

**GRANT F. LANGLEY**  
City Attorney

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



**THOMAS O. GARTNER**  
**BRUCE D. SCHRIMPF**  
**ROXANE L. CRAWFORD**  
**SUSAN D. BICKERT**  
**STUART S. MUKAMAL**  
**THOMAS J. BEAMISH**  
**MAURITA F. HOUREN**  
**JOHN J. HEINEN**  
**MICHAEL G. TOBIN**  
**DAVID J. STANOSZ**  
**SUSAN E. LAPPEN**  
**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**  
**VINCENT J. BOBOT**  
**MIRIAM R. HORWITZ**  
**MARYNELL REGAN**  
**G. O'SULLIVAN-CROWLEY**  
**KATHRYN M. ZALEWSKI**  
**MEGAN T. CRUMP**  
**ELOISA DE LEÓN**  
**ADAM B. STEPHENS**  
**KEVIN P. SULLIVAN**  
**BETH CONRADSON CLEARY**  
**THOMAS D. MILLER**  
Assistant City Attorneys

June 15, 2007

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 Officer Todd Smolen  
C.I. File No. 04-S-410 EC 2095

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Todd Smolen. The claim is in the amount of \$484.00 for 4.40 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. A criminal investigation was initiated against the police officer on whose behalf this claim was filed, but he was 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.

120486/1032-2004-3305

**EGGERT & CERMELE, S.C.**

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*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

November 5, 2004

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

**RE: MPD Criminal Investigation of PO Todd Smolen  
Allegations regarding an arrest  
Date of Incident: April 16, 2004  
Location of Incident: Pic 'N Save parking lot on South 27<sup>th</sup> Street  
EC No.: 2095**

Dear Mr. Leonhardt:

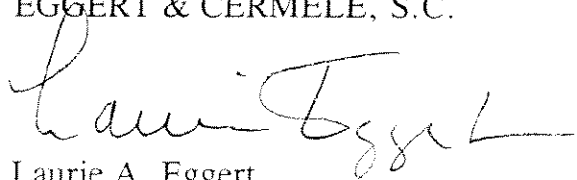
The above-named police officer has retained us to represent him in connection with the above-referenced matter.

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 placing himself on duty to effectuate an arrest.

DDA Reddin reviewed the matter and did not issue charges against the officer. Attached is a copy of DDA Reddin's letter and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

  
Laurie A. Eggert  
Attorney at Law

6/15/07  
O.K.  
JRS  
Letter #2277

JC/LAE/ldl  
attachment  
SMOLEN

**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

November 05, 2004

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

RE: MPD Criminal Investigation re: an arrest  
Regarding: PO Todd Smolen  
Date of Incident: April 16, 2004  
Location of Incident: Pic 'N Save parking lot on South 27th Street  
Professional services

	<u>Hours</u>
6/8/2004 Telephone call from PO Smolen regarding new criminal investigation; open file; memo to file.	0.50
6/11/2004 Telephone call from IAD; memo to file.	0.40
6/15/2004 Telephone call from IAD.	0.30
6/22/2004 Telephone call to IAD.	0.30
7/12/2004 Telephone call to client; memo to file.	0.20
8/3/2004 Review of file; telephone call to and from client; telephone call to IAD; schedule statement.	0.40
8/4/2004 Review of file; travel to IAD; meeting with PO Smolen; attend PO Smolen's statement to IAD; return travel; memo to file.	1.90
8/31/2004 Receive and review letter from DDA Reddin confirming that he had "no processed" investigation; correspondence to client; close file.	0.40
	<u>Amount</u>
For professional services rendered	4.40 \$484.00

Mr. Ronald D. Leonhardt

Page 2

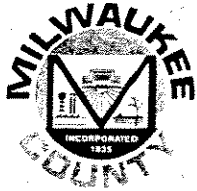
Amount

Balance due

\$484.00

(Rate: \$110.00 per hour)

OFFICE OF DISTRICT ATTORNEY



# Milwaukee County

E. MICHAEL McCANN • District Attorney

- Robert D. Donohoo
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- Lovell Johnson, Jr.
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- Steven V. Licata
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- Paul Wabitsch
- Karl L. Lovem
- Paul R. Sander
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- Callie Kdoer-Lacy
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- Michelle A. Ackerman
- Adam J. Levin
- Scott A. Mielke
- Jennifer K. Rhodes
- Claire L. Starling
- Zach S. Whitney
- Rebecca A. Kieler

08/27/04


Mr. Jon Cermele  
 Eggert & Cermele, S.C.  
 1840 N. Farwell Ave., #303  
 Milwaukee, WI 53202-1716

Re: Incident No. Unknown  
 Complainant: David Goodin  
 Officer(s): Todd Smolen

Dear Mr. Cermele:

This is to notify you that after reviewing the above incident involving City of Milwaukee Police Officer(s), I have determined that criminal charges will not be issued against them.

Sincerely,



Jon N. Reddin  
 Deputy District Attorney

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

December 13, 2004

TO: P.O. TODD SMOLEN  
DISTRICT: SOB TAC

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 APRIL 16, 2004
- 2) A citizen's complaint made by (REGARDING AN ARREST)
- 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:                                         

Print your name:                     TODD SMOLEN                    

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