

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



**THOMAS O. GARTNER**  
**BRUCE D. SCHRIMPF**  
**ROXANE L. CRAWFORD**  
**SUSAN D. BICKERT**  
**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**  
**VINCENT J. BOBOT**  
**MIRIAM R. HORWITZ**  
**MARYNELL REGAN**  
**G. O'SULLIVAN-CROWLEY**  
**KATHRYN M. ZALEWSKI**  
**MEGAN T. CRUMP**  
**ELOISA DE LEÓN**  
**ADAM B. STEPHENS**  
**KEVIN P. SULLIVAN**  
**BETH CONRADSON CLEARY**  
**THOMAS D. MILLER**  
Assistant City Attorneys

February 25, 2008

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

Re: Communication from Attorney Laurie A. Eggert, Eggert Law Office, S.C.  
for legal fees for Police Officer Kevin Matte  
C.I. File No. 06-S-371-14; EC 2400

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing for Police Officer Kevin Matte. The claim is in the amount of \$1,089.00 for 9.90 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.  
1032-2006-3329:124764v1

OFFICE OF THE CITY ATTORNEY

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 31, 2007

TO: P.O. KEVIN MATTE  
DISTRICT: THREE

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 FEBRUARY 26, 2004
- 2) A citizen complaint made by TODD THIEMER
- 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:

*[Handwritten signature: P.O. Kevin Matte]*

Print your name:

K. MATTE

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

*[Handwritten signature: Mary K. Hoerig]*  
MARY K. HOERIG  
Deputy Inspector  
Professional Performance Division

MKH: kjs

07 FEB -5 PM 3:06

RECEIVED

# 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

November 27, 2006

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

**RE: Citizen Complaint of Mr. Todd Thiemer  
Against PO Kevin Matte  
Complaint No.: 04-34  
Date of Incident: February 26, 2004**

CITY OF MILWAUKEE  
2006 DEC - 1 PM 12: 09  
RONALD D. LEONHARDT  
CITY CLERK

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, this claim is hereby made on his behalf for the indicated legal fees. This incident involved the arrest of a drunken and disorderly suspect.

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

CITY OF MILWAUKEE  
RECEIVED - 1 PM 12: 12  
CITY ATTORNEY

/kjs  
Attachments  
MATTE

RECEIVED

NOV 09 2006

CERMELE & ASSOCIATES, S.C

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

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In Re:  
THE CHARGES OF TODD THIEMER  
AGAINST POLICE OFFICER KEVIN MATTE

ORDER OF DISMISSAL

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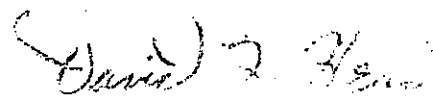
To Officer Kevin Matte:

It is hereby ordered that the Complaint of Todd Thiemer, Complaint No. 04-34, filed with the Board on May 3, 2004, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCZAK, CHAIRMAN

BY:



DAVID L. HEARD  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, NOVEMBER 3, 2006.

c: Attorney Laurie Eggert ✓

# CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

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

6310 WEST BLUEMOUND ROAD  
SUITE 200  
MILWAUKEE, WISCONSIN 53213  
(414) 276-8750  
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November 27, 2006

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

RE: Citizen Complaint of Mr. Todd Thiemer  
Against PO Kevin Matte  
FPC No: 04-34  
Date of Incident: February 26, 2004  
Professional services

	<u>Hours</u>
7/15/2004 Telephone calls from PO Matte; open file; memo to file; correspondence to FPC.	0.80
8/23/2004 Review of correspondence from FPC; review documents from client; telephone call from and to FPC; memo to file; telephone call to client.	1.20
8/24/2004 Telephone call from client; memo to file.	0.30
11/4/2004 Review of file; memo to file; review document from FPC; CCAP update regarding criminal trial regarding same incident.	0.40
11/10/2004 CCAP update regarding jury trial for same incident; calendar new date; memo to file.	0.20
1/4/2005 Review of file; CCAP update; memo to file.	0.40
1/20/2005 CCAP update regarding complainant's availability; review documents from MPD Open Records; memo to file.	0.80

	<u>Hours</u>
3/21/2005 CCAP update regarding complainant's criminal trial on same incident and related criminal cases; update witness information; memo to file.	0.30
3/25/2005 Review of file.	0.20
3/29/2005 Review of file.	0.10
5/2/2005 CCAP update regarding complainant's criminal trial regarding same incident; review of file; memo to file.	0.40
8/22/2005 CCAP update regarding pending criminal charges regarding on incident; memo to file; review of file.	0.40
1/17/2006 Review file; CCAP update regarding pending criminal trials against complainant; memo to file.	0.60
2/6/2006 CCAP update; memo to file regarding further extensions on complainants criminal trial regarding same incident and separate theft charges; review file.	0.50
2/20/2006 CCAP update regarding complainant's criminal case regarding same incident being rescheduled; memo to file.	0.20
4/11/2006 CCAP update regarding criminal cases; review file.	0.40
6/1/2006 CCAP update; review file; memo to file.	0.30
6/9/2006 CCAP update regarding complainant's guilty plea in theft.	0.10
7/20/2006 Conference with client; review file.	0.20
7/25/2006 CCAP update regarding jury trial and mistrial; telephone call to client; telephone call to witness; memo to file.	0.70
8/23/2006 Correspondence to client; computer update regarding complainant's failure to appear at court; memo to file.	0.30

	<u>Hours</u>
9/15/2006 Telephone call from and to client; memo to file.	0.40
10/20/2006 Update complainant's availability; review file; memo to file.	0.20
11/14/2006 Receive and review Dismissal Notice from FPC; correspondence to client; close file.	0.50

	<u>Amount</u>
For professional services rendered	9.90     \$1,089.00
Balance due	<u>\$1,089.00</u>