CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

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

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800 CITY HALL
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JAN A. SMOKOWICZ
PATRICIA A. FRICKER
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KURT A. BEHLING
GREGG C. HAGOPIAN
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MELANIE R. SWANK
JAY A. UNORA
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EDWARD M. EHRLICH
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

December 26, 2003

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 Detective Alfonso Morales
C.I. File No. 02-S-263; ELO No. 1791

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Detective Alfonso Morales. The claim is in the amount of $4,223.50 including $32.50 in disbursements for 38.10 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 detective 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

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

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G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

August 23, 2002

Commander Steven Settingsgaard
Milwaukee Police Dept., Internal Affairs Div.
6680 North Teutonia Avenue, Rm 325
Milwaukee, WI 53209

Re: C.I. File No. 02-S-263
Communication from EGGERT LAW OFFICE

Dear Commander Settingsgaard:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of various officers. (See Attached)

Please determine whether these officers were in fact involved in the matter described in Ms. Eggert's claim, and have these officers verify Ms. Eggert's representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
5091

RECEIVED
02 AUG 30 PM 1:17
MILWAUKEE POLICE DEPT
INTERNAL AFFAIRS
DIVISION

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

CITY OF MILWAUKEE
2002 AUG -5 AM 11:49
RONALD D. LEONHARDT
CITY CLERK

RE: MPD Criminal Investigation of Detective Alfonso Morales
Inquest Regarding Shooting of Mr. LaRon Ball
Date of Incident: May 29, 2002
Location of Incident: Safety Building
EC No.: 1791

Dear Mr. Leonhardt:

The above-named detective 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 on-duty shooting and inquest.

Attached is a copy of the July 18, 1002, correspondence from DDA James Martin indicating that Morales acted in self defense and defense of others, and an itemization of the time and services rendered.

CITY OF MILWAUKEE
RECEIVED
'02 AUG -5 PM 3:50
CITY ATTORNEY

Sincerely,

EGGERT & CERMELE, S.C.

Laurie A. Eggert
Attorney at Law

JC/ldl
MORALES INQ

12/19/03
O.K.
JHS
Letter 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

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

RE: MPD Criminal Investigation of Shooting
(LaRon Ball)
Regarding: Detective Alfonso Morales
Date of Incident: May 29, 2002
Location of Incident: Safety Building

Professional services

		Hours
05/29/02	Telephone call from Det. Morales regarding on-duty shooting; open file; travel to location of incident; meeting with CIB; meeting with witnesses; meeting with Det. Morales; attend Det. Morales's statement to CIB & DA; attend Det. Morales's PI-21; return travel; memos to file.	6.20
05/30/02	Telephone call to CIB; intra-office conference; review of file; review Jury Instructions.	1.20
05/31/02	Telephone call from DA.	0.10
06/04/02	Return call to DA.	0.20
06/17/02	Telephone call from MPA regarding inquest; telephone call to DDA Martin; memo to file.	0.50
06/19/02	Receive and review DDA Martin's letter to the Chief; telephone call to client; Fax to client.	0.30

		Hours
06/26/02	Telephone call to and from CIB; obtain copy of Medical Examiner's Report, Autopsy Protocol, etc.; travel.	1.10
06/28/02	Brief meeting with client at PAB; discussion with CIB; telephone call to DDA Martin; receive and review message from same; calendar inquest dates.	0.80
07/02/02	Telephone call from and to client; memo to file.	0.20
07/03/02	Telephone call to client; memo to file.	0.20
07/10/02	Several telephone calls to DDA Martin.	0.20
07/11/02	Telephone call to and from client; telephone call to and from DDA Martin; several telephone calls to and from CIB; several telephone calls to and from client; receive and review client's statement; forward same to client for review prior to inquest testimony.	1.20
07/15/02	Review of file; meeting with client; meeting with client and DA; prepare for and attend inquest; travel.	7.10
07/16/02	Preparation for and attendance at inquest; travel.	9.20
07/17/02	Attend inquest; travel; telephone call to and from client regarding decision.	8.10
07/18/02	Fax to DDA Martin regarding accepting Jury's Advisory Verdict.	0.30
07/19/02	Receive and review letter from DA confirming acceptance of Inquest Jury's advisory verdict; correspondence to client; close file.	0.50
07/22/02	Receive and review letter from DA to Chief confirming that the DA's office would not issue charges; telephone call to client; correspondence to confirming same; close file.	0.70

