

**GRANT F. LANGLEY**  
City Attorney

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



**THOMAS O. GARTNER**  
**STUART S. MUKAMAL**  
**THOMAS J. BEAMISH**  
**MAURITA F. HOUREN**  
**JOHN J. HEINEN**  
**SUSAN E. LAPPEN**  
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**GREGG C. HAGOPIAN**  
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**EDWARD M. EHRlich**  
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**JEREMY R. MCKENZIE**  
**MARY L. SCHANNING**  
**PETER J. BLOCK**  
**NICHOLAS P. DESIATO**  
**JOANNA GIBELEV**  
Assistant City Attorneys

January 2, 2014

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

Re: Communication from Attorney D. Michael Guerin, Gimbel, Reilly, Guerin  
Brown, for legal fees for Police Sergeant Allen Perry

Dear Council Members:

Returned herewith is a document filed by Attorney D. Michael Guerin for attorney's fees for representing Police Sergeant Allen Perry. The claim is in the amount of \$2,200.00 for 6.80 hours of service billed at the rate of \$250 per hour and \$220 per hour, but should be in the amount of \$748.00, billed at the previously-set 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. A criminal investigation was initiated against the police officer on whose behalf this claim was filed, but he was ultimately not charged.

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 as this matter did not result in "criminal proceedings." Wis. Stat. § 895.35(2)(a)1., *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

Enc.

1032-2011-2733;193222



GIMBEL • REILLY • GUERIN • BROWN LLP

Writer's Direct E-mail  
dmguerin@grgblaw.com

August 26, 2011

Jan A. Smokowicz, Assistant City Attorney  
Office of City Attorney  
800 City Hall  
200 East Wells Street  
Milwaukee, Wisconsin 53202-3551

Re: Sergeant Allen Perry

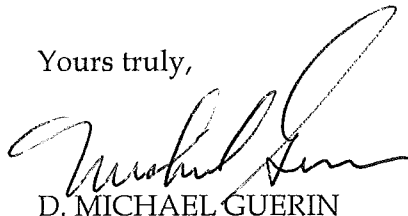
Dear Mr. Smokowicz:

Enclosed please find our statement for services rendered at the government rate of \$250.00 per hour for Allen Perry, a City of Milwaukee Police Sergeant. Sergeant Perry was questioned by Detective Douglas Marx of the Professional Performance Division regarding his role in a theft investigation from a City of Milwaukee resident.

At the time Sergeant Perry was interviewed by Detective Marx, the matter was a criminal investigation; however, charges were never referred to the Milwaukee County District Attorney's Office after the conclusion of Detective Marx's investigation. In other words, no criminal charges were ever recommended or referred against Sergeant Perry for his role in this or any other related offense.

Thank you for your assistance with this matter.

Yours truly,



D. MICHAEL GUERIN

DMG/ker  
Enclosure  
MPSO/Perry Allen/Smokowicz 2011-08-26

TWO PLAZA EAST  
SUITE 1170  
330 E. KILBOURN AVE.  
MILWAUKEE, WI 53202  
P: 414-271-1440  
F: 414-271-7680  
WWW.GRGBLAW.COM



GIMBEL, REILLY, GUERIN & BROWN LLP  
Two Plaza East, Suite 1170 - 330 East Kilbourn Avenue  
Milwaukee, Wisconsin 53202 - www.grgblaw.com  
Telephone (414) 271-1440 - Facsimile (414) 271-7680

Family Law, Personal Injury, Criminal Law, Real Estate,  
Business, Estate Planning, Civil & Commercial Litigation  
in State and Federal Courts  
Federal Tax ID 39-1094570

Milwaukee Police Supervisors Org.  
7120 West Crawford  
Milwaukee WI 53220

Page: 1  
May 31, 2010  
ACCOUNT NO. 201016104M  
STATEMENT NO: 1

Criminal - Allen Perry

*Our invoices for services are due and payable within 60 days from the invoice date. Failure to pay charges within that time will result in an interest charge of 1-1/2% on the unpaid balance per month thereafter.*

	HOURS
04/09/10 DMG Telephone conference with Tom Klusman regarding new sergeant issue.	0.40
04/12/10 DMG Telephone conference with Tom Klusman.	0.20
04/19/10 SCM Telephone conference with client; telephone conference with Attorney Guerin.	0.60
04/21/10 SCM Telephone conference with client; office conference with client; telephone conference with Detective Marx.	1.20
04/26/10 SCM Telephone conference with Detective Marx.	0.30
04/27/10 DMG Research facts on criminal investigation; conference with Attorney McGaver regarding schedule or decline to make a statement.	1.20
SCM Telephone conference with client; telephone conference with Detective Marx; attend meeting with Detective Marx regarding criminal investigation; telephone conference with Attorney Guerin.	2.20

Milwaukee Police Supervisor Organization

Page 2  
ACCOUNT NO. 201016104M  
Statement No: 1

Criminal-Allen Perry

HOURS

04/28/10

SCM Review file; conference with Attorney Guerin.  
attorney.

0.70 \_\_\_\_\_

6.80 2,200

RECAPITULATION

<u>Timekeeper</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
D. M. Guerin	1.80	250.00	450.00
S. C. McGaver	5.00	220.00	1,750.00

TOTAL CURRENT WORK 2,200.00

BALANCE DUE \$2,200.00

PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT.  
THANK YOU!