

# CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY  
City Attorney

RUDOLPH M. KONRAD  
PATRICK B. McDONNELL  
LINDA ULISS BURKE  
Deputy City Attorneys



OFFICE OF CITY ATTORNEY  
800 CITY HALL  
200 EAST WELLS STREET  
MILWAUKEE, WISCONSIN 53202-3551  
TELEPHONE (414) 286-2601  
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THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
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SUSAN D. BICKERT  
HAZEL MOSLEY  
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  
DAWN M. BOLAND  
KATHRYN M. ZALEWSKI

Assistant City Attorneys

January 28, 2005

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele, S.C.  
for legal fees for Police Officers Michael Pelnar and Christopher Gull  
C.I. File No. 03-S-107; EC No. 1857

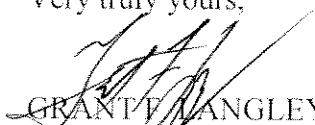
Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Michael Pelnar and Christopher Gull. The claim is in the amount of \$1,002.62, including \$1.62 in disbursements for 9.10 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.

89673/1032-2003-793

**EGGERT & CERMELE, 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

February 24, 2003

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

**RE: Citizen Complaint of Ms. Valerie Worthan  
Against POs Michael Pelnar and Christopher Gull  
Complaint No.: 02-33  
Date of Incident: April 9, 2002  
EC No.: 1857**

MILWAUKEE POLICE  
INTERNAL AFFAIRS DIVISION  
03 MAR 21 AM 3:25

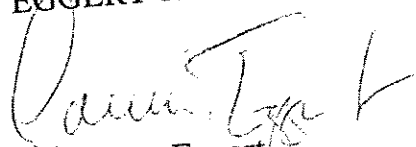
Dear Mr. Leonhardt:

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

RECEIVED  
03 MAR 11 PM 1:51  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION

LAE/ldl  
attachment  
PELGULL

10/11/04  
O.K.  
JAS  
Letter 2295

**EGGERT & CERMELE, 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

February 18, 2003

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

RE: Citizen Complaint of Ms. Valerie Worthan  
Against POs Michael Pelnar and Christopher Gull  
FPC No: 02-33  
Date of Incident: April 9, 2002  
Location of Incident: 4070 North 63rd Street

Professional services

	<u>Hours</u>
7/29/02 Conference with Pelnar; open file; memo to file; correspondence to MPD Open Records; correspondence to FPC; records check.	2.20
8/19/02 Review of file; review of correspondence from FPC.	0.30
8/26/02 Telephone call from FPC; review of file; memo to file.	0.30
8/27/02 Review of file; telephone call to Gull; memo to file.	0.70
9/20/02 Telephone call from FPC; review of file; memo to file.	0.20
9/25/02 Review of correspondence from FPC; memo to file.	0.20
10/11/02 Telephone call from FPC.	0.20
10/22/02 Telephone calls from FPC; review of file; memo to file.	0.30
10/28/02 Telephone call to FPC; review of correspondence from FPC.	0.30

Mr. Ronald Leonhardt

Page 2

	<u>Hours</u>	
11/5/02 Telephone call from FPC; review of file; memo to file.	0.30	
11/11/02 Review of correspondence from FPC; correspondence to clients.	0.20	
11/14/02 Telephone call from Gull; telephone call to Pelnar; telephone call to and from FPC; memo to file.	0.80	
11/15/02 Preparation for and appearance at conciliation; conference with client; memo to file; travel.	2.40	
11/21/02 Review documents from MPD Open Records.	0.10	
1/6/03 Review of correspondence from FPC; memo to file; correspondence to clients; close file.	0.60	
	<hr/>	<u>Amount</u>
For professional services rendered	9.10	\$1,001.00
Additional charges:		
11/15/02 Parking		1.00
11/21/02 MPD Open Records request		0.62
		<hr/>
Total costs		\$1.62
		<hr/>
Total amount of this bill		\$1,002.62
		<hr/>
Balance due		<u><u>\$1,002.62</u></u>

Mr. Ronald Leonhardt

(Rate: \$110.00 per hour)

JAN 6 2003.

EGGERT & CERMELE, S.C.

BOARD OF  
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

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In Re:  
THE CHARGES OF VALERIE JONES (WORTHAM)  
AGAINST POLICE OFFICERS CHRISTOPHER GULL  
AND MICHAEL PELNAR

ORDER OF DISMISSAL

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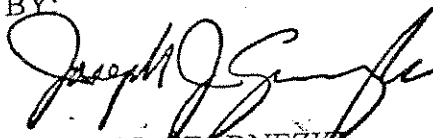
To Officer Michael Pelnar:

It is hereby ordered that the Complaint of Valerie Jones, Complaint No. 2002-33, filed with the Board on May 25, 2002, is dismissed because the Complaint has been successfully conciliated, by the

MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

WOODY WELCH,  
CHAIRMAN

BY:

  
JOSEPH J. CZARNECKI  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, DECEMBER 26, 2002.

c: Attorney Laurie Eggert ✓

JAN 6 2003.

EGGERT & CERMELE, S.C.

BOARD OF  
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

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In Re:  
THE CHARGES OF VALERIE JONES (WORTHAM)  
AGAINST POLICE OFFICERS CHRISTOPHER GULL  
AND MICHAEL PELNAR

ORDER OF DISMISSAL

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To Officer Christopher Gull:

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MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

WOODY WELCH,  
CHAIRMAN

BY:

  
JOSEPH J. CZARNEZKI  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, DECEMBER 26, 2002.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

March 21, 2003

MEMORANDUM

TO: P.O. MICHAEL PELNAR  
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 APRIL 9, 2002
- 2) A citizen's complaint made by VALERIE WORTHAN
- 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: P.O. Michael Pelnar

Print your name: P.O. Michael Pelnar

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

RECEIVED  
03 MAR 27 PM 1:10  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION

Steven M. Settingsgaard  
K.S.S.  
Steven M. Settingsgaard  
Police Commander  
Internal Affairs Division

SMS:kjs



MILWAUKEE POLICE DEPARTMENT

March 21, 2003

MEMORANDUM

TO: P.O. CHRISTOPHER GULL  
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 APRIL 9, 2002
- 2) A citizen's complaint made by VALERIE WORTHAN
- 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: *P.O. Christopher Gull*

Print your name: P.O. Christopher Gull

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

RECEIVED  
03 MAR 27 PM 1:10  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION

*Steve Settingsgaard*  
KTS  
Steven M. Settingsgaard  
Police Commander  
Internal Affairs Division

SMS:kjs