

# CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY  
City Attorney

RUDOLPH M. KONRAD  
Deputy City Attorney

THOMAS E. HAYES  
PATRICK B. McDONNELL  
LINDA ULISS BURKE  
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY  
800 CITY HALL  
200 EAST WELLS STREET  
MILWAUKEE, WISCONSIN 53202-3551  
TELEPHONE (414) 286-2601  
TDD 286-2025  
FAX (414) 286-8550

BEVERLY A. TEMPLE  
THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
ROXANE L. CRAWFORD  
SUSAN D. BICKERT  
HAZEL MOSLEY  
HARRY A. STEIN  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
JOHN J. HEINEN  
MICHAEL G. TOBIN  
DAVID J. STANOSZ  
SUSAN E. LAPPEN  
DAVID R. HALBROOKS  
JAN A. SMOKOWICZ  
PATRICIA A. FRICKER  
HEIDI WICK SPOERL  
KURT A. BEHLING  
GREGG C. HAGOPIAN  
ELLEN H. TANGEN  
MELANIE R. SWANK  
JAY A. UNORA  
DONALD L. SCHRIEFER  
EDWARD M. EHRlich  
LEONARD A. TOKUS  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

November 7, 2002

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

Re: **Communication from Attorney D. Michael Guerin and Gimbel, Reilly, Guerin & Brown for legal fees for Police Sergeants Edward Liebrecht and Jeffrey Micklitz**

Dear Council Members:

Returned herewith is a document filed by Attorney D. Michael Guerin for attorney's fees for representing Police Sergeants Edward Liebrecht and Jeffrey Micklitz. The claim is in the amount of \$814.00 for 7.40 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. 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,

Handwritten signature of Grant F. Langley in cursive.

GRANT F. LANGLEY  
City Attorney

Handwritten signature of Jan A. Smokowicz in cursive.

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:enm

Enc.

2277

GIMBEL, REILLY,  
GUERIN & BROWN  
LAW OFFICES

June 10, 2002

Jan A. Smokowicz, Assistant City Attorney  
Office of City Attorney  
800 City Hall  
200 East Wells Street  
Milwaukee, Wisconsin 53202-3551

Re: Edward Liebrecht and Jeffrey Micklitz

Dear Ms. Smokowicz

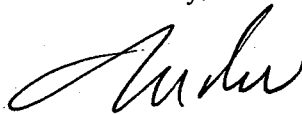
In response to your May 2, 2002 letter relative to the above individuals, I suspect that I cannot obtain any documents that meet the standard investigative reports.

Judge Hansher was the presiding judge on a John Doe, which was investigating the possibility of illegal activity on the part of some Milwaukee police officers. Agent Klugiwitz of the FBI contacted Mr. Liebrecht and Mr. Micklitz. We were able to discuss the matter informally on the Liebrecht matter. When we appeared in court on the Micklitz matter, the matter was resolved in chambers and, obviously, I am not allowed to discuss the testimony.

Both were criminal investigations and if you think that some additional information would be helpful, I will gladly obtain that information.

Again thank you for your attention to these matters and I am enclosing your correspondence with copies of the bills just so everything is complete. If you think an affidavit from me would be more appropriate, I would be pleased to effectuate such a document.

Yours truly,



D. MICHAEL GUERIN

DMG/ker  
MPSO/Smokowicz

FRANKLYN M. GIMBEL  
COURT COMMISSIONER

RICHARD E. REILLY

D. MICHAEL GUERIN

THOMAS E. BROWN

DENIS J. REGAN  
COURT COMMISSIONER

KATHRYN A. KEPPEL

PATRICK J. KNIGHT

RAYMOND M. DALLOSTO  
ALSO LICENSED IN ILLINOIS

AARON M. HURVITZ

JENNIFER A. LINO

CHRISTOPHER L. STROHBEHN

BYRON B. CONWAY

PARALEGALS

STEVEN M. LANT

SUE M. SOCZKA

ANGELA D. JANSSEN

VALDEMAR GONZALEZ, JR.

CORINA J. HERR

JEFFREY A. KAUFMAN  
OF COUNSEL

C.R. REILLY (1901-1983)

# CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY  
City Attorney

RUDOLPH M. KONRAD  
Deputy City Attorney

THOMAS E. HAYES  
PATRICK B. McDONNELL  
LINDA ULISS BURKE  
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY  
800 CITY HALL  
200 EAST WELLS STREET  
MILWAUKEE, WISCONSIN 53202-3551  
TELEPHONE (414) 286-2601  
TDD 286-2025  
FAX (414) 286-8550

BEVERLY A. TEMPLE  
THOMAS O. GARTNER  
BRUCE D. SHRIMPFF  
ROXANE L. CRAWFORD  
SUSAN D. BICKERT  
HAZEL MOSLEY  
HARRY A. STEIN  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
JOHN J. HEINEN  
MICHAEL G. TOBIN  
DAVID J. STANOSZ  
SUSAN E. LAPPEN  
DAVID R. HALBROOKS  
JAN A. SMOKOWICZ  
PATRICIA A. FRICKER  
HEIDI WICK SPOERL  
KURT A. BEHLING  
GREGG C. HAGOPIAN  
ELLEN H. TANGEN  
MELANIE R. SWANK  
JAY A. UNORA  
DONALD L. SCHRIEFER  
EDWARD M. EHRlich  
LEONARD A. TOKUS  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

May 2, 2002

D. Michael Guerin, Esq.  
Gimbel, Reilly, Guerin & Brown  
Two Plaza East, Suite 1170  
330 East Kilbourn Avenue  
Milwaukee, WI 53202

Re: **Claim for Legal Representation for Edward Liebrecht and  
Jeffrey Micklitz**

Dear Mike:

With respect to the above-noted matters, I need to ask for additional information from you.

