

# CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY  
City Attorney

RUDOLPH M. KONRAD  
Deputy City Attorney

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Special Deputy City Attorneys



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200 EAST WELLS STREET  
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MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY

November 11, 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 Lafayette Emmons C.I. File No. 01-S-99/8; ELO No. 1605**

Dear Council Members:

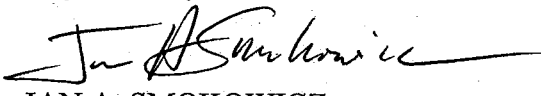
Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Lafayette Emmons. The claim is in the amount of \$487.55, including \$3.55 in disbursements, for 4.40 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be 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

Assistant City Attorneys

**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 Lafayette Emmons  
Allegations Regarding Mr. James Ostrowski  
Date of Incident: August 19, 2000  
Location of Incident: District #2  
ELO No.: 1605**

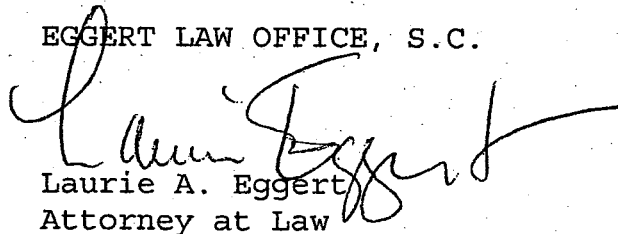
Dear Mr. Leonhardt:

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

JC/ldl  
EMMONS

11/11/02  
O.K.  
JAS  
Letter 2276

**EGGERT LAW OFFICE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
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1840 North Farwell Avenue  
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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 re: Mr. James J. Ostrowski  
Regarding: PO Lafayette Emmons  
Date of Incident: August 19, 2000  
Location of Incident: District #2

Professional services

	<u>Hours</u>	
9/6/00 Telephone call from IAD; telephone call to PO Emmons; open file.	0.40	
9/7/00 Telephone call from PO Emmons; telephone call to IAD; office conference with PO Emmons.	1.30	
9/8/00 Review of file; meeting with PO Emmons at IAD; attend PO Emmons' statement to IAD; travel; memo to file.	1.70	
10/17/00 Telephone call IAD.	0.10	
10/18/00 Telephone call to IAD; correspondence to MPD Open Records; correspondence to client.	0.40	
1/8/01 Review of correspondence from MPD Open Records; correspondence to client; close file.	0.50	
		<u>Amount</u>
For professional services rendered	4.40	\$484.00

Mr. Ronald D. Leonhardt

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Additional charges:

1/8/01 MPD Open Records request

Amount

3.55

Total costs

\$3.55

Total amount of this bill

\$487.55

Balance due

\$487.55

(Rate: \$110.00 per hour)

**INVESTIGATION NARRATIVE**

This report is written by Detective Michael SYKES of the Internal Affairs Division/ Criminal Investigation Unit, day shift.

Upon completion of this investigation, I have found no evidence which would support the allegations made by complainant James OSTROWSKI. MPD records do indicate a prior Possession of Controlled Substance/Marijuana arrest of OSTROWSKI under similar circumstances. Charges being issued by the District Attorney's Office in this incident indicate that OSTROWSKI will be prosecuted for Possession of Controlled Substance/Marijuana. With no additional information which would implicate Officer EMMONS as a suspect, this investigation will be cleared as baseless and unfounded.

REVIEWING D.A. NONE	P.O./DET. ASSIGNED Detective SYKES	COURT CASE NUMBER
FINAL CHARGE NONE	DISPOSITION/DATE 11-28-00	VICTIM NOTIFIED BY SYKES
INCIDENT <input type="checkbox"/> CLEARED BY ARREST 18 OR OVER STATUS <input type="checkbox"/> PARTIAL CLEARANCE BY ARREST <input checked="" type="checkbox"/> UNFOUNDED/BASELESS <input type="checkbox"/> NO PROSECUTION DESIRED	PROPERTY RECOVERED <input type="checkbox"/> WARRANT REFUSED	ARREST UNDER 18 <input type="checkbox"/> A. DETAINED AT M.C.C.C. <input type="checkbox"/> B. ORDER IN TO MC.C.C.C <input type="checkbox"/> WAIVED AS AN ADULT DATE: _____
<b>C.I.B. ADMINISTRATIVE USE ONLY</b>		
CLEARED <input type="checkbox"/> EXCEPTIONALLY <input type="checkbox"/>	A. DEATH OF OFFENDER <input type="checkbox"/> B. PROSECUTION DECLINED	C. EXTRADITION DENIED <input type="checkbox"/> D. REFUSED TO COOPERATE
		E. JUVENILE NO CUSTODY <input type="checkbox"/> F. NOT APPLICABLE
JUSTIFIABLE <input type="checkbox"/>	A. SUSP ATTACKED P.O. AND SAME P.O. KILLED SUSP HOMICIDE <input type="checkbox"/> B. SUSP ATTACKED P.O. AND OTHER P.O. KILLED SUSP. <input type="checkbox"/> C. SUSP. ATTACKED CIVILIAN <input type="checkbox"/> D. SUSP. ATTEMPTED FLIGHT FROM CRIME	E. SUSP KILLED IN COMMISSION OF CRIME <input type="checkbox"/> F. SUSP. RESISTED ARREST <input type="checkbox"/> G. UNABLE TO DETERMINE/NOT ENOUGH INFORMATION <input type="checkbox"/> H. SUSPECT KILLED BY PRIVATE CITIZEN <input type="checkbox"/> I. SUSPECT KILLED BY POLICE OFFICER

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO LAFLYETTE EMMONS  
DISTRICT TWO

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 19, 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: Lafayette Emmons

Print your name: Lafayette EMMONS

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 JJ  
Commander of Police  
Internal Affairs Division

DTS:dnp