

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



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

May 2, 2002

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
DAVID R. HALBROOKS
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
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

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

Re: **Communication from Attorney Kenneth J. Murray
for legal fees for Police Officer Michael Simonis**

Dear Council Members:

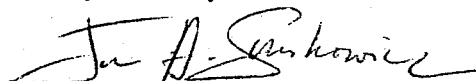
Returned herewith is a document filed by Attorney Kenneth Murray for attorney's fees for representing Police Officer Michael Simonis. The claim is in the amount of \$2,290.10 including \$22.10 in disbursements for 25.2 hours of service billed at the rate of \$90.00 per hour. We ask that this matter be 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 officer 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. 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.
2295

ADELMAN, ADELMAN & MURRAY, S.C.
ATTORNEYS AT LAW

LYNN ADELMAN*
ELIZABETH ADELMAN
KENNETH J. MURRAY**
LAURIE A. EGGERT
JEFFREY S. HYNES
KATHLEEN STILLING
PAMELA S. MOORSHEAD
GRACE M. MASSON***
PAUL A. OBERER****

1840 NORTH FARWELL
SUITE 403
MILWAUKEE, WI 53202
(414) 225-2929

*ALSO LICENSED TO PRACTICE IN NEW YORK
**ALSO LICENSED TO PRACTICE IN ILLINOIS
***ALSO LICENSED TO PRACTICE IN MARYLAND
****ALSO LICENSED TO PRACTICE IN OHIO

February 13, 1996

City Attorney's Office
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

ATTN: JoDee

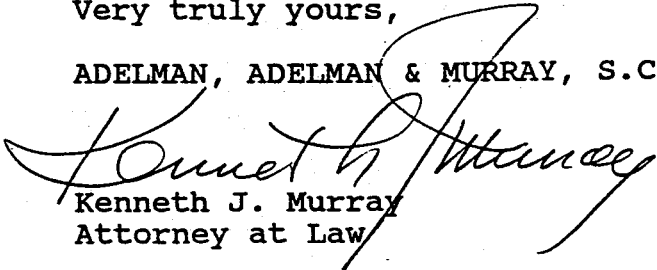
RE: Trudell/Beaver and Simonis Claims

Dear JoDee:

I was surprised to learn from Mr. Smokowicz that these two files cannot be located. Enclosed are copies of the statements which were sent to the City Clerk on February 4, 1992 and November 26, 1991, respectively. Please call me if you have any questions regarding these or any other claims of ours. Thank you.

Very truly yours,

ADELMAN, ADELMAN & MURRAY, S.C.


Kenneth J. Murray
Attorney at Law

KJM/ldq
Enclosures
pc: / Mr. Jan Smokowicz (w/o enc)
Asst. City Attorney
\JODEE.3

ADELMAN, ADELMAN & MURRAY, S.C.
ATTORNEYS AT LAW

COPY
FILE COPY

LYNN ADELMAN*
ELIZABETH ADELMAN
KENNETH J. MURRAY**
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KATHLEEN STILLING
DAVID W. ASBACH

1840 NORTH FARWELL
SUITE 403
MILWAUKEE, WI 53202
(414) 225-2929

November 26, 1991

*ALSO LICENSED TO PRACTICE IN NEW YORK
**ALSO LICENSED TO PRACTICE IN ILLINOIS

Ms. Rose Gretenhart
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

*4/24/2002
O.K.
JAS
Letter #
2295*

RE: Citizen complaint of Mr. Eddie N. Banks
Against Police Officer Michael Simonis
Complaint No.: 711
Date of Incident: April 16, 1990 ✓

Dear Ms. Gretenhart:

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.

The following is an itemization of the time and services rendered.

<u>DATE</u>	<u>NATURE OF WORK PERFORMED</u>	<u>HOURS</u>
11-12-90	Conference with client; open file; review of file	1.4
11-19-90	Review of file; correspondence to Open Records	0.6
01-09-91	Telephone call from Open Records	0.2
01-15-91	Correspondence to client; draft medical consent forms; review of file	1.3
01-21-91	Telephone call from Open Records	0.2
01-23-91	Review of file	0.2
01-29-91	Telephone call from Open Records	0.1
02-18-91	Review of correspondence from client; correspondence to Open Records; review of file	0.6
02-25-91	Telephone call from Open Records; memo to file	0.3
03-13-91	Review records from Open Records; review of file	1.7

