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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 Christopher Kraft

Dear Council Members:

Returned herewith is a document filed by Attorney D. Michael Guerin for attorney's fees for representing Police Sergeant Christopher Kraft. The claim is in the amount of \$4,175.00 for 16.90 hours of service billed at the rate of \$250 per hour and \$220 per hour, but should be in the amount of \$1,859.00, 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.

1032-2011-2733:193221

OFFICE OF THE CITY ATTORNEY

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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 Christopher Kraft

Dear Mr. Smokowicz:

Enclosed please find our statement for services rendered at the government rate of \$250.00 per hour for Christopher Kraft, a City of Milwaukee Police Sergeant. Sergeant Kraft was notified that he was the subject of a criminal investigation and we conducted several meetings with the district attorney's office. Obviously, your office is in a conflict position and he retained the services of this office.

It involved his position as a Milwaukee Police Sergeant with special training as it applies to an investigation of a trucking industry. There was an allegation by the State Patrol that some of the documents were not prepared properly after an investigation. The district attorney determined that no criminal charges were appropriate.

Thank you for your assistance with this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Michael Guerin", written over a horizontal line.

D. MICHAEL GUERIN

DMG/ker
Enclosure
MPSO/Kraft Christopher/Smokowicz 2011-08-26

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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 Supervisor Organiz
2900 West Forest Home Avenue
Milwaukee WI 53215

Page: 1
May 31, 2011
ACCOUNT NO. 200944311M
STATEMENT NO: 1

Criminal Sergeant Christopher Kraft

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
10/21/09	
DMG Telephone conference with Conrad Ellenberger; several telephone conferences with Sgt. Kraft.	1.00
10/22/09	
DMG Several telephone conferences with Sgt. Kraft regarding police.	0.50
10/29/09	
DMG Office conference with Chris.	1.20
11/02/09	
DMG Conference with K. Roemer regarding open file.	0.40
11/30/09	
DMG Telephone conference with Jim Martin from the District Attorney's Office; review file; left message for client.	1.00
12/01/09	
DMG Review file prepare for meeting with Jim Martin District Attorney's Office; telephone call left message for client.	0.90
12/03/09	
DMG Telephone conference with Jim Martin, DA's office; research re: "material in Stats", review file regarding "hard copy issue".	2.30

Milwaukee Police Supervisor Organization

Page 2
ACCOUNT NO. 200944311M
Statement No: 1

Criminal-Christopher Kraft

HOURS

12/04/09

DMG	Conference with Attorney C. Strohbehn Regarding prepare for district attorney's Meeting; research Department Transfer Rules	3.50
JDL	Review discovery.	0.20

12/07/09

DMG	Telephone conference with J. Martin at district attorney's office, schedule meeting.	0.80
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12/14/09

DMG	Telephone conference with client regarding Internal investigation on U.S. criminal issue; review file.	1.50
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12/21/09

DMG	Office conference with client; problem on Criminal case with the single time slip.	0.40
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01/12/10

DMG	Telephone conference with client; prepare For meeting with district attorney.	1.20
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01/13/10

DMG	Research registration on insurance; review file prepare for meeting with district attorney.	<u>2.00</u>
		16.90 4,250

RECAPITULATION

<u>Timekeeper</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
D. M. Guerin	16.70	250.00	4,175.00
J. D. Luczak	0.20	220.00	75.00

TOTAL CURRENT WORK	4,250.00
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BALANCE DUE	<u>\$4,250.00</u>
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PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT.
THANK YOU!