

# 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



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200 EAST WELLS STREET  
MILWAUKEE, WISCONSIN 53202-3551  
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MICHAEL G. TOBIN  
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MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

November 6, 2002

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

Re: **Communication from Attorney D. Michael Guerin and Gimbel, Reilly, Guerin & Brown for legal fees for Police Sergeant Frederick Tice**

Dear Council Members:

Returned herewith is a document filed by Attorney D. Michael Guerin for attorney's fees for representing Police Sergeant Frederick Tice. The claim is in the amount of \$2937.00 for 26.70 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 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.

2277

GIMBEL, REILLY,  
GUERIN & BROWN  
LAW OFFICES

February 9, 2001

FRANKLYN M. GIMBEL

RICHARD E. REILLY

D. MICHAEL GUERIN

THOMAS E. BROWN

DENIS J. REGAN  
COURT COMMISSIONER

KATHRYN A. KEPPEL

PATRICK J. KNIGHT

RAYMOND M. DALLOSTO  
ALSO LICENSED IN ILLINOIS

MICHAEL D. JACKELIN

AARON M. HURVITZ

PARALEGALS

STEVEN M. LANT

SUE M. SOCZKA

ANGELA D. JANSSEN

JEFFREY A. KAUFMAN  
OF COUNSEL

C.R. REILLY (1901-1983)

Milwaukee City Attorney's Office  
Attention: Jan A. Smokowicz  
200 East Wells Street, #800  
Milwaukee, Wisconsin 53202-3551

Re: Sergeant Frederick Tice

Dear Jan:

Frederick Tice is a City of Milwaukee Police Sergeant. As you know, I have represented the Police Sergeants when there are criminal inquiries and the City Attorney is in a conflict position. Sergeant Tice was involved in a fatal shooting which occurred at a bank at 400 West National Avenue on October 26, 2000.

We have now been informed that there will be a criminal inquest conducted in March 2001. I am undertaking the representation of Sergeant Tice's defense in the criminal investigation under the assumption that the City Attorney would not undertake such representation.

I will submit my bill for services consistent with the City's policy.

Yours truly,

  
D. MICHAEL GUERIN

DMG/ker  
*crim/Tice/Smokowic*

TWO PLAZA EAST, SUITE 1170  
330 EAST KILBOURN AVENUE  
MILWAUKEE, WISCONSIN 53202

TELEPHONE: (414) 271-1440  
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RIDGEVIEW CENTER I  
N16 W23217 STONE RIDGE DRIVE  
WAUKESHA, WISCONSIN 53188

GIM  
Two Plaza E  
Milwaukee  
Telephone

Family Law,  
Business, Est

Milwaukee Police Su  
City Attorney's Off  
200 E. Wells Street  
Milwaukee WI 5320  
  
ATTN: Grant Langley  
  
Criminal - Tice, Fr

400 W. NATION  
10-26-00

CLEARED IN DA  
OFFICE.

IAD INVESTIGATION  
Still Pending.  
- Now cleared a/o  
11/6/02  
- JMS

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Page: 1  
April 16, 2001  
NO. 200107002M  
NO: 2

PREVIOUS BALANCE

\$2,783.00

	HOURS	
03/01/01		
DMG Office conference with Michael D. Jackelen and Raymond M. Dall'Osto regarding jury view.	0.60	
03/15/01		
DMG Prepare correspondence to Association and client and District Attorney.	0.80	
FOR CURRENT SERVICES RENDERED	1.40	154.00

RECAPITULATION

<u>TIMEKEEPER</u>	<u>Title</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D. M. Guerin		1.40	\$110.00	\$154.00

TOTAL CURRENT WORK

154.00

BALANCE DUE

\$2,937.00

PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT.  
THANK YOU!

