

**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

November 15, 2007

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

Re: Communication from Attorney Laurie A. Eggert for legal fees for  
Police Officers Melissa Pettke, Dena Martinez, Randy Bruso, and Mark  
Kruschke  
C.I. File No. 04-S-457; EC 2242

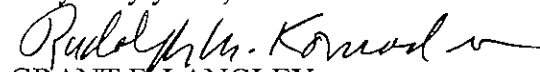
Dear Council Members:


Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Melissa Pettke, Dena Martinez, Randy Bruso, and Mark Kruschke. The claim is in the amount of \$902.00 for 8.20 hours of service billed at the rate of \$110 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 officers 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. 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.  
1032-2004-3292:124731v1

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 9, 2005

TO: SGT. MELISSA PETTKE  
DISTRICT: SEVEN

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 MARCH 23, 2005
- 2) A citizen's complaint made by CHRISTOPHER NOVOTNY
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES X NO       

Did you receive legal representation  
in this matter?

YES X NO       

Your signature: Melissa A. Pettke

Print your name: Sgt. MELISSA A. PETTKE

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

Mary K. Hoerig KJS  
MARY K. HOERIG  
Captain of Police  
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 9, 2005

TO: P.O. DENA MARTINEZ  
DISTRICT: PPS

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 MARCH 23, 2005
- 2) A citizen's complaint made by CHRISTOPHER NOVOTNY
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES X NO       

Did you receive legal representation  
in this matter?

YES X NO       

Your signature: Dena Martinez

Print your name: DENA MARTINEZ

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

Mary K. Hoerig KJS  
MARY K. HOERIG

Captain of Police  
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 9, 2005

TO: P.O. RANDY BRUSO  
DISTRICT: FIVE

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 MARCH 23, 2005
- 2) A citizen's complaint made by CHRISTOPHER NOVOTNY
- 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: \_\_\_\_\_

Print your name: \_\_\_\_\_

*P.O. Randy Brus*  
*Randy Brus*

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

*Mary K. Hoerig* KJS  
MARY K. HOERIG  
Captain of Police  
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 9, 2005

TO: P.O. MARK KRUSCHKE  
DISTRICT: FIVE

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 MARCH 23, 2005
- 2) A citizen's complaint made by CHRISTOPHER NOVOTNY
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES X NO \_\_\_\_\_

Did you receive legal representation  
in this matter?

YES X NO \_\_\_\_\_

Your signature: \_\_\_\_\_

Mark Kruschke

Print your name: \_\_\_\_\_

Mark Kruschke

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

Mary K. Hoerig KJS  
MARY K. HOERIG  
Captain of Police  
Professional Performance Division

MKH:kjs

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

**Attorneys at Law**

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings  
Timothy J. Walther

1840 North Farwell Avenue  
Suite 303  
Milwaukee, Wisconsin 53202  
(414) 276-8750  
FAX (414) 276-8906

October 10, 2005

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

RE: MPD Criminal Investigation re: Mr. Christopher Novotny  
Regarding PO's Melissa Pettke, Dena Martinez, Randy Brusco and Mark  
Kruschke  
Date of Incident: March 23, 2005  
Location of Incident: Brady Street

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 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 a traffic stop.

Deputy District Attorney Jon Reddin reviewed the matter and did not issue charges against the officer. Attached is a copy of Deputy District Attorney Reddin's letter and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Jon Cermele

JC/kjs  
attachment  
PETTKE, ET AL

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

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings  
Timothy J. Walther

1840 North Farwell Avenue  
Suite 303  
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October 10, 2005

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

RE: MPD Criminal Investigation re: Mr. Christopher Novotny  
Regarding: POs Melissa Pettke, Dena Martinez, Randy Bruso and Mark  
Kruschke  
Date of Incident: March 23, 2005  
Location of Incident: Brady Street  
Professional services

	<u>Hours</u>
8/3/2005 Telephone call from DDA Reddin regarding criminal investigation; open file; memo to file; telephone call to PO Pettke; telephone call to PO Martinez.	1.10
8/4/2005 Lengthy telephone call to PO Pettke; memo to file; lengthy telephone calls to and from PO Kruschke; memo to file.	1.20
8/8/2005 Telephone call to PO Martinez.	0.10
8/9/2005 Telephone call from DDA Reddin; telephone call to PO Kruschke and PO Bruso.	0.50
8/10/2005 Telephone call to PO Kruschke; telephone call to PO Bruso.	0.20
8/11/2005 Telephone call to DDA Reddin.	0.20
8/12/2005 Telephone call from PO Bruso - confirm statement with DDA Reddin; telephone call to PO Pettke.	0.40
8/15/2005 Telephone call to Pettke; telephone call from Pettke; telephone call to DDA Reddin.	0.50

