

GRANT F. LANGLEY
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THOMAS D. MILLER
HEIDI E. GALVÁN
Assistant City Attorneys

April 18, 2008

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

Re: Communication from Attorney Jon Cermele, Cermele & Associates, S.C.
for legal fees for Police Officer Debora Stacey
C.I. File No. 07-S-41-9; EC 2416

Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officer Debora Stacey. The claim is in the amount of \$591.60 including \$8.60 in disbursements for 5.30 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 the filing of a citizen's complaint against the officer with the Fire and Police Commission. The complaint was dismissed by the Commission.

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. Wis. Stat. § 895.35, *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:amp
Enc.

1032-2007-461:124771v1

OFFICE OF THE CITY ATTORNEY

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

February 15, 2007

TO: P.O. DEBORA STACEY
DISTRICT: PPS

RE: Receipt of Legal Services from Law Firm of
Attorney Jonathan Cermele

Attorney Jonathan Cermele 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 NOVEMBER 1, 2005
- 2) A citizen complaint made by ETHEL MAE CLARK
- 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: P.O. Debora Stacey
Print your name: DEBORA STACEY

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

MARY K. HOERIG
Deputy Inspector
Professional Performance Division

MKH: kjs

CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE
LAURIE A. EGGERT
RACHEL L. PINGS
MATTHEW L. GRANITZ

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

January 26, 2007

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

**RE: Citizen Complaint of Ms. Ethel Mae Clark
Against PO Debora Stacey
Complaint No.: 06-16
Date of Incident: November 1, 2005**

Dear Mr. Leonhardt:

The above-named police officer has retained us to represent her in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent her and, as she was performing the duties of her office at the time of the events giving rise to the incident, this claim is hereby made on her behalf for the indicated legal fees. This incident involved assisting a Police Sergeant in taking a resistive subject into custody.

The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Sincerely,

CERMELE & ASSOCIATES, S.C.

Jon Cermele

/kjs
Attachments
STACEY

MILWAUKEE
2007 FEB - 1 PM 2:03
CITY CLERK

MILWAUKEE
2007 FEB - 1 PM 3:17
CITY ATTORNEY

RECEIVED

JAN 03 2007

PERMELE & ASSOCIATES

BOARD OF
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

In Re:
THE CHARGES OF ETHEL MAE CLARK
AGAINST POLICE OFFICER DEBORA STACEY

ORDER OF DISMISSAL

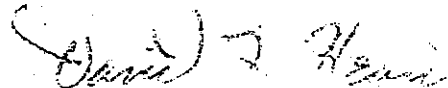
To Officer Debora Stacey:

It is hereby ordered that the Complaint of Ethel Mae Clark, Complaint No. 06-16, filed with the Board on March 17, 2006, is dismissed because the Complaint has been successfully conciliated, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCHAK, CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, DECEMBER 27, 2006.

c: Attorney Rachel Pings ✓

CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE
LAURIE A. EGGERT
RACHEL L. PINGS
MATTHEW L. GRANITZ

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January 26, 2007

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

RE: Citizen Complaint of Ms. Ethel Mae Clark
Against PO Debora Stacey
FPC No: 06-16
Date of Incident: November 1, 2005
Professional services

	<u>Hours</u>
5/19/2006 Initial conference with PO Stacey regarding citizen complaint; open file; memo to file.	0.50
5/24/2006 Review and sign correspondence to FPC.	0.10
5/25/2006 Open Records requests; telephone call to FPC; schedule and calendar conciliation.	0.30
6/13/2006 Receive and review correspondence from FPC; review and sign correspondence to FPC.	0.20
6/20/2006 Receive and review correspondence from FPC.	0.10
6/29/2006 Receive and review Open Records request.	0.30
7/11/2006 Review file; prepare for conciliation; travel to conciliation; citizen no-show; return travel.	1.30
8/8/2006 Telephone call from and to FPC regarding re-scheduling conciliation; calendar same.	0.20

	<u>Hours</u>
8/16/2006 Telephone call from and to client regarding conciliation; telephone call to and from FPC; telephone call to client; reschedule conciliation.	0.20
9/6/2006 Review file; prepare for conciliation.	0.40
9/7/2006 Travel to City Hall to perform conciliation; conference with client; attend conciliation; return travel.	1.50
1/5/2007 Receive and review correspondence from FPC dismissing complaint; correspondence to client; close file.	0.20
	<u>Amount</u>
For professional services rendered	5.30
Additional charges:	\$583.00
7/7/2006 MPD Open Records request	6.10
7/11/2006 Parking	1.00
9/7/2006 Parking	1.50
Total costs	<u>\$8.60</u>
Total amount of this bill	<u>\$591.60</u>
Balance due	<u><u>\$591.60</u></u>

(Rate: \$110.00 per hour)