Law Offices  
Gimbel, Reilly, Guerin & Brown  
Two Plaza East, Suite 1170  
330 East Kilbourn Avenue  
Milwaukee, WI 53202  
Telephone (414) 271-1440  
Facsimile (414) 271-7680

Milwaukee Police Supervisors Organization  
City Attorney's Office  
200 E. Wells Street, Suite 800  
Milwaukee WI 53202

Page: 1  
March 21, 2001  
ACCOUNT NO. 200107002M  
STATEMENT NO: 1

ATTN: Grant Langley

Criminal - Tice, Frederick

	HOURS
01/17/01 DMG Telephone conference with Rick Winter.	0.20
01/22/01 DMG Conference with client at the courthouse.	1.00
02/05/01 DMG Conference with Jerry Weismueller; prepare correspondence to client and Association.	2.00
02/07/01 DMG Interviews at Bank.	1.60
02/21/01 DMG Telephone conference with Norm Gahn regarding inquest.	0.40
02/28/01 PJK Office conference with client; intra-office conference; review file.	1.10
MDJ Intra-office conference regarding scheduling.	0.30
DMG Office conference with client and Raymond M. Dall'Osto and Patrick J. Knight; conference with Asst District Attorney Norm Gahn to prepare for inquest testimony.	3.50
RMD Conference with client regarding representation at inquest.	1.00
03/01/01 MDJ Intra-office conference regarding jury; review file; attend jury selection.	2.00
RMD Telephone conference with Attorney Knight; intra-office conference regarding testimony and areas of concern in first day of inquest; review file; research regarding excessive use of force cases, Garner, Sova, Graham, Frazell and applicable legal standards for use of deadly force; attend hearing in Judge Noonan's court.	2.80
PJK Telephone conference with Attorney Dall'osto; intra-office conference; attend	

Milwaukee Police Supervisors Organization

Page: 2

March 21, 2001

ACCOUNT NO. 200107002M

STATEMENT NO: 1

Criminal - Tice, Frederick

	HOURS
inquest.	4.50
03/02/01 RMD Telephone conferences with client, Attorney Guerin, Judge Noonan's clerk and district attorney's office; conference with client, Assistant District Attorne Gahn, M. Willis, Dr. Jentzen and related investigators; prepare client for testimony; review Power Point; attend hearing in Judge Noonan's court.	4.90
FOR CURRENT SERVICES RENDERED	25.30 2,783.00

RECAPITULATION				
<u>TIMEKEEPER</u>	<u>Title</u>	<u>HOURS</u>	<u>HOURLY RATE</u>	<u>TOTAL</u>
D. M. Guerin		8.70	\$110.00	\$957.00
M. D. Jackelen		2.30	110.00	253.00
P. J. Knight		5.60	110.00	616.00
R. M. Dall'Osto		8.70	110.00	957.00

TOTAL CURRENT WORK 2,783.00

BALANCE DUE \$2,783.00

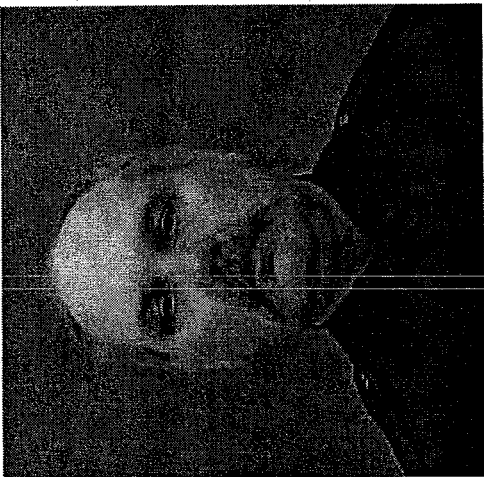
PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT.  
THANK YOU!

CASE FILE HISTORY

05/09/2002

PERSONAL PROFILE

NAME: TICE, FREDERICK P  
 PAYROLL # 34910  
 SSN: 396-52-3184  
 GENDER: M  
 RACE: W  
 DOB: 03/20/1948  
 RANK: (2348) POLICE SERGEANT  
 LOCATION: (20) SPECIAL OPER BUR/PATROL SUPPORT DIV  
 UNION: MPSSO  
 PROBATION: N  
 APPOINTMENT DATE: 05/05/1969  
 STATUS: (A) ACTIVE  
 HEIGHT: 5'- 11"  
 WEIGHT: 230  
 HAIR: GRAY  
 EYES: BLUE



FILE NUMBER	STATUS	SUBCATEGORY	OFFENSE	DATE	DISPOSITION	DISCIPLINE
P120061378	OPEN					

↳ Pending

No. 12 Tice