CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys

OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD (414) 286-2025
FAX (414) 286-8550

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
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
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

January 12, 2004

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

Re: Communication from Attorney Laurie A. Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officer Leland Feldman
C.I. File No. 02-S-263; EC No. 1788

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Leland Feldman. The claim is in the amount of $696.10 including $14.10 in disbursements for 6.20 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 a criminal investigation. No criminal charges were brought against the police officer 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. 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:enm
Enc.
2276

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

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

August 1, 2002

CITY OF MILWAUKEE
2002 AUG -5 AM 11:48
RONALD D. LEONHARDT
CITY CLERK

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

RE: MPD Criminal Investigation of PO Leland Feldman
Allegations Regarding Mr. Jerome Gates
Date of Incident: October 16, 2001
Location of Incident: District #4
EC No.: 1788

Dear Mr. Leonhardt:

The above-named police officer has retained us to represent him 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 an allegation of missing property.

The MPD initiated a criminal investigation in which the officer initially declined to give a statement without counsel. When he requested counsel, IAD compelled PO Leland Feldman to give a statement concerning the incident after issuing a PI-21. Later, the MPD decided not to issue criminal charges against the officer. Attached is a copy of the clearance report and an itemization of the time and services rendered.

1/8/04
O.K.
JAS
Letter 2276

Sincerely,

EGGERT & CERMELE, S.C.

Laurie A. Eggert
Attorney at Law

'02 AUG -5 AM 9:50

LAE/ldl
FELDMAN

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

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

August 1, 2002

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

RE: MPD Criminal Investigation re: Mr. Jerome Gates
Regarding: PO Leland Feldman
Date of Incident: October 16, 2001
Location of Incident: District #4

Professional services

		Hours
10/24/01	Open file; conference with client regarding criminal investigation; preparation for and appearance at PI-21 statements; travel.	1.60
11/29/01	Review of file; telephone call to Det.; memo to file; correspondence to MPD Open Records.	0.90
12/19/01	Review of file; telephone call to client; telephone call from client.	0.50
03/06/02	Review of file; telephone call to client; memo to file.	0.30
03/08/02	Telephone call from client; correspondence to client.	0.70
03/11/02	Review of correspondence from client regarding closing of criminal.	0.10
03/15/02	Review of correspondence from client; correspondence to MPD Open Records; memo to file; correspondence to MPD Personnel.	0.60

		Hours	
04/11/02	Review of file.	0.20	
04/12/02	Review of correspondence from MPD Open Records; correspondence to client.	0.40	
06/07/02	Review documents from MPD Open Records.	0.40	
06/26/02	Review additional documents from MPD Open Records; close file.	0.50	
			Amount
	For professional services rendered	6.20	$682.00
	Additional charges:		
04/12/02	MPD Open Records request		4.30
04/25/02	MPD Open Records request		5.50
06/19/02	MPD Open Records request		4.30
	Total costs		$14.10
	Total amount of this bill		$696.10
	Balance due		$696.10

(Rate: $110.00 per hour)

PO-15B SUPPLEMENTARY REPORT MILWAUKEE POLICE DEPARTMENT	Date of Report 11/19/2001	Incident/Accident # 01-289-3140

INCIDENT	Date of Incident/Accident Rep.	Code #
Lost/Stolen Property	10/16/2001	

VICTIM	LOCATION OF INCIDENT	DIST
Gates, Jerome NMI	6929 W. Silver Spring Drive	4
JUVENILE Last Name First Middle	Date of Birth	

QUANT	TYPE OF PROPERTY	DESCRIPTION	SERIAL #	CODE #	VALUE

This report was written by Detective Barbara O'Leary, assigned to the Criminal Investigation Unit/Internal Affairs Division (CIU/IAD),Night Shift.

I, Detective Barbara O'Leary, conducted an investigation into the above incident. After interviewing the complainant and all of the officers he had contact with, it cannot be substantiated that the officers are responsible for the missing property.

REPORTING OFFICER	PAYROLL#	LOC. CODE	SUPERVISOR SIGNATURE
Det. Barbara O'Leary			
DETECTIVE Barbara O'Leary	62671	04	T. Mary Kay

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 13, 2002

TO: P.O. LELAND FELDMAN
DISTRICT FOUR

RE: Receipt of Legal Services from Law Firm of Attorney

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 OCTOBER 16, 2001
2) A citizen's complaint made by JEROME GATES
~~3) A police shooting incident occurring on N/A~~ LF

Is this information correct? YES X NO_____

Did you receive legal representation in this matter? YES X NO_____

Your signature: Leland C. Feldman

Print your name: Leland C Feldman

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

STEVEN M. SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION
02 SEP 25 AM 11:23
RECEIVED