

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

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Assistant City Attorneys

May 14, 2001

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 Officers John Amberg, Gregory Wagner and
Michael Albright; C.I. File No. 00-S-419/ELO 1536**

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers John Amberg, Gregory Wagner and Michael Albright. The claim is in the amount of \$1,683.90, including \$11.90 in disbursements for 15.20 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 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,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:enm
Enc.
2276

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

November 7, 2000

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

**RE: MPD Criminal Investigation of POs John Amberg, Gregory
Wagner and Michael Albright
Allegations Regarding Mr. Otha Hudson
Date of Incident: February 22, 2000
Location of Incident: 5816 West Green Tree Road
ELO No.: 1536**

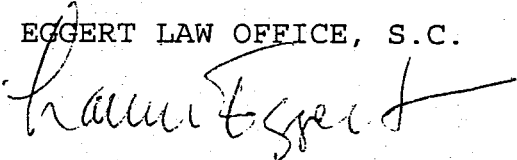
Dear Mr. Leonhardt:

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 the arrest of a suspect wanted for reckless endangerment of safety. Charges will not be issued against the officers. 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
AMBERG

5/14/2001
O.K.
JAS
Letter # 2276

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
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November 7, 2000

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

RE: MPD Criminal Investigation
Regarding: POs John Amberg, Gregory Wagner
and Michael Albright
Date of Incident: February 22, 2000
Location of Incident: 5816 W. Green Tree Rd.

Professional services

	<u>Hours</u>
4/28/00 Telephone call from PO Amberg; open file.	0.60
5/1/00 Office conference with PO Amberg; telephone call to IAD; memo to file.	1.60
5/2/00 Discussion with IAD.	0.20
5/5/00 Telephone call to IAD.	0.20
5/8/00 Telephone call from client; telephone call to IAD.	0.30
5/10/00 Discussion with IAD.	0.20
5/17/00 Several telephone calls to and from PO Wagner; memo to file; telephone call to PO Albright; memo to file; several telephone calls to and from IAD; telephone calls to and from PO Amberg; review of file; meeting with PO Amberg at IAD; attend PO Amberg's statement to IAD; travel.	2.80

	<u>Hours</u>
6/6/00 Telephone call to IAD; telephone calls to clients.	0.30
6/7/00 Telephone call to IAD; review of file; meeting with PO Albright at IAD; attend PO Albright's statement to IAD; travel; memo to file.	2.50
6/8/00 Telephone call to IAD; travel to and from IAD; re-schedule statement.	1.30
6/9/00 Telephone call to and from IAD; meeting with PO Wagner at IAD; attend PO Wagner's statement to IAD; travel; memo to file.	2.70
7/10/00 Telephone call to IAD.	0.30
8/1/00 Telephone call to IAD.	0.20
8/8/00 Telephone call to IAD.	0.10
8/14/00 Telephone call to and from PO Amberg; telephone call to IAD.	0.40
8/17/00 Telephone call to IAD; telephone call to PO Amberg.	0.20
8/21/00 Discussion with IAD; telephone call to PO Amberg.	0.10
8/23/00 Telephone call to IAD; telephone call to PO Amberg; correspondence to MPD Open Records; correspondence to clients.	0.60
10/11/00 Review of correspondence from MPD Open Records; telephone call to clients; correspondence to clients; close file.	0.60

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	15.20	\$1,672.00
Additional charges:		
10/11/00 MPD Open Records request		11.90
Total costs		<u>\$11.90</u>
Total amount of this bill		<u>\$1,683.90</u>
Balance due		<u><u>\$1,683.90</u></u>

(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

CIU/Internal Affairs Division

S U M M A R Y

Monday, September 4, 2000

IN THE MATTER OF: **CIU#00-045- MISCONDUCT IN PUBLIC OFFICE**
 P.O. MICHAEL ALBRIGHT, PR#64658
 DISTRICT FIVE, EARLY SHIFT
 P.O. GREGORY WAGNER, PR#66685
 DISTRICT FOUR, EARLY SHIFT
 P.O. JOHN AMBERG, PR#65195
 DISTRICT ONE, EARLY SHIFT

TO: **DALE T. SCHUNK**
 POLICE COMMANDER

SIR:

This report was dictated by Detective Jeffery HOOVER, of the Internal Affairs Division/Criminal Investigation Unit (IAD/CIU), day shift.

