

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
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
VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN M. ZALEWSKI
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
Assistant City Attorneys

March 17, 2008

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

Re: Communication from Attorney Laurie A. Eggert, Eggert Law Office, S.C.
for legal fees for Detective Luke Ardis, and Police Officer's Larry
Leiblsle, Nicholas Rice, Scott Randow, Gerald Kraker and Troy Hopgood
C.I. File No. 06-S-333(5); EC 2376

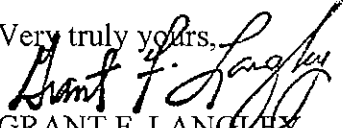
Dear Council Members:

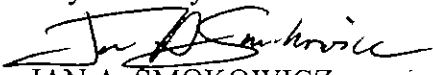
Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Detective Luke Ardis, and Police Officer's Larry Leiblsle, Nicholas Rice, Scott Randow, Gerald Kraker and Troy Hopgood. The claim is in the amount of \$1,616.76 including \$10.75 in disbursements for 14.60 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 the filing of a citizen's complaint against the detective and police 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. 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:amp
Enc.

OFFICE OF THE CITY ATTORNEY

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 8, 2006

TO: DETECTIVE LUKE ARDIS
DISTRICT: CRIMINAL INVESTIGATION BUREAU

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 FEBRUARY 26, 2004
- 2) A citizen's complaint made by JEREMY ELLIOTT

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: _____

Luke Ardis

Print your name: _____

Luke Ardis

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

MARY K. HOERIG
Deputy Inspector
Professional Performance Division

RECEIVED
06 NOV 14 PM 2:42
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 8, 2006

TO: P.O. LARRY LEIBSLE
DISTRICT: THREE

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 FEBRUARY 26, 2004
- 2) A citizen's complaint made by JEREMY ELLIOTT

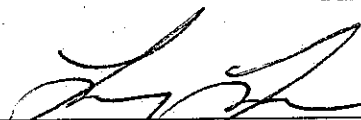
Is this information correct?

YES NO

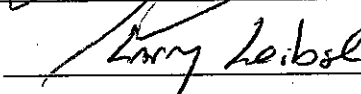
Did you receive legal representation
in this matter?

YES NO

Your signature: _____



Print your name: _____



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

MILWAUKEE POLICE
PROFESSIONAL AFFAIRS
DIVISION

NOV 15 AM 11:11

RECEIVED

MARY K. HOERIG
Deputy Inspector
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 8, 2006

TO: P.O. NICHOLAS RICE
DISTRICT: THREE

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 FEBRUARY 26, 2004
- 2) A citizen's complaint made by JEREMY ELLIOTT

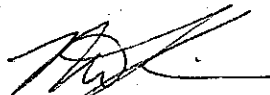
Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: _____



Print your name: _____

NICHOLAS RICE

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

MARY K. HOERIG
Deputy Inspector
Professional Performance Division

MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

06 NOV 15 AM 11:11

RECEIVED

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 8, 2006

TO: P.O. SCOTT RANDOW
DISTRICT: THREE

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 FEBRUARY 26, 2004
- 2) A citizen's complaint made by JEREMY ELLIOTT

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: Scott Randow

Print your name: Scott RANDOW

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

MARY K. HOERIG
Deputy Inspector
Professional Performance Division

RECEIVED
06 NOV 15 AM 11:11
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 8, 2006

TO: P.O. GERALD KRAKER
DISTRICT: THREE

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 FEBRUARY 26, 2004
- 2) A citizen's complaint made by JEREMY ELLIOTT

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: 

Print your name: Gerald Kraker

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

MARY K. HOERIG
Deputy Inspector
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 8, 2006

TO: P.O. TROY HOPGOOD
DISTRICT: THREE

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 FEBRUARY 26, 2004
- 2) A citizen's complaint made by JEREMY ELLIOTT

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: _____

Troy L. Hopgood

Print your name: _____

Troy L. Hopgood

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

MARY K. HOERIG
Deputy Inspector
Professional Performance Division

RECEIVED
06 NOV 15 AM 11:11
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MKH:kjs

CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE
LAURIE A. EGGERT
RACHEL L. PINGS
MATTHEW L. GRANITZ

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

October 19, 2006

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

CITY OF MILWAUKEE
2006 OCT 25 PM 1:25
RONALD D. LEONHARDT
CITY CLERK

**RE: Citizen Complaint of Mr. Jeremy Elliott
Against Detective Luke Ardis and Police Officer's Larry Leiblsle, Nicholas
Rice, Scott Randow, Gerald Kraker and Troy Hopgood
Complaint No.: 04-11
Date of Incident: February 26, 2004**

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, this claim is hereby made on their behalf for the indicated legal fees. This incident involved the arrest of a drunken driver.

The Fire and Police Commission dismissed the complaint. Attached are copies of the dismissal notices and an itemization of the time and services rendered.

Sincerely,

CERMELE & ASSOCIATES, S.C.

Jon Cermele

CITY OF MILWAUKEE
2006 OCT 25 PM 2:35
OFFICE OF
CITY ATTORNEY

/kjs
Attachments
RANDOW, ET AL

CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE
LAURIE A. EGGERT
RACHEL L. PINGS
MATTHEW L. GRANITZ

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

October 19, 2006

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

RE: Citizen Complaint of Mr. Jeremy Elliott
Against POs Scott Randow, Larry Leibsle, Luke Ardis, Jerry Kraker,
Nicholas Rice and Troy Hopgood
FPC No: 04-11
Date of Incident: February 26, 2004
Professional services

	<u>Hours</u>
5/19/2004 Review complaint; open file; correspondence to FPC; telephone call to client; CCAP and municipal court search regarding complainant.	1.10
5/20/2004 Telephone call from client; memo to file.	0.60
5/26/2004 Review of correspondence from FPC.	0.10
6/22/2004 Review of file; CCAP update regarding complainant's availability; memo to file.	0.60
6/24/2004 Telephone call from and to Ardis; telephone call from FPC.	0.40
6/25/2004 Telephone calls to PO's Leibsle, Ardis, Rice; memo to file; correspondence to FPC.	1.90
6/28/2004 Telephone call to Hopgood; memo to file; telephone call to District #2 and District #3.	0.10
6/30/2004 Telephone call from and to Kraker and Rice; memo to file; correspondence to FPC.	1.80

	<u>Hours</u>
7/13/2004 CCAP update; complainant convicted of class C felony; memo to file regarding sentencing; telephone call to client.	0.40
7/14/2004 Correspondence to complainant.	0.10
Telephone call from and to Hopgood; memo to file; correspondence to FPC.	0.50
7/15/2004 Telephone call from FPC; telephone call to Hopgood; memo to file.	0.40
7/16/2004 Telephone call to client; telephone call from client; telephone call to FPC.	0.40
7/28/2004 Review of file regarding witness availability.	0.20
8/23/2004 Telephone call from FPC; review of file; telephone call to FPC; memo to file.	0.40
9/23/2004 Review of file.	0.10
10/4/2004 Review of file.	0.20
10/8/2004 Review of file.	0.10
11/4/2004 Review of file.	0.10
11/10/2004 CCAP update regarding jury trial for same incident; calendar new date; memo to file.	0.20
1/4/2005 Review of file; memo to file.	0.20
1/18/2005 Telephone call to MPD Open Records; memo to file; review of file.	0.20
1/20/2005 Review documents from MPD Open Records; memo to file.	0.80
3/21/2005 Review of file; correspondence to client.	0.30
3/25/2005 Review of file; review of correspondence from clients; memo to file.	0.40

	<u>Hours</u>
3/28/2005 Review of correspondence from FPC.	0.10
3/29/2005 Review of correspondence from clients; memo to file; telephone call from client.	0.40
9/28/2005 Review of file; review FPC document; CCAP update regarding complainants.	0.60
10/12/2005 Check status of complainant.	0.10
2/6/2006 Review file.	0.30
3/30/2006 Correspondence to client.	0.10
4/11/2006 CCAP update regarding criminal cases; review file.	0.60
6/1/2006 Review file; memo to file.	0.30
8/23/2006 Review dismissal notice from FPC; correspondence to clients; close file.	0.50

	<u>Amount</u>
For professional services rendered	14.60
Additional charges:	\$1,606.00
1/20/2005 MPD Open Records request	10.75
Total costs	<u>\$10.75</u>
Total amount of this bill	<u>\$1,616.75</u>
Balance due	<u><u>\$1,616.75</u></u>

RECEIVED

AUG 22 2006

CERMELE & ASSOCIATES, S.C.

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

In Re:
THE CHARGES OF JEREMY ELLIOTT
AGAINST POLICE SERGEANTS STEVEN RINEBERG
AND BRIAN HINKLE, DETECTIVE LUKE ARDIS, AND
POLICE OFFICERS LARRY LEIBSLE, NICHOLAS RICE,
SCOTT RANDOW, GERALD KRAKER AND TROY HOPGOOD

ORDER OF DISMISSAL

To Officer Larry Leibsle:

It is hereby ordered that the Complaint of Jeremy Elliott, Complaint No. 04-11, filed with the Board on February 27, 2004, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCHAK, CHAIRMAN

BY:

DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, AUGUST 21, 2006.

c: Attorney Laurie Eggert ✓

RECEIVED

AUG 22 2006

CERMELE & ASSOCIATES, S.C.

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

In Re:
THE CHARGES OF JEREMY ELLIOTT
AGAINST POLICE SERGEANTS STEVEN RINEBERG
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SCOTT RANDOW, GERALD KRAKER AND TROY HOPGOOD

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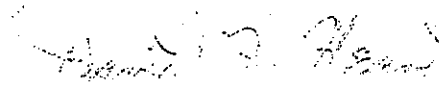
To Officer Troy Hopgood:

It is hereby ordered that the Complaint of Jeremy Elliott, Complaint No. 04-11, filed with the Board on February 27, 2004, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCZAK, CHAIRMAN

BY:


DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, AUGUST 21, 2006.

c: Attorney Laurie Eggert

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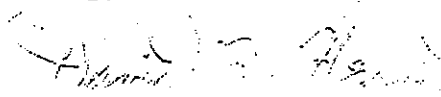
To Officer Gerald Kraker:

It is hereby ordered that the Complaint of Jeremy Elliott, Complaint No. 04-11, filed with the Board on February 27, 2004, is dismissed due to the Complainant's passivity, by the

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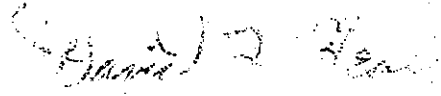
To Det. Luke Ardis:

It is hereby ordered that the Complaint of Jeremy Elliott, Complaint No. 04-11, filed with the Board on February 27, 2004, is dismissed due to the Complainant's passivity, by the

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FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCHAK, CHAIRMAN

BY:



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EXECUTIVE DIRECTOR

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SCOTT RANDOW, GERALD KRAKER AND TROY HOPGOOD

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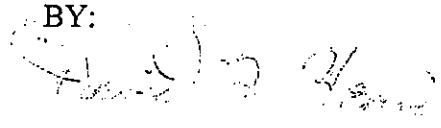
To Officer Scott Randow:

It is hereby ordered that the Complaint of Jeremy Elliott, Complaint No. 04-11, filed with the Board on February 27, 2004, is dismissed due to the Complainant's passivity, by the

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FIRE AND POLICE COMMISSIONERS

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BY:


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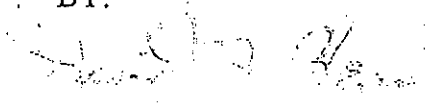
To Officer Nicholas Rice:

It is hereby ordered that the Complaint of Jeremy Elliott, Complaint No. 04-11, filed with the Board on February 27, 2004, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCZAK, CHAIRMAN

BY:


DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, AUGUST 21, 2006.

c: Attorney Laurie Eggert ✓