether the officers' version or Mr. Perry's 3 versions of what occurred was correct.

I have no knowledge of the remaining 15 cases. You might check with IAD to learn the disposition of them.

Very truly yours,



Jon N. Reddin
Deputy District Attorney

JNR:jr

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

March 21, 2003

RECEIVED
03 MAR 31 PM 2:37
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

TO: P.O. ROBERT LACY
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 AUGUST 8, 2002
- 2) A citizen's complaint made by ROY LAWSON
- 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: Robert Lacy

Print your name: Robert Lacy

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

Steve Settingsgaard
Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

March 21, 2003

MEMORANDUM

TO: P.O. GREG GENIESSE
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 AUGUST 8, 2002
- 2) A citizen's complaint made by ROY LAWSON
- 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. Greg Geniesse

Print your name: P.O. GREG GENIESSE

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


Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs