



ATTORNEYS

Michael J. Steinle

June 18, 2008

Mr. Ronald Leonardt
City Clerk
200 E. Wells Street
Rm. 205
Milwaukee, WI 53202

Re: State of Wisconsin v. Shawn Humitz
Case No.: 07-CM-1593

Dear Mr. Leonardt.

This claim is being submitted under §895.35(2), STATS., which provides that:

Notwithstanding sub (1), the County...shall reimburse a protective services officers for reasonable attorney fees incurred by the officer in connection with a criminal proceeding arising from the officer's conduct in the performance of official duties, unless, in relation to that conduct any of the following applies:

- a. The officer is convicted of a crime;
- b. The officer's employment is terminated for cause;
- c. The officer resigned for reasons other than retirement before the attorney's fees are incurred;
- d. the officer is demoted or reduced in rank
- e. The officer is suspended without pay for 10 or more working days.

Officer Humitz is considered a "protective services officer" under the statute. He has incurred the fees compiled in this claim as a direct result of his being prosecuted for a actions taken within his official capacity, and in the performance of his duties, in connection with the use of force as a police officer. Moreover, none of the "exceptions" apply.

The incident resulted in the District Attorney initiating two criminal charges of battery against Officer Humitz for an incident on December 10, 2006. The State criminal

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proceeding qualifies as a "proceeding" which mandates payment under §895.35(2), STATS.


Criminal charges were filed against Mr. Humitz on March 13, 2007 and he was found not guilty by a jury trial on December 17, 2007.

Officer Humitz was not convicted of a crime, terminated for cause, resigned prior to incurring the fees associated with this claim, or demoted or suspended without pay for more than ten days.

Please submit this claim to the appropriate committee of the City and for review in its entirety.

If you need any further documentation for this claim, please let me know.

Sincerely,



MICHAEL J. STEINLE
Attorney at Law

MJS: plk



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Michael J. Steinle

June 18, 2008

Statement for Services Rendered
Re: State of Wisconsin v. Shawn Humitz
Case no.: 07-CM-1593

<u>Date</u>	<u>Services Rendered</u>	<u>Time</u>
3/10/07	Meet with Client	1.5
3/12/07	Meet with ADA Doug Simpson	1.0
3/12/07	Meet with Client	0.5
3/13/07	Initial Appearance	2.0
3/13/07	Prepare Motions	1.25
3/14/07	File Motions	1.0
3/17/07	Assemble, index and organize Discovery	1.75
3/16/07	Review all Discovery materials	2.5
3/18/07	Meet with Client	1.5
3/20/07	Meet with Client and Private Investigator	1.0
4/04/07	Meet with Client and Private Investigator	2.0
4/16/07	Court Appearance	1.0
5/10/07	Meet with Client	0.75

6/19/07	Meet with Client and Private Investigator	1.0
6/20/07	Prepare Court Orders regarding Discovery	1.75
6/21/07	Final Pretrial	1.0
6/23/07	Pickup Medical Records and review with RN	2.75
6/26/07	Meet with Client and Private Investigator at Scene	2.0
8/1/07	Meet with Client	0.75
8/4/07	Research & Prepare Jury Instructions (non-Pattern?)	4.5
8/6/07	File Jury Instructions and Case Law	1.0
8/08/07	Meet with Client and Private Investigator/Interview Witnesses	2.0
8/9/07	Meet with Client	1.25
8/10/07	Trial Preparation	3.75
8/11/07	Meet with witnesses/Trial Preparation	3.0
8/13/07	Trial-wait for Court to commence Trial	2.75
8/13/07	Scheduling Conference	1.0
11/3/07	Meet with Client	1.25
11/5/07	Final Pretrial	1.0
12/03/07	Meet with Client and Private Investigator	1.0
12/4/07	Prepare and file final Witness List	2.25
12/4/07	Meet with Client	0.75
12/7/07	Interview and Prep Witnesses	5.75
12/8/07& 12/9/07	Trial Preparation and Meet with Client	6.0

12/10/07	Trial	7.5
	Preparation	1.0
12/11/07	Trial	7.5
	Preparation	1.5
12/12/07	Trial	7.5
	Preparation	1.5
12/13/07	Trial	7.5
	Preparation	1.5
12/14/07	Trial	7.5
12/17/07	Trial	6.0

TOTAL TIME	120.75 Hours
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HOURLY RATE	\$300.00
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TOTAL DUE	\$36,225.00
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BEYOND THE SHIELD

Private Investigators / Security Consultants
PO Box 13444, Milwaukee WI 53213-0444

Phone (414) 258-4647
jb@beyondtheshield.com

Fax (414) 258-4647

E-Mail-

James Becker

Dennis Murphy

Jim Gauger

INVOICE

ATTORNEY MICHAEL STEINLE
309 N. WATER STREET, SUITE 215
MILWAUKEE, WISCONSIN 53202

CLAIMANT: Shawn Humitz
CLAIM NUMBER:

