

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 21, 2004

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 Officer Deborah Moody
C.I. File No. 02-L-143; EC No. 1822

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Deborah Moody. The claim is in the amount of \$1,497.77, including \$23.77 in disbursements for 13.40 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 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

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. 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

October 21, 2002

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

**RE: Citizen Complaint of Ms. Shelley J. Johnson
Against PO Deborah Moody
Complaint No.: 01-32
Date of Incident: May 10, 2001
EC No.: 1822**

Dear Mr. Leonhardt:

The above-named police officer has retained us to represent her in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent her, and as she was performing the duties of her office at the time of the events giving rise to the incident, the claim is hereby made on her behalf for the indicated legal fees. This incident involved the arrest and conviction of a suspect for battery. Although the complaint was dismissed without prejudice, the complainant requested that it be dismissed. Additionally, please note that the complainant was convicted of a misdemeanor battery, as well as a misdemeanor resisting or obstructing an officer regarding her contact with PO Moody. 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

CITY OF MILWAUKEE
2002 OCT 23 PM 12:01
RONALD D. LEONHARDT
CITY CLERK

Confirmed through CCAP

RECEIVED
02 NOV -7 PM 2:52

MILWAUKEE
INTERNAL AFFAIRS
DIVISION

LAE/ldl
MOODY

*1/21/04
O.K.
JHS
Letter 2295*

CITY ATTORNEY
2002 OCT 23 PM 3:48

007 3 2002

EGGERT & CERMELE, S.C.

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

In Re:
THE CHARGES OF SHELLEY J. JOHNSON
AGAINST POLICE OFFICER DEBORAH MOODY

ORDER OF DISMISSAL

To Officer Deborah Moody:

It is hereby ordered that the Complaint of Shelley J. Johnson, Complaint No. 2001-32, filed with the Board on May 15, 2001, is dismissed without prejudice because the Complainant has requested that the charges be withdrawn at this time, by the

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, SEPTEMBER 26, 2002.

c: ✓ Attorney Laurie Eggert

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

October 21, 2002

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

RE: Citizen Complaint of Ms. Shelley J. Johnson
Against PO Deborah Moody
FPC No: 01-32
Date of Incident: May 10, 2001
Location of Incident: Northridge Mall

Professional services

	<u>Hours</u>
06/18/01 Telephone call from client; open file; memo to file; correspondence to FPC; conference with client; correspondence to MPD Open Records; correspondence to client.	2.20
06/25/01 Review of correspondence from FPC.	0.10
08/02/01 Review of file.	0.20
09/27/01 Review of file; memo to file; telephone call to FPC.	0.70
10/12/01 Telephone call from and to FPC; review of file.	0.30
10/15/01 Telephone call from FPC; telephone call to client; review of file.	0.30
10/16/01 Telephone call from FPC; review of file; memo to file.	0.30
10/18/01 Review of correspondence from FPC; correspondence to client; memo to file.	0.20

	<u>Hours</u>
10/22/01 Telephone call from client.	0.10
10/26/01 Review of file.	0.20
10/29/01 Preparation for and appearance at conciliation; conference with client; memo to file; travel.	1.80
11/30/01 Review of file; telephone call to FPC; memo to file.	0.40
12/10/01 Telephone call from Heard; review of file; memo to file.	0.30
12/20/01 Telephone call from FPC; memo to file; review of file.	0.30
01/02/02 Review of correspondence from FPC; memo to file; correspondence to client.	0.30
01/14/02 Telephone call to FPC; telephone call to client; review of file.	0.80
01/16/02 Review of file; telephone call to FPC.	0.20
03/15/02 Review records from MPD Open Records; circuit court records check; telephone call to FPC; correspondence to circuit court; memo to file.	1.30
03/20/02 Conference with FPC.	0.10
03/28/02 Review of correspondence from Circuit Court clerk and records of conviction.	0.30
05/15/02 Review of file; telephone call to Heard; conference with Heard.	0.70
08/26/02 Telephone call from FPC; review of file; memo to file.	0.30
08/28/02 Telephone call from client.	0.10

Mr. Ronald Leonhardt

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	<u>Hours</u>	
08/29/02 Telephone call to FPC; memo to file.	0.20	
09/05/02 Telephone call from FPC; memo to file.	0.30	
09/09/02 Telephone call from client; telephone call to and from FPC; review of file; memo to file.	0.60	
10/02/02 Review of correspondence from FPC; memo to file; telephone call to FPC; correspondence to client; close file.	0.80	
		<u>Amount</u>
For professional services rendered	13.40	\$1,474.00
Additional charges:		
10/29/01 Parking		3.00
03/15/02 MPD Open Records request		5.77
03/28/02 Clerk of Court records		15.00
Total costs		<u>\$23.77</u>
Total amount of this bill		<u>\$1,497.77</u>
Balance due		<u><u>\$1,497.77</u></u>

(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 25, 2002

TO: P.O. Deborah Moody
Property Control

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 May 10, 2001
- 2) A citizen's complaint made by Shelley J. Johnson
- 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 Deborah Moody

Print your name: P.O. Deborah MOODY

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


Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs