

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
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OFFICE OF CITY ATTORNEY
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DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

March 10, 2005

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

Re: Communication from Attorney Laurie A. Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officers Bradley Blum, Michael Pelnar and Jon Clausing
C.I. File No. 03-S-378; ELO 1923

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Bradley Blum, Michael Pelnar and Jon Clausing. The claim is in the amount of \$1,058.00 including \$2.00 in disbursements for 9.60 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 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. 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.

91035/ 1032-2003-3092.001

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Schneider

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

September 18, 2003

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

**RE: MPD Criminal Investigation of POs Bradley Blum, Michael Pelnar
and Jon Clausing
Allegations Regarding Mr. Carl Noblin
Date of Incident: January 1, 2003
Location of Incident: 4300 West Capitol Drive
EC No.: 1923**

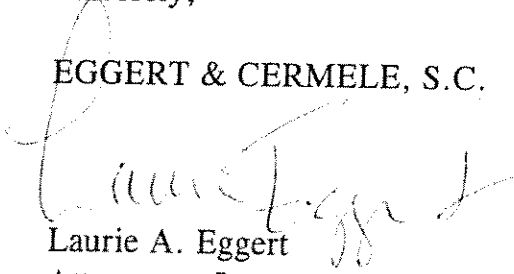
Dear Mr. Leonhardt:

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 MPD initiated a criminal investigation in which the officers initially declined to give a statement without counsel. When they requested counsel, IAD compelled POs Blum, Clausing and Pelnar to give statements concerning the incident after issuing PI-21s. The DA reviewed the allegations and did not issue criminal charges against the officers. Attached is a copy of the DA's letter and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.


Laurie A. Eggert
Attorney at Law

2/7/05
o.k.
JAS
Letter 2276

JC/ldl
attachment
BLUM

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Schneider

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

September 18, 2003

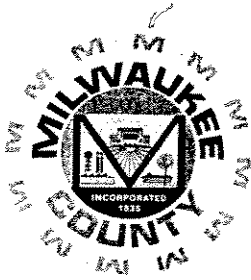
Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee WI 53202

RE: MPD Criminal Investigation re: Mr. Carl Ewing Noblin
Regarding: POs Bradley Blum, Jon Clausing and Michael Pelnar
Date of Incident: January 1, 2003
Location of Incident: 4300 West Capitol Drive
Professional services

	<u>Hours</u>
4/5/2003 Open file; review message from client.	0.20
4/7/2003 Telephone call to and from PO Pelnar; memo to file.	0.80
4/8/2003 Conference with client; preparation for and appearance at PI-21 interview; travel; memo to file.	0.90
4/9/2003 Telephone call from PO Clausing; memo to file; telephone call to PO Blum; memo to file.	0.70
4/10/2003 Receive and review message from POs Clausing and Blum; telephone call to and from PO Clausing; memo to file; telephone call to and from PO Blum; memo to file; telephone call to witnesses; memo to file.	1.40
4/11/2003 Review of file; meeting with PO Blum at IAD; attend PO Blum's PI-21; meeting with PO Clausing; attend PO Clausing's PI-21; travel; memo to file.	2.20
4/14/2003 Receive and review Use of Force Report.	0.20
7/29/2003 Telephone call to DDA Reddin; telephone call to PO Blum; telephone call to PO Clausing.	0.50
7/30/2003 Review of file; meeting with POs Blum and Clausing at DA's office; attend PO Clausing's statement to DA; attend PO Blum's statement to DA; discussion with DA; discussion with clients; travel; memo to file.	2.10

	<u>Hours</u>	
8/1/2003 Receive and review written confirmation that the DA has "no processed" the complaint; correspondence to clients; close file.	0.60	
		<u>Amount</u>
For professional services rendered	9.60	\$1,056.00
Additional charges:		
7/30/2003 Parking		2.00
Total costs		<u>\$2.00</u>
Total amount of this bill		<u>\$1,058.00</u>
Balance due		<u><u>\$1,058.00</u></u>

(Rate: \$110.00 per hour)



OFFICE OF DISTRICT ATTORNEY

Milwaukee County

E. MICHAEL McCANN • District Attorney

Robert D. Donohoo
Jon N. Reddin
Carol Lynn White
Patrick J. Kenney
James J. Martin
Thomas A. Schulz
Alexander G. Skienarz
William J. Mollor
Donald S. Jackson
Gale G. Shelton
Terry Magowan
Gary D. Mahkorn
David Robles

Deborah Daley
Peg Tarrant
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Cynthia G. Brown
Norman A. Gahn
Stephanie Gineris Rothstein
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Lovell Johnson, Jr.
Warren D. Zier
Timothy J. Cotter
Carol Berry Crowley
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John Plusch
Stephan Eduard Nollen
Eric D. Defort
Christine M. Quinn
Megan Fisher
Munjed A. Ahmad
Mary C. Theisen
Michelle A. Ackerman

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AUG 1 2003
EGGERT & CERMELE, S.C.

07/30/03

Mr. Jon Cermele
Eggert & Cermele, S.C.
1840 N. Farwell Ave., #303
Milwaukee, WI 53202-1716

Re: Incident No. 03-003-3005
Complainant: Carl Noblin
Officer(s): Jon Clausing & Bradley Blum

Dear Mr. Cermele:

This is to notify you that after reviewing the above incident involving City of Milwaukee Police Officer(s), I have determined that criminal charges will not be issued against them.

Sincerely,

[Handwritten signature]

Jon N. Reddin
Deputy District Attorney

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 30, 2003

TO: P.O. BRADLEY BLUM
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 JANUARY 1, 2003
- 2) A citizen's complaint made by CARL NOBLIN
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES X NO _____

Did you receive legal representation
in this matter?

YES X NO _____

Your signature: _____

Print your name: _____

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

Steve Settingsgaard
Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT
INTERNAL AFFAIRS
DIVISION

03 OCT -6 AM 10:42

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 30, 2003

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 JANUARY 1, 2003
- 2) A citizen's complaint made by CARL NOBLIN
- 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.


Steven M. Settingsgaard *KFS*
Police Commander
Internal Affairs Division

SMS:kjs

NOISIAIO
INTERNAL AFFAIRS
DIVISION

03 OCT -6 AM 10:13

RECEIVED

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 30, 2003

TO: P.O. JON CLAUSING
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 JANUARY 1, 2003
- 2) A citizen's complaint made by CARL NOBLIN
- 3) A police shooting incident occurring on N/A

Is this information correct? YES X NO _____

Did you receive legal representation in this matter? YES X NO _____

Your signature: [Handwritten Signature]

Print your name: JON CLAUSING

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

[Handwritten Signature]
 Steven M. Settingsgaard
 Police Commander
 Internal Affairs Division

FILED
 INTERNAL AFFAIRS
 DIVISION

03 OCT -6 AM 10:4-

SMS:kjs