

**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

February 8, 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 Police Officers Joseph Warren, Dennis  
DeValkenaere, Paul Lough and Mark Harms  
C.I. File No. 06-S-57 EC 2300

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing for Police Officers Joseph Warren, Dennis DeValkenaere, Paul Lough and Mark Harms. The claim is in the amount of \$1,353.00 for 12.30 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:amp  
Enc.  
1032-2006-585:124764v1

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

March 9, 2006

TO: P.O. JOSEPH WARREN  
DISTRICT: INTEL

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

RECEIVED  
06 MAR 15 PM 1:08  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION

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 JULY 26, 2004
- 2) A citizen's complaint made by CHARLES GRIFFIN
- 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: Joseph R. Warren

Print your name: JOSEPH R. WARREN

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

*Mary K. Hoerig* KHS

MARY K. HOERIG  
Captain of Police  
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

March 9, 2006

TO: P.O. MARK HARMS  
DISTRICT: INTEL

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

RECEIVED  
06 MAR 15 PM 1:26  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION

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 JULY 26, 2004
- 2) A citizen's complaint made by CHARLES GRIFFIN
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES X NO     

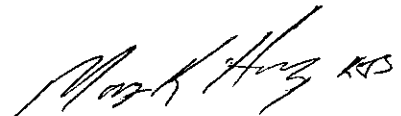
Did you receive legal representation in this matter?

YES X NO     

Your signature: 

Print your name: MARK HARMS

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



MARY K. HOERIG  
Captain of Police  
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

March 9, 2006

TO: P.O. DENNIS DEVALKENAERE  
DISTRICT: INTEL

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

RECEIVED  
06 MAR 15 PM 1:26  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
TRAINING DIVISION

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 JULY 26, 2004
- 2) A citizen's complaint made by CHARLES GRIFFIN
- 3) A police shooting incident occurring on N/A

Is this information correct?

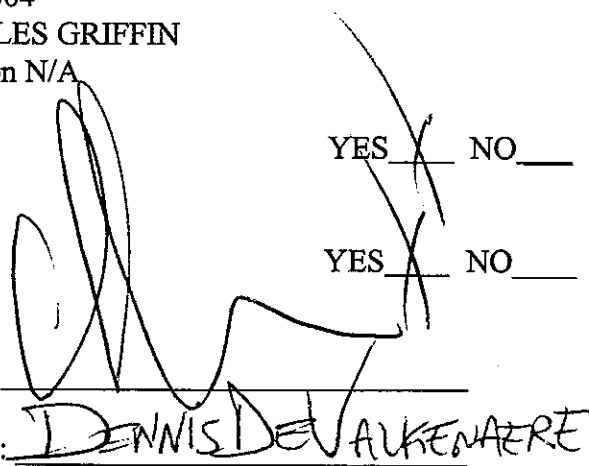
YES  NO

Did you receive legal representation  
in this matter?

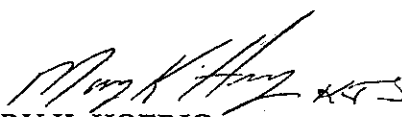
YES  NO

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

Print your name: DENNIS DEVALKENAERE



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

  
MARY K. HOERIG  
Captain of Police  
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

March 9, 2006

TO: P.O. PAUL LOUGH  
DISTRICT: INTEL

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

RECEIVED  
06 MAR 22 AM 10:45  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION

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 JULY 26, 2004
- 2) A citizen's complaint made by CHARLES GRIFFIN
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES  NO

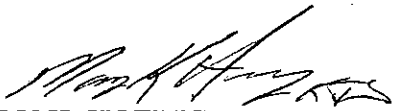
Did you receive legal representation  
in this matter?

YES  NO

Your signature: 

Print your name: LOUGH, PAUL V.

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

  
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

February 15, 2006

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

CITY OF MILWAUKEE  
2006 FEB 20 PM 3:49  
RONALD D. LEONHARDT  
CITY CLERK

**RE: Citizen Complaint of Mr. Charles Griffin  
Against PO's Joe Warren, Dennis DeValkenaere, Paul Lough and  
Mark Harms  
Complaint No.: 04-58  
Date of Incident: July 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 a field interview and arrest. 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,

EGGERT & CERMELE, S.C.

Jon Cermele

JC/kjs

Attachment

WARREN, DEVAL KENAERE, LOUGH and HARMIS

**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

February 15, 2006

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

RE: Citizen Complaint of Mr. Charles Griffin  
Against POs Joe Warren, Dennis DeValkenaere, Paul Lough and Mark  
Harms  
FPC No: 04-58  
Date of Incident: July 26, 2004  
Professional services

	<u>Hours</u>
1/3/2005 Office conference with PO Warren regarding citizen complaint; open file; memo to file.	1.20
1/4/2005 Review documents from PO Lough and PO DeValkenaere; correspondence to FPC.	0.40
2/15/2005 Review file.	0.10
3/24/2005 Receive and review Scheduling Order; calendar same; correspondence to PO Harms; receive and review documentation from PO Lough.	0.40
3/31/2005 Conference with PO Harms; review documents from client; correspondence to FPC.	0.70
4/6/2005 Review complaint; telephone call to PO Lough and PO Warren; telephone call to witnesses; office conference with witness; draft witness list.	1.50
4/7/2005 Telephone call to witness; memo to file.	0.50