ALLEGATION:

The complainant, Otha D. HUDSON, states that three Milwaukee police officers, later identified as P.O. Michael ALBRIGHT, P.O. Gregory WAGNER and P.O. John AMBERG illegally entered his apartment with their guns drawn and conducted a search without lawful authority or consent!

INVESTIGATION:

On March 3, 2000, I, Det. Jeffery HOOVER, interviewed the complainant. The complainant stated on February 7, 2000, he was inside the apartment with his relatives and a friend. The police knocked at the door and his cousin, Shawn WILLIAMS, opened the door. Next, three police officers entered the apartment without consent. Two officers were armed with a handgun and the third officer was armed with a shotgun. The officers searched the premises with their guns drawn. Additionally, the officers entered a rear bedroom and arrested his cousin, James WILLIAMS. Also, the officers actions caused everyone to become frightened and his auntie, Betty WILLIAMS, urinated on herself.

In addition, the following relatives were located and interviewed. Joel WILLIAMS, Betty WILLIAMS and Edwin Lashaun WILLIAMS (also known as Shawn WILLIAMS). The

statements obtained from the relatives corroborated the complainant's statement.

Furthermore, all three officers involved in this incident were interviewed. The officers indicated that they were sent to the complainant's address to check for a James WILLIAMS who was wanted on a felony warrant for Recklessly Endangering Safety (RES). They further indicated they were given permission to enter and therefore they searched the premises and found James WILLIAMS hiding in a rear bedroom closet. They denied entering the apartment illegally.

On Tuesday, August 22, 2000, Deputy District Attorney Jon REDDIN reviewed the case and declined to issue the charge of Misconduct in Public Office against the officers. Deputy DA REDDIN based his decision on the fact that the officers knew a felony arrest warrant existed for Mr. James WILLIAMS and they had probable cause to believe that he was inside the residence. In addition, he felt that the actions of the officers were legal and they acted properly.

CONCLUSION:

Investigation by the Criminal Investigation Unit revealed that the three officers were dispatched to the complainant's location to check for James WILLIAMS, who was currently wanted on a felony warrant for RES. An occupant of the apartment opened the door enabling the officers to enter the premises, at which time they searched for James WILLIAMS and found him hiding in a rear bedroom closet. All three officers involved in this incident were interviewed and they denied entering the premises illegally. Deputy DA REDDIN reviewed the Misconduct in Public Office and declined to issue any charges. Therefore, this case will be cleared as warrant refused.

INTERNAL AFFAIRS DIVISION	
Received	SEP 8 2000
Referred	Received/signed
By	Capt Dale J. Schulte

Respectfully submitted:

Det. Jeffery Hoover

Jeffery HOOVER
Police Detective
CIU/IAD, Day Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

JANUARY 3, 2001

TO: PO MICHAEL ALBRIGHT
DISTRICT FIVE

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 FEBRUARY 22, 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: *Michael J Albright*

Print your name: Michael J Albright

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 *JH*
Commander of Police
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

JANUARY 3, 2001

TO: PO JOHN AMBERG
DISTRICT ONE

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 FEBRUARY 22, 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: John Amberg

Print your name: John Amberg

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 *jt*
Commander of Police
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

JANUARY 3, 2001

TO: PO GREGORY WAGNER
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 FEBRUARY 22, 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: P.O. Gregory S. Wagner

Print your name: P.O. GREGORY S. WAGNER

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 JH
Commander of Police
Internal Affairs Division

DTS:dnp