

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys

CITY OF
MILWAUKEE
Office of the City Attorney

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
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JAY A. UNORA
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EDWARD M. EHRlich
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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

October 19, 2007

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

Re: Communication from Attorney Laurie A. Eggert for legal fees for
Police Officers James, Henry, Jaimie Arce, and Richard Lopez
C.I. File No. 05-S-143; EC 2171

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers James, Henry, Jaimie Arce, and Richard Lopez. The claim is in the amount of \$407.00 for 3.7 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 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. 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:amp
Enc.

1032-2004-3292:124731v1

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: P.O. JAMES HENRY
DISTRICT: SIX

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 October 10, 2004
- 2) A citizen's complaint filed by Jose Calderone
- 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: _____

PO James Henry

Print your name: _____

PO James Henry

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

Mary K. Hoerig
MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

RECEIVED
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION
05 JUN -6 AM 10:14

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: P.O. JAIMIE ARCE
DISTRICT: SIX

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 October 10, 2004
- 2) A citizen's complaint filed by Jose Calderone
- 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. [Signature]

Print your name: P.O. Jaimie A. Arce

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

MKH:kjs

MARY K. HOERIG
Captain of Police
Professional Performance Division

RECEIVED
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION
05 JUN -3 AM 10:55

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 31, 2005

TO: P.O. RICHARD LOPEZ
DISTRICT: SIX

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 October 10, 2004
- 2) A citizen's complaint filed by Jose Calderone
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES NO

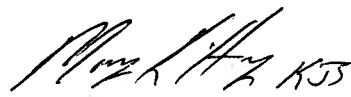
Did you receive legal representation in this matter?

YES NO

Your signature: P.O. Richard D. Lopez

Print your name: Richard D. Lopez JUN 02 2005

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



MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE
INTERNAL AFFAIRS

05 JUN -2 PM 1:08

RECEIVED

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

May 3, 2005

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

CITY OF MILWAUKEE
2005 MAY - 6 AM 11:55
RONALD D. LEONHARDT
CITY CLERK

**RE: MPD Criminal Investigation of POs James Henry, Jr., Jaimie Arce and Richard Lopez
Allegations Regarding Mr. Jose Calderone
Date of Incident: October 10, 2004
Location of Incident: 1649 West Bow Street
EC No.: 2171**

Dear Mr. Leonhardt:

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

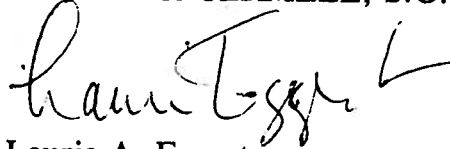
Consistent with its policy, the City Attorney's Office has refused to represent them, and as they were performing the duties of their office at the time of the events giving rise to the incident, the claim is hereby made on their behalf for the indicated legal fees. This incident involved an arrest.

CITY OF MILWAUKEE
REC'D
2005 MAY - 6 AM 11:44
OFFICE OF THE CITY ATTORNEY

Later, the MPD concluded that no criminal charges would issue. Attached is a copy of a status report from Captain of Police Mary K. Hoerig, and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.



Laurie A. Eggert
Attorney at Law

JC/ldl
attachment
HENRY ET AL

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

May 03, 2005

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

RE: MPD Criminal Investigation re: Mr. Jose Calderone
Regarding: POs James Henry, Jr., Jaimie Arce and Richard Lopez
Date of Incident: October 10, 2004
Location of Incident: 1649 West Bow Street
Professional services

	<u>Hours</u>
10/14/2004 Telephone call from PO Henry regarding new criminal investigation; open file; memo to file; telephone call from PO Arce; memo to file.	0.90
10/21/2004 Telephone call to and from PO Lopez; memo to file.	0.70
10/25/2004 Telephone call from and to PO Arce; telephone call to PO Lopez; telephone call to and from PO Henry; telephone call to IAD.	0.50
10/26/2004 Telephone calls to POs Henry, Arce and Lopez.	0.40
10/27/2004 Telephone call to and from IAD; correspondence to clients.	0.40
11/23/2004 Review of file; Fax to IAD.	0.20
3/21/2005 Review of file; Fax to IAD.	0.20
3/28/2005 Receive and review confirmation from IAD that case had been cleared; correspondence to clients; close file.	0.40
	<u>Amount</u>
For professional services rendered	3.70 \$407.00

Mr. Ronald D. Leonhardt

Page 2

Amount

Balance due

\$407.00



Police Department

Nannette H. Hegerty
Chief of Police

Wednesday, March 23, 2005

Jonathan Cermele
Attorney At Law
1840 North Farwell Avenue
Suit 303
Milwaukee, WI 53202

RECEIVED

MAR 28 2005

EGERT & CERMELE, S.C.

Dear Mr. CERMELE:

This letter is in response to your inquiries of March 21st, 2005, regarding the status of CIS Investigatory Files.

Attached please find the requested information. If further assistance is needed Lieutenant of Detectives Jeffery Micklitz can be contacted at 935-3540.

Sincerely,

MARY K. HOERIG
CAPTAIN OF POLICE

3. 04-252	04-0859	CALDERON, JOSE	BATTERY	UNFOUNDED	
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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

March 21, 2005

Via Facsimile (414) 351-0506

Cpt. Mary Hoerig
Milwaukee Police Department (PPD)
6680 North Teutonia Avenue
Milwaukee, WI 53209

Re: Status of CIS Files

Dear Captain Hoerig

Please advise as to the status of the following CIS investigatory files pertaining to my clients:

3.	Officer(s):	James Henry, Jaime Arce & Richard Lopez
	Complainant:	Jose Calderone
	Date:	10/10/04
	Location:	1649 West Bow Street
	CIS File No.:	Unknown
	PPD File No.:	Unknown

Thank you for your assistance.

Sincerely,

EGGERT & CERMELE, S.C.

Jon Cermele

JC/bms