Section 895.35, Stats. provides for the payment of expenses for an attorney to represent an officer in a criminal investigation. The statute, however, limits payment to those cases in which "such charges or such action is discontinued or dismissed or such matter is determined favorably to such officer. . . ."

Your billing and submittal letters for the two above-noted individuals provide no information satisfying this criteria. With respect to your other billings, I have been able to check separately with the Milwaukee Police Department to determine their outcomes. Both of these matters, however, apparently involve some contact with the FBI. As a consequence, I assume that these were federal investigations, rather than City of Milwaukee investigations, and I need some additional information from you, rather than the Police Department.

With respect to claims for the representation of law officers in criminal investigations, our office typically requires Ms. Eggert to submit the clearance report from the criminal investigation unit of the Internal Affairs Division of the Milwaukee Police Department or the

OFFICE COPY

D. Michael Guerin, Esq.  
May 2, 2002  
Page Two

Criminal Investigation Bureau, whichever may have conducted the investigation, or the clearance letter from the District Attorney's office. If you have written documentation indicating that these two officers were cleared of these matters, please provide that to me promptly. We can then proceed to process these two for consideration by the Common Council as soon as possible.

For your convenience, I have enclosed copies of your billing on these two matters so as to help you in locating the appropriate records.

In the meantime, if you have any questions or concerns, please feel free to contact me. Thank you for your continuing patience in this regard.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jan A. Smokowicz", with a long horizontal flourish extending to the right.

Jan A. Smokowicz  
Assistant City Attorney

JAS:enm  
53159

GIMBEL, REILLY, GUERIN & BROWN  
Two Plaza East, Suite 1170 - 330 East Kilbourn Avenue  
Milwaukee, Wisconsin 53202 - www.grgblaw.com  
Telephone (414) 271-1440 - Facsimile (414) 271-7680

*Family Law, Personal Injury, Criminal Law, Real Estate,  
Business, Estate Planning, Civil & Commercial Litigation  
in State and Federal Courts*

Milwaukee Police Supervisors Organization  
City Attorney's Office  
200 E. Wells Street, Suite 800  
Milwaukee WI 53202

Page: 1

April 16, 2001

ACCOUNT NO. 200112303M

STATEMENT NO: 1

ATTN: Grant Langley

Criminal - Liebrecht, Edward

	HOURS	
02/27/01		
DMG Telephone conference with client.	1.00	
02/28/01		
DMG Conference with client; and FBI agents.	1.00	
03/09/01		
DMG Prepare correspondence to client.	0.40	
	<hr/>	<hr/>
FOR CURRENT SERVICES RENDERED	2.40	264.00

RECAPITULATION

<u>TIMEKEEPER</u>	<u>Title</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D. M. Guerin		2.40	\$110.00	\$264.00

TOTAL CURRENT WORK 264.00

BALANCE DUE \$264.00

PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT.

THANK YOU!

**GIMBEL, REILLY, GUERIN & BROWN**  
**Two Plaza East, Suite 1170 - 330 East Kilbourn Avenue**  
**Milwaukee, Wisconsin 53202 - www.grglaw.com**  
**Telephone (414) 271-1440 - Facsimile (414) 271-7680**

*Family Law, Personal Injury, Criminal Law, Real Estate,  
 Business, Estate Planning, Civil & Commercial Litigation  
 in State and Federal Courts*

Page: 1

Milwaukee Police Supervisors Organization  
 City Attorney's Office  
 Attorney Jan Smokowicz  
 200 E. Wells Street, Suite 800  
 Milwaukee WI 53202

June 25, 2001  
 ACCOUNT NO. 200118704M  
 STATEMENT NO: 1

Criminal - Micklitz, Jeffrey

	HOURS	
04/11/01 DMG Conference with FBI and client.	0.70	
04/12/01 DMG Telephone conference with client; conference with Special Agent Klugiwitz.	0.80	
04/13/01 DMG Conference with client regarding history; attend hearing Judge Hansher.	3.50	
FOR CURRENT SERVICES RENDERED	5.00	550.00

RECAPITULATION

<u>TIMEKEEPER</u>	<u>Title</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D. M. Guerin		5.00	\$110.00	\$550.00

TOTAL CURRENT WORK 550.00

BALANCE DUE \$550.00

PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT.  
 THANK YOU!

GIMBEL, REILLY, GUERIN & BROWN  
Two Plaza East, Suite 1170 - 330 East Kilbourn Avenue  
Milwaukee, Wisconsin 53202 - www.grgblaw.com  
Telephone (414) 271-1440 - Facsimile (414) 271-7680

*Family Law, Personal Injury, Criminal Law, Real Estate,  
Business, Estate Planning, Civil & Commercial Litigation  
in State and Federal Courts*

Milwaukee Police Supervisors Organization  
City Attorney's Office  
Attorney Jan Smokowicz  
200 E. Wells Street, Suite 800  
Milwaukee WI 53202

Page: 1  
July 30, 2001  
ACCOUNT NO. 200118704M  
STATEMENT NO: 2

Criminal - Micklitz, Jeffrey

PREVIOUS BALANCE \$550.00

BALANCE DUE \$550.00

PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT.  
THANK YOU!