

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
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DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

November 26, 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 Officers Jeffrey Lintonen and Carrie Finley
C.I. File No. 00-S-293; ELO No. 1500

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Jeffrey Lintonen and Carrie Finley. The claim is in the amount of \$725.65 including \$10.65 in disbursements for 6.50 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

CITY OF MILWAUKEE

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September 5, 2000

Commander Dale Schunk
Milwaukee Police Department
Internal Affairs Division
6680 North Teutonia Avenue, Rm 325
Milwaukee, WI 53209

Re: C.I. File No. 00-S-293
Communication from EGGERT LAW OFFICE

Dear Commander Schunk:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of officers Albanese, et al., albanese/Anderer, Anderer/Meister, Buddenhagen/Trczinski, Charles, Ederesinnnghe, Grant, et al., Hainzl, Hines, et al., Johnson/lopez/luebbe, Koestering/Clark, Lazo, Lelinski, Lintonen/Finley, Meister, Newport/Doyne, Raap, etal, Robinson/Gagliano, Timmerman/Jenkins and Walton/Stein.

Please determine whether these officers were in fact involved in the matter described in Ms. Eggert's claim, and have these officers verify Ms. Eggert's representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
5091

11/25/02
O.K.
JAS
Letter

2276

BEVERLY A. TEMPLE
THOMAS O. GARTNER
LINDA ULISS BURKE
BRUCE D. SCHRIMPF
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CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN
GROWLEY

Assistant City Attorneys

RECEIVED
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION
SEP 25 AM 10:11

Attorneys at Law

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

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

NO RECORD OF CARRIE FILEY

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

August 23, 2000

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

RE: MPD Criminal Investigation
Regarding: POs Jeffrey Lintonen and Carrie Finley
Date of Incident: March 3, 2000
Location of Incident: 952 N. 10th St.

Professional services

	<u>Hours</u>
3/31/00 Telephone call from PO Lintonen; office conference with PO Lintonen; open file; memo to file.	1.30
4/7/00 Telephone call to and from PO Finley.	0.20
4/13/00 Telephone calls to and from PO Finley; memo to file; telephone call to IAD.	0.90
4/20/00 Review of file; meeting with PO Lintonen at IAD; attend PO Lintonen's statement to IAD; meeting with PO Finley at IAD; attend PO Finley's statement to IAD; travel; memo to file.	2.70
5/5/00 Telephone call to IAD.	0.10
5/8/00 Telephone call to and from IAD.	0.10
5/30/00 Telephone calls to IAD.	0.20

Mr. Ronald D. Leonhardt

Page 2

	<u>Hours</u>	
6/2/00 Telephone call to IAD; correspondence to MPD Open Records; correspondence to clients.	0.50	
8/10/00 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	6.50	\$715.00
Additional charges:		
8/10/00 MPD Open Records request		10.65
Total costs		<u>\$10.65</u>
Total amount of this bill		<u>\$725.65</u>
Balance due		<u><u>\$725.65</u></u>

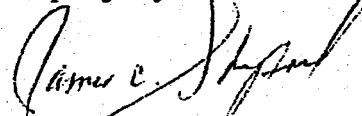
(Rate: \$110.00 per hour)

a booking room, but the search process was held over until after an interview by Milwaukee Police Department detectives. The interview took place in an interview room for approximately 1 1/2 hours. During said interview her property, consisting of money and personal items, were contained in a plastic bag and placed on a counter in the search area. When the detectives were done with interviewing Miss SILLS she was brought back to the search area, at which time her property was found to be missing. Sgt. BURLINGAME reported that there was a rash of such incidents involving theft under investigation and would not comment further.

CONCLUSION:

Miss SILLS subsequent charge of Battery to a Police Officer suggests that any pain or injuries obtained by her during her lawful arrests during the incident did not constitute criminal intent and/or wrong doing and therefore this incident will be cleared as baseless. In regards to the criminal theft of Miss SILLS' ring and currency investigation into this matter will be suspended pending new information.

Respectfully submitted:



James C. SHEPARD
Captain of Police
CIU/IAD, Day Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

OCTOBER 26, 2000

TO: PO JEFFREY LINTONEN
DISTRICT SEVEN

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 MARCH 3, 2000
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES X NO

Did you receive legal representation
in this matter?

YES X NO

Your signature: PO Jeffrey J. Lintonen

Print your name: JEFFREY J. LINTONEN

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
Commander of Police
Internal Affairs Division

DTS:dnp

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May 15, 2001

BEVERLY A. TEMPLE
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Assistant City Attorneys

Attorney Laurie A. Eggert
Eggert Law Office, S.C.
1840 North Farwell Avenue
Milwaukee, WI 53202

**Re: MPD Criminal Investigation of P.O.'s Jeffrey Lintonen and Carrie
Filey
ELO No. 1500
C.I. File No. 00-S-293**

Dear Ms. Eggert:

With respect to the above-noted matter, I have the following:

Your letter refers to a criminal investigation of a police officer "Carrie Filey." Your bill refers to telephone calls with a police officer "Carrie Finley." The police department had no record and, therefore, could not verify the provision of services to a police officer "Filey." Please clarify the identity of the individual whom you claim to have represented.

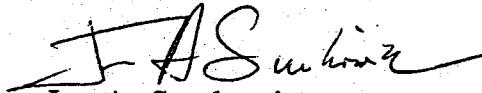
With respect to the criminal investigation that gave rise to your bill, lastly, you provided with your bill only one page of the CIU Report. That page does not identify any of the police officers involved in this alleged incident. Please provide me with more of that report so that I can identify the officer(s) who were the subject of the investigation.

OFFICE COPY

Attorney Laurie A. Eggert
May 15, 2001
Page Two

If you have any questions or concerns regarding these requests, please do not hesitate to contact me. I look forward to hearing from you about this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "JAS" followed by a stylized surname.

Jan A. Smokowicz
Assistant City Attorney

JAS:kmm

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
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May 25, 2001

Mr. Jan Smokowicz
Assistant City Attorney
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

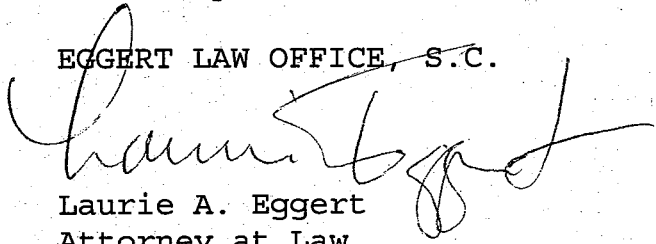
**RE: MPD Criminal Investigation of P.O.'s Jeffrey Lintonen
and Carrie Finley
ELO No. 1500
C.I. File No. 00-S-293**

Dear Mr. Smokowicz:

Your letter of May 16, 2001, asked for that section of the clearance report which refers to these officers. Enclosed is a copy of the report. Also note the correct spelling of Carrie Finley.

Sincerely,

EGGERT LAW OFFICE, S.C.


Laurie A. Eggert
Attorney at Law

LAE/ldl
SM052500

MILWAUKEE POLICE DEPARTMENT

CIU/Internal Affairs Division

Friday, June 23, 2000

S U M M A R Y

**IN THE MATTER OF: CIU#00-061 - BATTERY/THEFT
 P.O. JEFFREY LINTONEN, PR#65725
 P.O. CARRIE FINLEY, PR#62924
 BOTH OF DISTRICT SEVEN, LATE SHIFT**

PRIMARY INVESTIGATOR(S): DET. MERCEDES COWAN

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

SIR:

This report was authored by Captain of Police James C. SHEPARD, of the Internal Affairs Division/Criminal Investigation Unit (IAD/CIU), day shift.

ALLEGATION:

Complainant Odessa SILLS alleges that while in police custody she was thrown to the ground, punch and kicked to her body resulting in pain and bruising. She further alleges while in police custody her money and jewelry were removed without lawful purpose and not returned.

INVESTIGATION:

Complainant SILLS reports that on Friday March 3, 2000, at about 2:00 a.m., she had left an area tavern with her boyfriend whom she identifies as Joe NELSON. She states while driving in the area of N. 35th Street and W. Lloyd she encountered yellow police tape blocking the street. Miss SILLS states that she decided to go around the tape as well as a police car as she made her way home. She reports that she was stopped by a white male uniformed officer and then must have "blacked out" due to the amount of alcohol she had consumed, because the next thing she remembered she was being transported to a hospital in a squad car.

After her subsequent release from the hospital, she states she was transported downtown and upon exiting the squad car found herself in handcuffs. She states upon exiting the squad car, which may have been a van, she then lost her balance and fell into a white female uniformed officer causing their heads to bump together. She states that a white male officer then grabbed her and threw her to the concrete floor. She states as a result her head did strike the concrete flooring. She reports that her legs were then shackled. Miss SILLS states that she was transported to the Criminal Justice Facility, during which time a deputy was inventorying the contents of her purse. She states at this time she then questioned the deputy as to the whereabouts of her money and that she had \$47.00 in U.S. currency. She states the deputy informed her that there was no money. Miss SILLS states that she recalls a female officer removing her jewelry and money from her pockets but could not recall what the officer did with said items. Miss SILLS states she determined that the money along with her wedding ring was missing. She states that a deputy sheriff informed her that she should contact the Milwaukee Police Department to report the matter.

Investigation into this incident revealed that on Friday March 3, 2000, squad 287R manned by P.O. Jeffrey LINTONEN was investigating a 20 point accident. Officer LINTONEN had secured the scene by use of the "Please do not cross line" tape. During the course of the accident investigation, complainant SILLS was observed driving underneath the crime scene tape resulting in her arrest for Operating After Revocation. Miss SILLS was conveyed by squad 97R (P.O. Carrie FINLEY) of the Prisoner Processing Section. Once in the search room of the Prisoner Processing Section Miss SILLS became argumentative and started screaming and threatening Officer FINLEY. As a result of SILLS' behavior her feet were shackled and her hands were handcuffed behind her. She, along with her property, were then immediately conveyed to the Criminal Justice Facility. While at the Criminal Justice Facility Miss SILLS leaned over head butted Officer FINLEY resulting in Officer FINLEY'S tooth to become chipped. Miss SILLS was then immediately pushed against the wall and brought to the floor until help could arrive. As a result of Miss SILLS'S actions a charge of Battery to a Police Officer was issued by the office of the District Attorney.

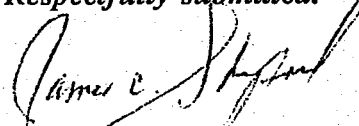
An interview was conducted with Vincent BURLINGAME of the Milwaukee County Sheriff's Department. Sgt. BURLINGAME reports that complainant SILLS was placed into

a booking room, but the search process was held over until after an interview by Milwaukee Police Department detectives. The interview took place in an interview room for approximately 1 1/2 hours. During said interview her property, consisting of money and personal items, were contained in a plastic bag and placed on a counter in the search area. When the detectives were done with interviewing Miss SILLS she was brought back to the search area, at which time her property was found to be missing. Sgt. BURLINGAME reported that there was a rash of such incidents involving theft under investigation and would not comment further.

CONCLUSION:

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Respectfully submitted:



James C. SHEPARD
Captain of Police
CIU/IAD, Day Shift