

**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

April 16, 2007

To the Honorable Common Council  
of the City of Milwaukee  
Room 205 - City Hall

Re: Communication from Attorney Jon Cermele, Eggert & Cermele  
for legal fees for Police Officer Sebastian Raclaw  
C.I. File No. 04-S-267-3; EC No. 2050 (Amended)

Dear Council Members:


Returned herewith is a document filed by Attorney Jonathan Cermele for attorney's fees for representing Police Officer Sebastian Raclaw. This is an amended claim in which the attorneys have removed from their billing any request for payment for services for Police Officer Terrence Gilbert. The claim is in the amount of \$1,600.81, including \$16.81 in disbursements for 14.40 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 the filing of a citizen's complaint against the officers with the Fire and Police Commission. The complaint was dismissed by the Commission.

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.  
117985/1032-2004-2333

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

---

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings  
Timothy J. Walther

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

February 22, 2006

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

**RE: AMENDED CLAIM / STATEMENT**  
**MPD Criminal Investigation of PO Sebastian Raclaw**  
**Allegations regarding Ms. Shelley Chappell**  
**Date of Incident: January 25, 2001**  
**Location of Incident: 4771 North 37th Street**  
**EC No.: 2050**

Dear Mr. Smokowicz:

The above named police officer 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 a traffic stop.

The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Jonathan Cermele

JC/kjs  
Attachment  
RACLAW

4/5/07

O.F.

JRS

Letter 2295

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

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings  
Timothy J. Walther

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

February 16, 2006

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

RE: Citizen Complaint of Ms. Shelley Chappelle  
Against PO Sebastian Raclaw  
FPC No: 01-09  
Date of Incident: January 25, 2001  
Location of Incident: 4771 North 37th Street  
Professional services

	<u>Hours</u>
2/19/2001 Conference with PO Raclaw; open file; correspondence to FPC; review documents from client.	0.80
2/26/2001 Review of correspondence from FPC and Attorney Eisenberg.	0.20
3/14/2001 Review of correspondence from FPC.	0.20
3/15/2001 Review of correspondence from FPC; correspondence to client.	0.30
5/7/2001 Telephone call from PO Raclaw; telephone call to FPC; review of correspondence from FPC.	0.40
5/9/2001 Review of correspondence from complainant's attorney.	0.20
6/8/2001 Review of file; correspondence to MPD Open Records; review of correspondence from FPC; research.	1.10
9/27/2001 Review of file; telephone call from FPC; memo to file.	0.40
10/16/2001 Telephone call from FPC; memo to file.	0.20
10/29/2002 Telephone call to Boyle; review records of civil case regarding same incident.	0.30

Mr. Ronald Leonhardt

Page 2  
Hours

5/20/2003 Telephone call from FPC.	0.10
6/25/2003 Review of file; computer search regarding criminal and civil cases regarding incident; telephone call to Boyle regarding transcript; telephone call to city attorney regarding civil case; telephone call to and from client; memo to file; review criminal trial transcripts.	5.10
6/26/2003 Telephone call from client; Fax to FPC, Eisenberg; memo to file; review of file .	0.60
6/30/2003 Review of correspondence from FPC.	0.10
7/1/2003 Correspondence to MPD open records.	0.10
7/30/2003 Review of correspondence from FPC.	0.10
10/6/2003 Review of correspondence from MPD open records.	0.10
10/29/2003 Review of file.	0.20
11/21/2003 Review of file; memo to file; CCAP update regarding complainant and witnesses; correspondence to MPD Open Records.	1.20
11/25/2003 Telephone call to FPC.	0.10
12/1/2003 Review of file; telephone call to and from FPC.	0.30
12/4/2003 Review arrest and conviction record.	0.10
1/15/2004 Conference with client, telephone call to FPC, memo to file.	0.50
1/19/2004 Review of correspondence from FPC.	0.10
2/13/2004 Review of file; correspondence to client; telephone call to FPC.	0.30
2/18/2004 Telephone call to FPC regarding status; memo to file.	0.10
2/20/2004 Review of correspondence from client.	0.10
3/8/2004 Review of correspondence from FPC.	0.10

Mr. Ronald Leonhardt

Page 3  
Hours

3/12/2004	Review of file; telephone call to FPC; memo to file; telephone call from FPC.	0.40
3/16/2004	Review document from FPC; memo to file.	0.10
3/19/2004	Review dismissal notice from FPC; memo to file; close file.	0.50

Amount

For professional services rendered	14.40	\$1,584.00
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Costs:

10/6/2003	MPD Open Records request	15.46
12/4/2003	MPD Open Records request	1.35

Total costs		<u>\$16.81</u>
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Total amount of this bill		<u>\$1,600.81</u>
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Balance due		<u><u>\$1,600.81</u></u>
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(Rate: \$110.00 per hour)

RECEIVED

MAR 19 2004

BOARD OF  
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE  
EGGERT & CERMELE, S.C. CITY OF MILWAUKEE

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In Re:  
THE CHARGES OF SHELLEY CHAPPELLE  
AGAINST POLICE OFFICERS TERRENCE  
GILBERT AND SEBASTIAN RACLAW

ORDER OF DISMISSAL

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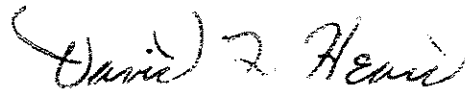
To Officer Sebastian Raclaw:

It is hereby ordered that the Complaint of Shelley Chappelle, Complaint No. 2001-09, filed with the Board on January 31, 2001, is dismissed against Officer Sebastian Raclaw due to lack of prosecutorial merit, and is further dismissed against Officer Terrence Gilbert for lack of jurisdiction as he was terminated from the Milwaukee Police Department effective June 26, 2001.

MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,  
CHAIRMAN

BY:



DAVID L. HEARD  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, MARCH 17, 2004.

c: Attorney Jonathan Cermele ✓

**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

August 5, 2004

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

**RE: Citizen Complaint of Ms. Shelley Chappelle  
Against POs Sebastian Raclaw and Terrence Gilbert  
Complaint No.: 01-09  
Date of Incident: January 25, 2001  
EC No.: 2050**

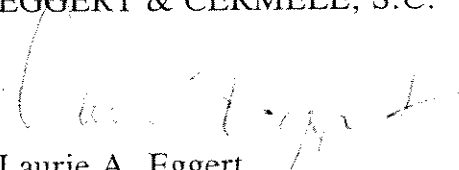
Dear Mr. Leonhardt:

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 a traffic stop. The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

  
Laurie A. Eggert  
Attorney at Law

LAE/ldl  
attachment  
RACLAWGILBERT

**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

August 04, 2004

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

RE: Citizen Complaint of Ms. Shelley Chappelle  
Against POs Sebastian Raclaw and Terrence Gilbert  
FPC No: 01-09  
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3/19/2004 Review dismissal notice from FPC; memo to file; close file.	0.50	
		<u>Amount</u>
For professional services rendered	14.40	\$1,584.00
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12/4/2003 MPD Open Records request		1.35
		<u>                    </u>
Total costs		\$16.81
		<u>                    </u>
Total amount of this bill		\$1,600.81
		<u>                    </u>
Balance due		<u><u>\$1,600.81</u></u>

(Rate: \$110.00 per hour)

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MAR 19 2004

BOARD OF  
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE  
EGGERT & CERMELE, S.C. CITY OF MILWAUKEE

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In Re:  
THE CHARGES OF SHELLEY CHAPPELLE  
AGAINST POLICE OFFICERS TERRENCE  
GILBERT AND SEBASTIAN RACLAW

ORDER OF DISMISSAL

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MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,  
CHAIRMAN

BY:



DAVID L. HEARD  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, MARCH 17, 2004.

c: Attorney Jonathan Cermele ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

AUGUST 19, 2004

TO: P.O. SEBASTIAN RACLAW  
DISTRICT: IDENTIFICATION DIVISION

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 JANUARY 25, 2001
- 2) A citizen's complaint made by SHELLEY CHAPPELLE
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES  NO

Did you receive legal representation in this matter?

YES  NO

Your signature:

Print your name:

*Sebastian Raclaw*  
SEBASTIAN RACLAW  
Identification Technician

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

*Steven M. Settingsgaard*  
Steven M. Settingsgaard  
Inspector of Police  
Professional Performance Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT  
INTERNAL AFFAIRS  
IDENTIFICATION DIVISION

04 AUG 30 PM 1:58

RECEIVED