CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

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MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

December 17, 2003

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele, S.C. for legal fees for Police Officers Jutiki Jackson, Randy Smith, John Spence, Todd Johnson and Shelley Metzler; C.I. File No. 02-S-295; ELO No. 1803

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Jutiki Jackson, Randy Smith, John Spence, Todd Johnson and Shelley Metzler. The claim is in the amount of $550.00 for 5.00 hours of service billed at the 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 officers on whose behalf this claim was filed, but they were 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. 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.
2277

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 29, 2002

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

RE: MPD Criminal Investigation of POs Jutiki Jackson, Randy Smith, John Spence, Todd Johnson and Shelley Metzler
Allegations Regarding Mr. Ralph Shield
Date of Incident: July 3, 2002
Location of Incident: 1200 South Layton Boulevard
EC No.: 1803

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, the claim is hereby made on their behalf for the indicated legal fees. The Department investigated the arrest of the subject as a critical incident after the TAC Squad made an entry and an arrest.

Charges will not be issued against the officers. Attached is an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Laurie A. Eggert
Attorney at Law

12/16/03
O.K
JHS
letter 2277

LAE/ldl
JACKSON, et al.

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 29, 2002

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

RE: MPD Criminal Investigation re: Mr. Ralph Shield
Regarding: POs Jutiki Jackson, Randy Smith, John Spence
Todd Johnson and Shelley Metzler
Date of Incident: July 3, 2002
Location of Incident: 1200 South Layton Boulevard

Professional services

		Hours	
07/03/02	Telephone call from and to client; open file; conference with client; travel; attend PI-21 statements; memos to file.	4.70	
07/05/02	Telephone call to Jackson; close file.	0.30	
			Amount
	For professional services rendered	5.00	$550.00
	Balance due		$550.00

(Rate: $110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 26, 2002

TO: P.O. JUTIKI JACKSON
PATROL SUPPORT DIVISION TEU

RE: Receipt of Legal Services from Law Firm of Attorney

Attorney 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 3, 2002
2) A citizen's complaint made by RALPH SHIELD
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: [signature]

Print your name: Jutiki Jackson

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

STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM SEPTEMBER 26, 2002

TO: P.O. RANDY SMITH
PATROL SUPPORT DIVISION TEU

RE: Receipt of Legal Services from Law Firm of Attorney

Attorney 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 3, 2002
2) A citizen's complaint made by RALPH SHIELD
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: P.O. Randy Smith

Print your name: POLICE OFFICER RANDY SMITH

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

STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

SMS:kjs

RECEIVED
02 OCT -1 PM 1:28
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM SEPTEMBER 26, 2002

TO: P.O. JOHN SPENCE
PATROL SUPPORT DIVISION TEU

RE: Receipt of Legal Services from Law Firm of Attorney

Attorney 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 3, 2002
2) A citizen's complaint made by RALPH SHIELD
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: P.O. John Spence

Print your name: P.O. John SPENCE

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

Steven Settingsgaard KJS
STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

SMS:kjs

RECEIVED
02 OCT -2 PM 1:44
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM SEPTEMBER 26, 2002

TO: P.O. TODD JOHNSON
PATROL SUPPORT DIVISION TEU

RE: Receipt of Legal Services from Law Firm of Attorney

Attorney 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 3, 2002
2) A citizen's complaint made by RALPH SHIELD
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: Todd R. Johnson

Print your name: TODD R. JOHNSON

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

STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

SMS:kjs

RECEIVED
02 OCT -1 PM 1:28
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 26, 2002

TO: P.O. SHELLEY METZLER
PATROL SUPPORT DIVISION TEU

RE: Receipt of Legal Services from Law Firm of Attorney

Attorney 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 3, 2002
2) A citizen's complaint made by RALPH SHIELD
3) A police shooting incident occurring on N/A

Is this information correct? YES Y NO

Did you receive legal representation in this matter? YES Y NO

Your signature: SMetzler

Print your name: Shelley METZLER

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

RECEIVED
02 OCT -4 AM 9:54
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

SM:kjs

STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division