

# 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  
TDD (414) 286-2025  
FAX (414) 286-8550

January 12, 2004

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 Officer Leland Feldman  
C.I. File No. 02-S-263; EC No. 1788


Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Leland Feldman. The claim is in the amount of \$696.10 including \$14.10 in disbursements for 6.20 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 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.

2276

BEVERLY A. TEMPLE  
THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
ROXANE L. CRAWFORD  
SUSAN D. BICKERT  
HAZEL MOSLEY  
HARRY A. STEIN  
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. FRICKERL  
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  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY  
DAWN M. BOLAND  
KATHRYN M. ZALEWSKI

Assistant City Attorneys

**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

August 1, 2002

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

CITY OF MILWAUKEE  
2002 AUG -5 AM 11:48  
RONALD D. LEONHARDT  
CITY CLERK

**RE: MPD Criminal Investigation of PO Leland Feldman  
Allegations Regarding Mr. Jerome Gates  
Date of Incident: October 16, 2001  
Location of Incident: District #4  
EC No.: 1788**

Dear Mr. Leonhardt:

The above-named police officer has 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 an allegation of missing property.

The MPD initiated a criminal investigation in which the officer initially declined to give a statement without counsel. When he requested counsel, IAD compelled PO Leland Feldman to give a statement concerning the incident after issuing a PI-21. Later, the MPD decided not to issue criminal charges against the officer. Attached is a copy of the clearance report and an itemization of the time and services rendered.

118704  
C.K.  
JAS  
Letter 2276

Sincerely,

EGGERT & CERMELE, S.C.  
*Laurie A. Eggert*

Laurie A. Eggert  
Attorney at Law

CITY OF MILWAUKEE  
2002 AUG -5 PM 3:50  
CITY CLERK

LAE/ldl  
FELDMAN

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

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele

1840 North Farwell Avenue  
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Milwaukee, Wisconsin 53202  
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August 1, 2002

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

RE: MPD Criminal Investigation re: Mr. Jerome Gates  
Regarding: PO Leland Feldman  
Date of Incident: October 16, 2001  
Location of Incident: District #4

Professional services

	<u>Hours</u>
10/24/01 Open file; conference with client regarding criminal investigation; preparation for and appearance at PI-21 statements; travel.	1.60
11/29/01 Review of file; telephone call to Det.; memo to file; correspondence to MPD Open Records.	0.90
12/19/01 Review of file; telephone call to client; telephone call from client.	0.50
03/06/02 Review of file; telephone call to client; memo to file.	0.30
03/08/02 Telephone call from client; correspondence to client.	0.70
03/11/02 Review of correspondence from client regarding closing of criminal.	0.10
03/15/02 Review of correspondence from client; correspondence to MPD Open Records; memo to file; correspondence to MPD Personnel.	0.60

	<u>Hours</u>	
04/11/02	0.20	Review of file.
04/12/02	0.40	Review of correspondence from MPD Open Records; correspondence to client.
06/07/02	0.40	Review documents from MPD Open Records.
06/26/02	0.50	Review additional documents from MPD Open Records; close file.
	<u>6.20</u>	<u>Amount</u>
		For professional services rendered
		Additional charges:
04/12/02		MPD Open Records request
04/25/02		MPD Open Records request
06/19/02		MPD Open Records request
		<u>\$14.10</u>
		Total costs
		<u>\$696.10</u>
		Total amount of this bill
		<u>\$696.10</u>
		Balance due

(Rate: \$110.00 per hour)

PO-15B SUPPLEMENTARY REPORT MILWAUKEE POLICE DEPARTMENT	Date of Report 11/19/2001	Incident/Accident # 01-289-3140
INCIDENT	Date of Incident/Accident Rep.	Code #
Lost/Stolen Property	10/16/2001	
VICTIM	LOCATION OF INCIDENT	DIST
Gates, Jerome NMI JUVENILE Last Name First Middle	6929 W. Silver Spring Drive Date of Birth	4

QUANT	TYPE OF PROPERTY	DESCRIPTION	SERIAL #	CODE #	VALUE
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This report was written by Detective Barbara O'Leary, assigned to the Criminal Investigation Unit/Internal Affairs Division (CIU/IAD), Night Shift.

I, Detective Barbara O'Leary, conducted an investigation into the above incident. After interviewing the complainant and all of the officers he had contact with, it cannot be substantiated that the officers are responsible for the missing property.

REPORTING OFFICER	PAYROLL#	LOC. CODE	SUPERVISOR SIGNATURE
<i>Det. Barbara O'Leary</i>			
DETECTIVE Barbara O'Leary	62574	04	<i>Lt. Mary Lee</i>

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 13, 2002

TO: P.O. LELAND FELDMAN  
DISTRICT FOUR

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 OCTOBER 16, 2001
- 2) A citizen's complaint made by JEROME GATES
- ~~3) A police shooting incident occurring on N/A~~ *UF*

Is this information correct? YES X NO \_\_\_\_\_

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

Your signature: Leland C. Feldman

Print your name: Leland C. Feldman

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

*St. Settingsgaard*  
 STEVEN M. SETTINGSGAARD *KS*  
 POLICE COMMANDER  
 Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION

02 SEP 25 AM 11:23

RECEIVED