

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
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LINDA ULISS BURKE
Special Deputy City Attorneys



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MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

November 8, 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 Kevin Dudley and Jay Grant
C.I. File No. 01-S-99/6; ELO No. 1629**

Dear Council Members:

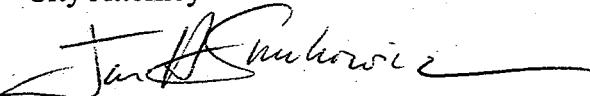
Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Kevin Dudley and Jay Grant. The claim is in the amount of \$990.00 for 9.00 hours of service billed at the rate of \$110 per hour. We ask that this matter be introduced and referred 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,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:enm
Enc.
2277

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
200 East Wells Street, Room 800
Milwaukee, WI 53202

RE: MPD Criminal Investigation of POs Kevin Dudley and Jay Grant
Allegations Regarding a juvenile
Date of Incident: November 13, 2000
Location of Incident: Mt. Sinai Hospital
ELO No.: 1629

Dear Mr. Leonhardt:

The above-named police officers have retained us to represent them in connection with the above-referenced matter.

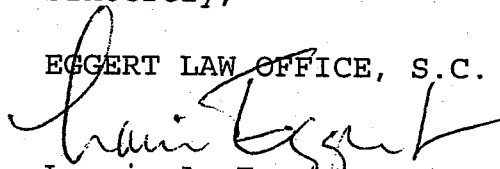
Consistent with its policy, the City Attorney's Office has refused to represent them, and as they were performing the duties of their office at the time of the events giving rise to the incident, the claim is hereby made on their behalf for the indicated legal fees. This incident involved the arrest of several juveniles.

The MPD initiated a criminal investigation in which the officers initially declined to give a statement without counsel. When they requested counsel, IAD compelled Dudley and Grant to give statements concerning the incident after issuing a PI-21s.

Later, the MPD decided not to issue criminal charges against the officers. Attached is an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.


Laurie A. Eggert
Attorney at Law

9/7/2001

O.K.

JHS

Letter # 2277

CITY OF MILWAUKEE
RECEIVED
MAR 19 PM 3:46
OFFICE OF
CITY ATTORNEY
JJC/1
DUDGRANTCRIM

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 re: a juvenile
Regarding: POs Kevin Dudley and Jay Grant
Date of Incident: November 13, 2000
Location of Incident: Mt. Sinai Hospital

Professional services

| | <u>Hours</u> |
|--|--------------|
| 12/2/00 Telephone call from IAD; telephone call from MPA; telephone call to PO Dudley; open file; telephone call to PO Grant; memo to file. | 1.90 |
| 12/5/00 Telephone call to PO Dudley; memo to file; telephone call from IAD; telephone call to and from PO Grant; memo to file; meeting with PO Grant at IAD; attend PO Grant's PI-21 statement to IAD; memo to file. | 2.40 |
| 12/6/00 Review taped PI-21 statement from PO Grant; meeting with PO Dudley at IAD; attend PO Dudley's PI-21 statement to IAD; travel; memo to file. | 1.90 |
| 1/9/01 Telephone call from IAD; correspondence to MPD Open Records; correspondence to clients. | 0.50 |

| | <u>Hours</u> | |
|--|--------------|-----------------|
| 3/6/01 Telephone call from and to IAD; telephone call to clients; memo to file. | 0.70 | |
| 3/7/01 Telephone call from IAD; telephone call from Dudley. | 0.30 | |
| 3/8/01 Telephone call from and to clients; memo to file. | 0.40 | |
| 3/9/01 Review of file. | 0.40 | |
| 3/12/01 Review of correspondence from MPD Open Records; correspondence to clients; close file. | 0.50 | |
| | | <u>Amount</u> |
| For professional services rendered | 9.00 | \$990.00 |
| Balance due | | <u>\$990.00</u> |

(Rate: \$110.00 per hour)



OFFICE OF DISTRICT ATTORNEY

Milwaukee County

E. MICHAEL McCANN • District Attorney

January 4, 2001

Chief Arthur Jones
City of Milwaukee Police Department
749 W. State Street
Milwaukee, WI 53233

JAN 8 2000

Dear Chief Jones:

On November 13, 2000, 16 year old _____ his 15 year old brother and a 19 year old friend broke into an active, sterile operating room area of Sinai Samaritan Hospital and stole various surgical equipment. All were apprehended by Sinai Samaritan security personnel. Milwaukee Police were called, and officers Jay Grant and Kevin Dudley responded.

Prior to this escapade _____ and the 19 year old drank a liter of brandy between them, and _____ apparently smoked marijuana.

_____ 's behavior after his apprehension is variously described in the the Sinai Samaritan and MPD police reports as boisterous, uncooperative, profane, violent, threatening, resistive, abusive, loud, and belligerent. He continually directed racial slurs at Sinai Samaritan Sergeant Curtis Cook, an African American. He variously tried to kick and spit at officers. Officers found it necessary to restrain and direct him to comply with their instructions.

_____ now claims that he suffered various injuries as a result of this confrontation. He made no such complaint upon being booked into the jail, and the IAD detective who investigated this case carefully examined him and saw no evidence of injury. I have examined his booking photo and can see no obvious signs of injury on it.

I am convinced, after reading the reports and statements of the various officers, security and medical personnel that no security guard or MPD officer used excessive force in this case. _____ was an intoxicated, high, violent and very difficult prisoner. The force used to detain, arrest, medically screen and jail him was, in my opinion, entirely appropriate.

I note that officers Jay Grant and Kevin Dudley refused, through attorney Jon Cermele, to make statements. This is, of course, their right. I am satisfied, however, based upon the statements of the numerous other eyewitnesses, that anything they were to tell me would merely reinforce my conclusions.

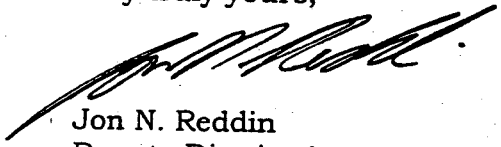
Robert D. Donohoo
Jon N. Reddin
Carol Lynn White
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Thomas A. Schatz
Alexander G. Sideraz
Fredric E. Matasick
William J. Mottor
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Gale G. Shelton
Terry Magowan
Gary D. Mahkorn
David Folties
Deborah Daley
Peg Tarrant
Douglas J. Simpson
Cynthia G. Brown
Norman A. Gahn
George N. Pnetz, III
Stephanie Genes Rothstein
Carol E. Stauder
Steven H. Glamm
Mary Anne Smith
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Phyllis M. DeCarvalho
Dennis P. Murphy
Christopher Ford
Christine M. Kraus
Philip A. Aneff
Thomas J. McDams
Bruce J. Langgraf
Mary K. McCann
Denis J. Shoji
David M. Lemman
Janet C. Protasiewicz
DeAnn L. Haard
Debra M. Scano, SSNC
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Lon S. Komblum
Kanne O'Byrne
Mana Dixon
James W. Frisch
Kurt B. Benkley
James C. Griffin
William P. Pipp
Audrey Skwierawski
Joanne L. Hardtke
John T. Chisholm
Christopher A. Liegel
Megan P. Carmody
Laura A. Crevellio
Derek C. Moseley
Shawn Pompe
Brian J. Resler
Karen A. Lynch
Alison M. Ritter
Kevin R. Shomin
Kelly L. Hedge
Jennifer Rypel
Beth D. Zirgibel
Shannon Carnick Schmitt
Rebecca F. Dault
Mark A. Sanders
Paul C. Dedinsky
David T. Malone
Julius Kim
Jeffrey J. Altanburg
Racael Gossens
Deborah L. Mills
Pat Wabitsch
Kent L. Lovern
Paul R. Sander
Nelson W. Phillips, III
Bradford J. Logsdon
Patrick J. Farley
Joy Bertrand
Margaret M. Zimmer
Bruce W. Becker
Michael T. Mahoney
Mark D. Bensen
Mary M. Sownski
Kathryn K. Samner
Jeanette Corbett
Jeffrey P. Graupp
Thomas C. Binger
David Maas
Jeremy L. Resar
Daniel J. Gabler
Sara P. Scullen
Genese M. Hooks
Brent Nistlar
T. Christopher Dee
Katharine Kucharski
Lisa P. Fnecker
Robin J. Rosche
Philip R. Ranguebsorn
Tiffany J. Harms
Emory H. Booker, II
Daniel R. Humble
Jacob D. Corr
David H. Weber
Joy Hammond

Chief Jones
March 29, 2000
Page 2

Because there are no apparent injuries, and because the force used was appropriate, I am declining charges of Physical Abuse of a Child against any officers in this case.

Very truly yours,



Jon N. Reddin
Deputy District Attorney

JNR:jr

cc/Jon Cermele

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO KEVIN DUDLEY
DISTRICT THREE

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 NOVEMBER 13, 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: Kevin A. Dudley

Print your name: Kevin A. Dudley

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 *td*
Commander of Police
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO JAY GRANT
DISTRICT THREE

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 NOVEMBER 13, 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: *PO Jay C Grant*

Print your name: JAY C. GRANT

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 *JTG*
Commander of Police
Internal Affairs Division

DTS:dnp