Mr. Ronald Leonhardt

Page 2

	<u>Hours</u>
4/15/2005 Telephone call to FPC.	0.20
4/18/2005 Fax to FPC.	0.10
4/28/2005 Review file; correspondence to FPC and counsel; Fax same.	0.40
4/29/2005 Telephone call to FPC.	0.10
5/2/2005 Review file; Fax to FPC.	0.30
5/3/2005 Telephone call from FPC.	0.20
5/5/2005 Telephone call from FPC; receive and review letter from complainant's counsel withdrawing as counsel; correspondence to clients regarding same.	0.30
7/12/2005 Review file.	0.10
9/21/2005 Review file.	0.10
10/12/2005 Receive and review Scheduling Order; telephone call to FPC; letter to clients regarding same; letter to PO Harms regarding same; calendar deadline.	0.40
10/14/2005 Telephone call to and from PO Lough; telephone call to and from PO Warren; draft amended Witness List.	0.50
10/19/2005 Review of correspondence from FPC to complainant.	0.20
10/20/2005 Review of file; telephone call to and from PO Harms.	0.40
10/31/2005 Telephone call from FPC; review of correspondence from Griffin's new counsel (in Illinois); review rules regarding whether an attorney not licensed to practice in Wisconsin can represent a complainant before the FPC.	0.80
11/1/2005 Receive and review letter from Chicago lawyer regarding representation of complainant; correspondence to FPC and Chicago lawyer regarding procedure to appear "pro vice".	0.50



	<u>Hours</u>	
11/2/2005 Telephone call from FPC.	0.20	
11/8/2005 Review of correspondence from FPC.	0.20	
12/22/2005 Receive and review Fax from Griffin's counsel; Fax to FPC.	0.40	
1/2/2006 Receive and review FPC's letter to Atty. Saltzman; file same.	0.30	
1/4/2006 Telephone call from PO Warren.	0.30	
1/12/2006 Telephone call from FPC; receive and review FPC's letter to Atty. Saltzman; file same.	0.20	
1/17/2006 Receive and review correspondence from complainant's counsel withdrawing complaint; telephone calls to clients regarding same.	0.30	
1/19/2006 Review file.	0.20	
2/2/2006 Telephone call from client; review file; review status report from FPC.	0.30	
2/10/2006 Receive and review Notice of Dismissal of complaint; correspondence to clients regarding same; close file.	0.50	
		<u>Amount</u>
For professional services rendered	✓ 12.30	\$1,353.00
Balance due		✓ <u>\$1,353.00</u>

(Rate: \$110.00 per hour)

**RECEIVED**  
FEB 06 2006  
EGGERT & CERMELE, S.C.

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

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In Re:  
THE CHARGES OF CHARLES GRIFFIN  
AGAINST POLICE OFFICERS PAUL LOUGH,  
JOSEPH WARREN, MARK HARMS, AND  
DENNIS DEVALKENAERE

ORDER OF DISMISSAL

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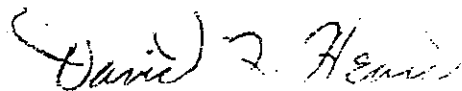
To Officer Paul Lough:

It is hereby ordered that the Complaint of Charles Griffin, Complaint No. 04-58, filed with the Board on July 30, 2004, is dismissed because the Complainant has withdrawn his complaint

MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCZAK, CHAIRMAN

BY:



DAVID L. HEARD  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JANUARY 30, 2006.

c: Attorney Jonathan Cermele ✓

**RECEIVED**

FEB 06 2006

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

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

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In Re:  
THE CHARGES OF CHARLES GRIFFIN  
AGAINST POLICE OFFICERS PAUL LOUGH,  
JOSEPH WARREN, MARK HARMS, AND  
DENNIS DEVALKENAERE

ORDER OF DISMISSAL

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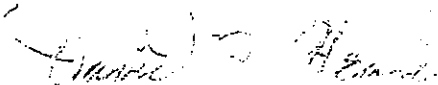
To Officer Mark Harms:

It is hereby ordered that the Complaint of Charles Griffin, Complaint No. 04-58, filed with the Board on July 30, 2004, is dismissed because the Complainant has withdrawn his complaint

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BY:

  
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EXECUTIVE DIRECTOR

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c: Attorney Jonathan Cermele ✓

**RECEIVED**

FEB 06 2006

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

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DENNIS DEVALKENAERE

ORDER OF DISMISSAL

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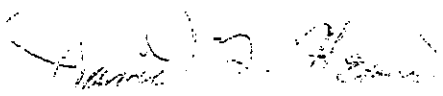
To Officer Dennis DeValkenaere:

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EXECUTIVE DIRECTOR

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c: Attorney Jonathan Cermele ✓

**RECEIVED**  
FEB 06 2006  
EGGERT & CERMELE, S.C.

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

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In Re:  
THE CHARGES OF CHARLES GRIFFIN  
AGAINST POLICE OFFICERS PAUL LOUGH,  
JOSEPH WARREN, MARK HARMS, AND  
DENNIS DEVALKENAERE

ORDER OF DISMISSAL

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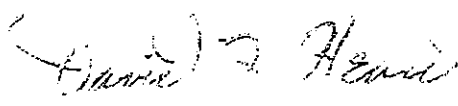
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LEONARD J. SOBCZAK, CHAIRMAN

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EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JANUARY 30, 2006.

c: Attorney Jonathan Cermele ✓