Hours

8/17/2005 Telephone call from DDA Reddin; telephone call to PO Kruschke.	0.30
8/18/2005 Confirm statements.	0.20
8/19/2005 Review of file; travel; meeting with DDA Reddin; attend Pettke and Bruso's statements to DDA Reddin.	3.00
8/29/2005 Receive and review letter from DDA Reddin confirming that case was cleared; close file.	0.50

Amount

For professional services rendered	8.20	\$902.00
Balance due		\$902.00

(Rate: \$110.00 per hour)





OFFICE OF DISTRICT ATTORNEY

# Milwaukee County

E. MICHAEL McCANN • District Attorney

August 19, 2005

Mr. Michael J. Knoeller  
610 W. Lincoln Avenue  
Milwaukee, WI 53215-3220

**Re: State of Wisconsin vs. Christopher Novotny**  
**Case No: 2005CM001221**

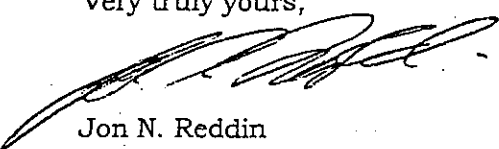
Dear Mr. Knoeller:

I have finished my review of Mr. Novotny's complaint that City of Milwaukee Police officers beat him during an incident on March 23, 2005. I have concluded that, while officers used force to effectuate Mr. Novotny's arrest, the force used was reasonable in light of his resistance to their attempts to take him into custody for interfering with an arrest. The force consisted of "decentralizing" Mr. Novotny, which essentially means that they took him to the ground. The ground where they did this was a sidewalk, and he apparently struck his face and knees when he fell. Those injuries were not intentionally inflicted. I do not believe that they beat him, nor do I believe they used any additional force.

I am particularly disturbed by the affidavit you obtained from Mr. Flippin. We interviewed Mr. Flippin and he told us that large portions of that affidavit were false. You told me that you drafted that affidavit. I urge you to be more cognizant of factual accuracy should you draft affidavits in the future.

The state intends to proceed with its prosecution of Mr. Novotny. Nothing I found during my investigation casts doubt on its validity.

Very truly yours,

  
Jon N. Reddin  
Deputy District Attorney

JNR:jr

cc/ Nancy Ettenheim  
Carah Helwig  
Attorney Tim Walter, Eggert & Cermele, 1840 N. Farwell Ave., Suite 303

JOHN N. REDDIN  
Carol Lynn White  
Patrick J. Kenney  
James J. Martin  
Thomas A. Schulz  
Alexander G. Skienarz  
William J. Molitor  
Donald S. Jackson  
Gale G. Shelton  
Terry Magowan  
Gary D. Mahkorn  
David Robles  
Douglas J. Simpson  
Cynthia G. Brown  
Norman A. Gahn  
Stephanie Gineris Rothstein  
Carol E. Janick  
Steven H. Glamm  
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Linda Johnson  
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DeAnn L. Heard  
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Irene Parthum  
Karen A. Loebel  
Nancy Ettenheim  
Ronald S. Dague  
Lori S. Kombium  
Kathie O'Bryne  
Maria Williams  
James W. Frisch  
Kurt B. Benkle  
James C. Griffin  
William P. Pipp  
Audrey Skwierawski  
Joanne L. Hardtke  
John T. Chisholm  
Christopher A. Liegel  
Megan P. Camody  
Laura A. Crivello  
Shawn Pompe  
Brian J. Pester  
Kevin R. Shomin  
Jennifer Rypel  
Beth D. Zirgibel  
Karen A. Vespalec  
Rebecca F. Dallet  
Mark A. Sanders  
Paul C. Dedinsky  
David T. Malone  
Kelly L. Hedge  
Jeffrey J. Allenburg  
Rachael Stencel  
Patti Wabitsch  
Kenil L. Lovem  
Paul R. Sander  
Joy Bertrand  
Bruce W. Becker  
Michael T. Mahoney  
Mery M. Sowinski  
Kathryn K. Samer  
Jeanette Corbett  
Jeffrey P. Grepp  
Thomas C. Binger  
David Maas  
Jeremy L. Resar  
Daniel J. Gabler  
Sara P. Scullen  
Gansa M. LaSpasa  
T. Christopher Dee  
Katharine Kucharski  
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Jacob D. Corr  
Joy Hammond  
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Catie Lacy  
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