

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
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Assistant City Attorneys

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 Luis Aguilar C.I. File No. 01-S-99; ELO No. 1611**

Dear Council Members:

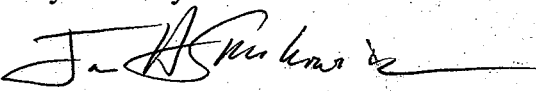
Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Luis Aguillar. The claim is in the amount of \$447.89, including \$7.89 in disbursements, for 4.00 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced 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

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 Luis Aguilar
Allegations Regarding Mr. Michael Dettlaff
Date of Incident: July 6, 2000
Location of Incident: 811 South 2nd Street
ELO No.: 1611**

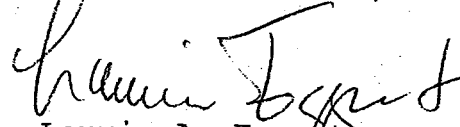
Dear Mr. Leonhardt:

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 an off duty police officer who placed himself on duty to prevent violation of City ordinances. 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

CITY OF MILWAUKEE
RECEIVED
MAR 19 PM 3:15
OFFICE OF
CITY ATTORNEY

JC/ldl
AGUILAR

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

EGGERT LAW OFFICE, S.C.

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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. Michael Dettlaff
Regarding: PO Luis Aguilar
Date of Incident: July 6, 2000
Location of Incident: 811 S. 2nd St.

Professional services

	<u>Hours</u>	
11/15/00 Telephone call from MPA; telephone call to and from PO Aguilar; open file; memo to file; telephone call to IAD; memo to file; meeting with PO Aguilar at IAD; attend PO Aguilar's statement to IAD; travel; memo to file.	2.70	
11/28/00 Telephone call to and from IAD; telephone call to client; correspondence to MPD Open Records; correspondence to client.	0.50	
12/5/00 Review of correspondence from DDA Reddin; correspondence to client.	0.30	
1/22/01 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	4.00	\$440.00

Mr. Ronald D. Leonhardt

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Additional charges:

Amount

1/22/01 MPD Open Records request

7.89

Total costs

\$7.89

Total amount of this bill

\$447.89

Balance due

\$447.89

(Rate: \$110.00 per hour)

approached the police officer and the police officer spit in his face.

During further investigation four witnesses were interviewed. Witness #1, identified as Erick D. HINSHAW, stated that he was a friend of the off duty police officer and he observed the complainant spit in the officer's face, however, he did not observe the officer spit in the complainant's face. Witness #2, identified as Erick LEISTEN, observed both the complainant and the officer spit in each other's face. Witness #3, identified as Pamela A. GILLIS, observed the police officer spit in the complainant's face, however, she was not outside to witness her friend, Michael, spit in the officer's face. Witness #4, identified as Rollie V. ANDERSON, stated that he observed the complainant spit in the police officer's face and they later advised the complainant to apologize to the officer and when the complainant attempted to do so the police officer spit in his face.

CONCLUSION:

On November 28, 2000, Deputy District Attorney Jon REDDIN reviewed this case and decided not to issue any type of criminal charges. He based his decision on the fact that assuming without deciding that this happened as DETTLAFF says it happened, it does not rise to the level of a crime by AGUILAR. If the incident happened as AGUILAR says it did he certainly committed no crime but was trying to stop a violation of a city ordinance. This case will be cleared as warrant refused.

Respectfully submitted:

Det. Jeffery Hoover

Jeffery HOOVER
Police Detective
CIU/IAD, Early Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO LUIS AGUILAR
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 JULY 6, 2000
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES X NO _____

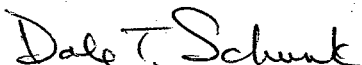
Did you receive legal representation
in this matter?

YES X NO _____

Your signature: 

Print your name: AGUILAR, LUIS

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.



DALE T. SCHUNK
Commander of Police
Internal Affairs Division

DTS:dnp