Investigation Time

3-20-07	Investigators Murphy and Gauger Traveled to Attorney Steinle's office. Met client, Shawn Humitz. Conducted interview, received and copied reports. 2.5 hrs each.	5 hrs.
3-24-07	Reviewing and setting up investigative file on Humitz investigation. 4 hrs. each.	8 hrs.
3-26-07	Reviewing and setting up files on the Humitz investigation. 3 hrs. each.	6 hrs.
3-27-07	Reviewing reports and setting up interviews with police witnesses. 3 hrs. each	6 hrs.
3-29-07	Humitz investigation, Investigator Murphy conducted interviews with witnesses.	3 hrs.
	Reports	1 hr.
4-04-07	Investigators Murphy & Gauger traveled to Atty. Steinle's office for a meeting with Client, Shawn Humitz. 2 hr. meeting .5 hr. travel each.	5 hrs.
4-05-07	Interview of P.O. Jeanine See, Jose Alba and Thomas Kresa. 4 hrs. Reports 1 hr.	5 hrs.
4-09-07	Interview of P.O. Adam Grochowski. 1 hr. reports .5 hr.	1 ½ hrs.
4-16-07	Appeared in court with Attorney Steinle and Shawn Humitz. Parking \$6.00	1 ½ hrs..
4-17-07	Interview of P.O. Torrey Lea. Investigation 1.5 hr. Reports .5 hrs.	2 hrs.
5-16-07	Interview of Sgt. Kevin Barnes Investigation 1 hr. Reports ¼ hr.	1 ¼ hr.
6-19-07	Investigators Murphy and Gauger met with Atty. Steinle and client Shawn Humitz. We reviewed statements and discussed the case. 1 hr. investigation ½ hr. travel each.	3 hrs.
6-21-07	Traveled to the Courthouse for proceedings on the Humitz case. 1hr. inv. ½ hr. travel	1 ½ hr.
6-22-07	Investigator Gauger traveled twice to Open Records for reports.	1 ½ hrs
6-26-07	Murphy and Gauger met Attorney Steinle and Client at the scene. Took photos and Measurements. 2 hrs. each	4 hrs.

6-27-07	Inv. Murphy picked up court order to obtain reports from the M.P.D.	1 hr.
6-28-07	Served the court order at the internal affairs office of the M.P.D. for reports and files.	2 hrs.
7-13-07	Contacted Det. Sutter at internal affairs regarding booking photos and reports.	1 hr.
7-17-07	Drafted a diagram of the scene where the offense occurred. For court.	2 hrs.
7-30-07	Picked up and served subpoenas at the Police Academy. Conducted interviews.	2 ½ hrs.
7-31-07	Investigators Murphy and Gauger met with Humitz at his residence and reviewed Reports and statements.	3 ½ hrs each 7 hrs.
8-01-07	Contacted several officers and set up interviews at Steinle's office.	1 hr
8-02-07	Gauger served sobpoenas on Sgts., Police Officers and Sheriffs Deputies.	3 ½ hrs.
8-03-07	Gauger served a subpoena on Deputy Inspector Ball	1 hr.
8-06-07	Review of witness statements prior to meeting with Attorney Steinle and client.	2 hrs.
8-08-07	Investigator Murphy met with Atty. Steinle, witnesses and client. 2 hr inv. ½ hr. travel	2 ½ hr.
8-09-07	Gauger put together a photo log of the scene.	1 hr.
8-10-07	Gauger delivered photo log to Attorney Steinle's office.	1 hr.
8-12-08	Gauger subpoenaed Sgt. McCoy for court.	½ hr.
8-13-07	Murphy was in court all day waiting for trial to commence.	7 hrs.
8-14-07	Murphy picked up new subpoenas from Atty. Steinles office for service.	1 hr.
8-21-07	Gauger served subpoenas at #5 District, Police Administration Building, Sheriffs' Department and the Watertown Plank Road Office.	3 hrs.
10-24-07	Murphy picked up additional subpoenas from Steinles' office.	1 hr.
11-23-07	Murphy served subpoenas on P.O. Alba and See	1 hr.
12-03-07	Meeting with Humitz, Steinle and Murphy regarding the trial.	1 hr.
12-05-07	Murphy reviewed the files and set up a time line for the trial.	3 hrs.
12-06-07	Murphy reviewed all witness, states and defense statements for trial.	4 hrs.
12-10-07	Humitz Trial Judge Mertens Court. Parking \$11.00, lunch \$6.00	9 hrs.
12-11-07	Humitz Trial. Parking \$11.00, lunch \$6.00	9 hrs.
12-12-07	Humitz Trial. Parking \$11.00, lunch \$6.00	9 hrs.
12-13-07	Humitz Trial Parking \$11.00, lunch \$6.00	9 hrs.
12-14-07	Humitz Trial Parking \$11.00, lunch \$6.00	7 hrs.
12-17-07	Humitz Trial NOT GUILTY VERDICT.	

Total Time	147.25 hours
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Hourly Rate	\$100.00
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Total Due	\$14,725.00
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Tax Number 39-1965320