Michael Simonis Statement
November 26, 1991
Page Two

03-25-91	Correspondence to Family Health and Joseph's Hospital; review of file	1.2
04-02-91	Correspondence to FPC; telephone call from client; review of file	0.6
04-03-91	Telephone call to Fronk; memo to file	0.3
04-04-91	Telephone call to Open Records; telephone call to and from client; review of file;	1.6
	correspondence to Open Records	
04-08-91	Review of file re: sentencing date and Open Records request; review of correspondence from FPC; review medical records re: Simonis; telephone call to client	0.9
04-10-91	Conference with client; memo to file; telephone call to FPC	2.4
04-15-91	Telephone call to FPC; memo to file; correspondence to FPC; preparation for pretrial	0.8
04-17-91	Preparation for and appearance at pre-trial; travel; memo to file; telephone call to client; telephone call to #7; correspondence to client	1.4
04-18-91	Review message re: adjournment	0.1
04-21-91	Review of correspondence re: adjourned conciliation date; memo to file	0.4
05-01-91	Telephone call to FPC; correspondence to client	0.3
05-02-91	FPC re: status	0.1
05-06-91	Telephone call from FPC re: conciliation	0.1
05-15-91	Telephone call from Fronk; review of file	0.2
05-20-91	Review of correspondence from FPC; correspondence to client	0.3
06-10-91	Telephone call from client; telephone call to FPC; correspondence to FPC	0.7
06-11-91	Review of correspondence from FPC	0.1
06-13-91	Telephone call from client	0.1
06-18-91	Telephone call from Fronk	0.1
06-24-91	Review of correspondence from FPC	0.2
07-11-91	Telephone call from Fronk; memo to file	0.3
07-15-91	Telephone call from Fronk; correspondence to client	0.3
08-01-91	Preparation for conciliation; conference with client; conference with FPC	1.2
08-21-91	Review phone message from Banks; telephone call to Mrs. Banks	0.3

Michael Simonis Statement
November 26, 1991
Page Three

08-27-91	Telephone call from FPC	0.1
09-04-91	Telephone call to FPC; memo to file	0.2
09-06-91	Conference with Fronk	0.1
09-19-91	Preparation for and appearance at conciliation; memo to file; conference with client; travel	3.1
10-09-91	Review of correspondence from FPC; correspondence to client; close file	<u>1.1</u>
	TOTAL HOURS	25.2

25.2 hours at \$90.00 = \$2,268.00

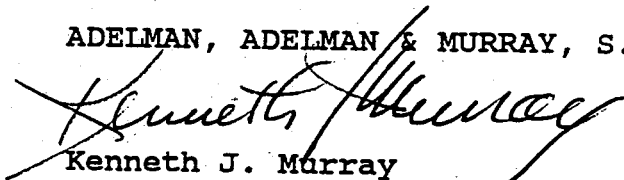
DISBURSEMENTS:

02-28-91	Open Records Reports	\$ 12.10
04-08-91	Medical Records from St. Joseph's Hospital	<u>10.00</u>
	TOTAL	\$ 22.10

TOTAL DUE: \$2,290.10

Sincerely,

ADELMAN, ADELMAN & MURRAY, S.C.


Kenneth J. Murray
Attorney at Law

KJM/ldg
M\SIMONIS

CITY OF MILWAUKEE
DEPARTMENTAL MEMORANDUM

No. _____

To Jan Smokowicz Dept. or Div. City Atty. Date 4-30-02

Subject Citizen Complaints No. 711 and 91-20

- For immediate action _____
 - For investigation _____
 - For comment _____
 - For recommendation _____
 - For reply _____
 - For report _____
 - For approval _____
 - For your information _____
 - See me concerning _____
 - Note and return _____
 - Note and file _____
 - Note, initial and route _____
 - Make corrections noted _____
 - Furnish requested information _____
- Use reverse side for reply or notes on action taken*

Remarks:
Attached are copies of the dismissal orders you requested from Steve Frank.

Signed: Renee Title: AAIII
 Telephone No.: x5072 Department: FAC

102 MAY -1 11 28
 CITY OF MILWAUKEE

SPS

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

In Re:
THE CHARGES OF MR. EDDIE N. BANKS
AGAINST POLICE OFFICER MICHAEL SIMONIS

ORDER OF DISMISSAL

To Officer Michael Simonis:

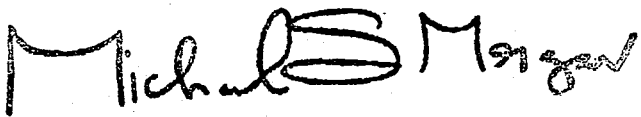
The Complaint of Eddie N. Banks, being Complaint No. 711, having been filed with the Board on June 1, 1990, and the Complaint having been investigated, and having been set for conciliation, and the Complaint having been successfully conciliated, now, therefore, upon all records, files and reports,

It is ordered that the Complaint of Eddie N. Banks be, and hereby is dismissed with prejudice, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

M. NICOL PADWAY, CHAIRMAN

BY:



MICHAEL L. MORGAN
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, OCTOBER 8, 1991.

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

In Re:
THE CHARGES OF MR. EDDIE N. BANKS
AGAINST POLICE OFFICER MICHAEL SIMONIS

ORDER OF DISMISSAL

To Mr. Eddie N. Banks:

The Complaint of Eddie N. Banks, being Complaint No. 711, having been filed with the Board on June 1, 1990, and the Complaint having been investigated, and having been set for conciliation, and the Complaint having been successfully conciliated, now, therefore, upon all records, files and reports,

It is ordered that the Complaint of Eddie N. Banks be, and hereby is dismissed with prejudice, by the

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EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, OCTOBER 8, 1991.