

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

December 11, 2003

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 Edward Joncas and Daniel Wilcox
C.I. File No. 01-S-311; ELO No. 1679

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Edward Joncas and Daniel Wilcox. The claim is in the amount of \$520.00, including \$3.00 in disbursements for 4.70 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. 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

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. HOUEN
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
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

September 5, 2001

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

RE: Citizen Complaint of Mr. Francisco Guzman
Against POs Edward Joncas and Daniel Wilcox
Complaint No.: 01-16
Date of Incident: February 1, 2001
ELO No.: 1679

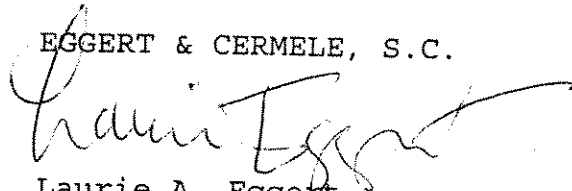
Dear Mr. Leonhardt:

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 officers searching for a suspect. 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

LAE/ldl
JONCAS

12/10/03
O.K.
JWS
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

September 5, 2001

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

RE: Citizen Complaint of Mr. Francisco Guzman
Against PO Edward Joncas and Daniel Wilcox
FPC No: 01-16
Date of Incident: February 1, 2001
Location of Incident: 1314 South 12th Street

Professional services

	<u>Hours</u>	
04/09/01 Telephone call from Heard; open file.	0.40	
04/30/01 Conference with client; memo to file; correspondence to FPC.	1.00	
05/01/01 Conference with Wilcox; correspondence to FPC; memo to file.	1.20	
05/11/01 Preparation for and appearance at conciliation; conference with client; memo to file; travel.	1.50	
06/08/01 Telephone call to FPC; review of file; review of correspondence from FPC; correspondence to clients; close file.	0.60	
		<u>Amount</u>
For professional services rendered	4.70	\$517.00

Mr. Ronald Leonhardt

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Additional charges:

	<u>Amount</u>
05/11/01 Parking	3.00
Total costs	<u>\$3.00</u>
Total amount of this bill	<u>\$520.00</u>
Balance due	<u><u>\$520.00</u></u>

(Rate: \$110.00 per hour)

RECEIVED

JUN 5 2001

EGGERT & CERMELE, S.C.

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

In Re:
THE CHARGES OF FRANCISCO J. GUZMAN
AGAINST DETECTIVE DANIEL WILCOX
AND POLICE OFFICER EDWARD JONCAS

ORDER OF DISMISSAL

To Officer Edward Joncas:

It is hereby ordered that the Complaint of Francisco J. Guzman, Complaint No. 2001-16, filed with the Board on February 8, 2001, is dismissed because the Complaint has been successfully conciliated, by the

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JUNE 5, 2001.

c: Attorney Laurie Eggert ✓

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

In Re:
THE CHARGES OF FRANCISCO GUZMAN
AGAINST POLICE OFFICER EDWARD JONCAS

File No. 2001-16

RESOLUTION OF DISPUTE

I, Francisco Guzman, have had the opportunity to discuss the circumstances of my complaint with Officer Edward Joncas. I am satisfied with the result of such discussion and do not wish to pursue this complaint further. I would hereby request that the matter be dismissed, and I understand that I may not reissue this complaint in the future.

Francisco Guzman
FRANCISCO GUZMAN

Edward Joncas
EDWARD JONCAS

Dated this 11th day of May, 2001.

Witnessed by: David Beard

RECEIVED

JUN 8 2001

EGGERT & CERMELE, S.C.

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

In Re:
THE CHARGES OF FRANCISCO J. GUZMAN
AGAINST DETECTIVE DANIEL WILCOX
AND POLICE OFFICER EDWARD JONCAS

ORDER OF DISMISSAL


To Det. Daniel Wilcox:

It is hereby ordered that the Complaint of Francisco J. Guzman, Complaint No. 2001-16, filed with the Board on February 8, 2001, is dismissed because the Complaint has been successfully conciliated, by the

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:


JOSEPH V. CZARNECKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JUNE 5, 2001.

c: Attorney Laurie Eggert ✓

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

In Re:
THE CHARGES OF FRANCISCO GUZMAN
AGAINST POLICE OFFICER DANIEL WILCOX

File No. 2001-16

RESOLUTION OF DISPUTE

I, Francisco Guzman, have had the opportunity to discuss the circumstances of my complaint with Officer Daniel Wilcox. I am satisfied with the result of such discussion and do not wish to pursue this complaint further. I would hereby request that the matter be dismissed, and I understand that I may not reissue this complaint in the future.

Francisco Guzman
FRANCISCO GUZMAN

Daniel Wilcox
DANIEL WILCOX

Dated this 11th day of May, 2001.

Witnessed by:

Daniel Wilcox

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 13, 2001

TO: P.O. EDWARD JONCAS
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 FEBRAURY 1, 2001
- 2) A citizen's complaint made by FRANCISCO GUZMAN
- 3) A police shooting incident occurring on

Is this information correct?

YES X NO _____

Did you receive legal representation in this matter?

YES X NO _____

Your signature: _____

Print your name: _____

EDWARD JONCAS

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

STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

DTS:dnp

01 DEC 10 PM 1:21
RECEIVED

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 13, 2001

TO: P.O. DANIEL WILCOX
SOB VCD

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 FEBRAURY 1, 2001
- 2) A citizen's complaint made by FRANCISCO GUZMAN
- ~~3) A police shooting incident occurring on~~

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: Det. Daniel Wilcox

Print your name: Det. DANIEL WILCOX

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

STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

DTS:dnp

01 NOV 21 AM 10:35
Internal Affairs