		Hours	Amount
	For professional services rendered	38.10	$4,191.00
	Additional charges:		
05/29/02	Parking		9.00
07/15/02	Parking		9.00
07/16/02	Parking		9.00
07/17/02	Parking		5.50
	Total costs		$32.50
	Total amount of this bill		$4,223.50
	Balance due		$4,223.50

(Rate: $110.00 per hour)

OFFICE OF DISTRICT ATTORNEY

Milwaukee County

E. MICHAEL McCANN • District Attorney

Robert D. Donohoo
Jon N. Reddin
Carol Lynn White
Patrick J. Kenney
James J. Martin

Thomas A. Schulz
Alexander G. Sklenarz
Fredric E. Matestic
William J. Molitor
Gerald R. Falk
Donald S. Jackson
Gale G. Shelton
Terry Magowan
Gary D. Mahkorn
David Robles
Deborah Daley
Peg Tarrant
Douglas J. Simpson
Cynthia G. Brown
Norman A. Gahn
George N. Prietz, III
Stephanie Gineris Rothstein
Carol E. Stauder
Steven H. Glamm
Mary Anne Smith
Mark S. Williams
Linda Johnson
John M. Stoiber
Thomas L. Potter
David Feiss
Rayann Chandler Szychlinski
Elisa Castellon
Carole Manchester
Kenneth R. Berg
Benbow P. Cheesman, Jr.
Lovell Johnson, Jr.
Warren D. Zier
Timothy J. Cotter
Carol Berry Crowley
Steven V. Licata
Brad Vorpahl
Jane Carroll
Paul Tiffin
Miriam S. Falk
Phyllis M. DeCarvalho
Dennis P. Murphy
Christopher Ford
Christine M. Kraus
Phillip A. Arieff
Thomas J. McAdams
Bruce J. Landgraf
Mary K. McCann
Denis J. Stingl
David M. Lerman
Janet C. Protasiewicz
DeAnn L. Heard
Patricia A. McGowan
Irene Parthum
Karen A. Loebel
Nancy Ettenheim
Marcella DePeters
JoAnn M. Hornak
Catherine A. Gaudreau
Lori S. Kornblum
Kanne O'Byrne
Marie Lixor
James W. Frisch
Ken E. Benkley
James C. Griffin
William P. Pipp
Audrey Skwierawski
Joanne L. Hardtke
John T. Chisholm
Christopher A. Liegel
Megan P. Carmody
Laura A. Crivello
Derek C. Mosley
Shawn Pompe
Brian J. Resler
Karen A. Lynch
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David Maas
Jeremy L. Resar
Daniel J. Gabler
Sara P. Scullen
Gerise M. Hooks
Brent Nistler
T. Christopher Dee
Katharine Kucharski
Lisa P. Fricker
Robin J. Rosche
Phillip R. Rangsuebsin
Tiffany J. Harris
Emory H. Booker, II
Daniel R. Humble
Jacob D. Corr
David H. Weber
Joy Hammond
Martin T. Lundquist
John J. Riester

July 18, 2002

RECEIVED

JUL 19 2002

EGGERT & CE

Arthur L. Jones, Chief of Police
Milwaukee Police Department
749 West State Street
Milwaukee, WI 53233

Re: Investigation into the Death of Laron Ball

Dear Chief Jones:

We agree with the finding of the inquest jury that detective Alfonso Morales' use of deadly force against Laron Ball on May 29, 2002, in the courtroom in Room 316 of the Safety Building, was privileged in self-defense and defense of others pursuant to section 939.48, Stats.

We believe that detective Morales' defensive use of deadly force probably saved one or more lives in the courtroom that day. We are closing our investigation into Ball's death.

Thank you for your department's cooperation in the investigation into Ball's death.

Sincerely,

James J. Martin
Deputy District Attorney

Norman A. Gahn
Assistant District Attorney

cc: Jonathan Cermele, Esq.

Andrea Ball

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 13, 2002

TO: DETECTIVE ALFONSO MORALES
CIB

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 MAY 29, 2002
2) A citizen's complaint made by N/A
3) A police shooting incident occurring on MAY 29, 2002

Is this information correct? YES X NO____

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

Your signature: Alfonso Morales

Print your name: ALFONSO MORALES

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

RECEIVED
02 OCT -2 AM 11:15
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION