

**GRANT F. LANGLEY**  
City Attorney

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



THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
SUSAN D. BICKERT  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
JOHN J. HEINEN  
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  
KATHRYN Z. BLOCK  
MEGAN T. CRUMP  
ELOISA DE LEÓN  
ADAM B. STEPHENS  
KEVIN P. SULLIVAN  
BETH CONRADSON CLEARY  
THOMAS D. MILLER  
HEIDI E. GALVÁN  
JARELY M. RUIZ  
ROBIN A. PEDERSON  
DANIELLE M. BERGNER  
Assistant City Attorneys

June 24, 2009

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 Officers Paul Martinez and Matthew Markowski  
EC 2647

Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officers Paul Martinez and Matthew Markowski. The claim is in the amount of \$682.00 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 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,

A handwritten signature in black ink that reads "Grant F. Langley".

GRANT F. LANGLEY  
City Attorney

A handwritten signature in black ink that reads "Jan A. Smokowicz".

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS  
Enc.

1032-2008-3509.005:147338

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 5, 2009

RECEIVED  
09 JAN 12 PM 2:05  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION

TO: P.O. PAUL MARTINEZ  
DISTRICT: FIVE

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: SEPTEMBER 15, 2006
- 2) An incident regarding complaint of: DUANE DOLENSHEK
- 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: Paul Martinez

Print your name: P.O. Paul MARTINEZ

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

KURT R. LEIBOLD  
Acting Captain of Police  
Professional Performance Division

KRL: lrc

1032-2008-3509.005

CI-C-2008-6096

## CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -  
WWW.CERMELELAW.COM

JONATHAN CERMELE  
MATTHEW L. GRANITZ  
CHELSIE ALLAN  
SCOTT J. JESS

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

September 16, 2008

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

**RE: MPD Criminal Investigation of PO's Paul Martinez and Matthew Markowski  
Allegations Regarding Mr. Duane Dolenshek  
Date of Incident: September 15, 2006  
Location of Incident: 4070 North 14<sup>th</sup> Street**

Dear Mr. Leonhardt:

Pursuant to Article 58 of the 2007-2009 Collective Bargaining Agreement between the City and the Milwaukee Police Association, the City should request that this claim be placed on the Common Council Committee agenda within 180 days of its receipt.

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, this claim is hereby made on their behalf for the indicated legal fees. This incident involved an arrest.

According to correspondence from Acting Captain Leibold, the case is suspended pending new information. As such, no charges were issued against the officer. Attached is a copy of the letter along with status of the CIS Investigatory file and an itemization of the time and services rendered.

Thank you.

Sincerely,

CERMELE & ASSOCIATES, S.C.

Jon Cermele

/kjs  
Attachments  
MARTINEZ and MARKOWSKI

# CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -

WWW.CERMELELAW.COM

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MATTHEW L. GRANITZ  
CHELSIE ALLAN  
SCOTT J. JESS

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SUITE 200  
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September 16, 2008

Mr. Ronald Leonhardt  
Milwaukee City Clerk  
City Hall, Room 205  
200 East Wells Street  
Milwaukee WI 53202

RE: MPD Criminal Investigation of PO's Paul Martinez and Matthew Markowski  
Allegations Regarding Mr. Duane Dolenshek  
Date of Incident: September 15, 2006  
Location of Incident: 4070 North 14th Street  
Professional services

	<u>Hours</u>
1/8/2008 Telephone call from and to PO Martinez regarding new criminal investigation; open file; calendar office conference with PO Martinez; CCAP research for complainant.	0.70
1/14/2008 Telephone call from MPD witness.	0.20
1/16/2008 Telephone call from client.	0.20
1/22/2008 Office conference with PO Martinez; review MPD incident report related to alleged complaint.	1.10
1/23/2008 Telephone call to PPD.	0.20
1/28/2008 Telephone call to and from PO Markowski; calendar office conference with same.	0.20
1/29/2008 Office conference with PO Markowski regarding investigation.	0.60
2/1/2008 Telephone call to MPD witness; telephone call to PO Martinez.	0.50

	<u>Hours</u>	
2/19/2008	0.50	CCAP research on complainant; telephone call to PO Martinez regarding status of case and decision not to provide statement; telephone call to PO Markowski; memo to file.
3/3/2008	0.20	Telephone call from PO Markowski; memo to file.
3/7/2008	0.50	Telephone call to PO Markowski regarding status; telephone call to and from PPD; correspondence to PO's Martinez and Markowski; memo to file.
4/2/2008	0.10	Telephone call to PPD regarding investigation status; memo to file.
8/19/2008	0.20	Telephone call to PPD; memo to file.
8/22/2008	0.50	Telephone call from PPD indicating investigation has been suspended; memo to file regarding same; fax to PPD seeking written confirmation of same.
8/28/2008	0.50	Receive and review correspondence from PPD confirming case has been suspended; review file; correspondence to clients regarding same; close file.
	<u>6.20</u>	
For professional services rendered		<u>\$682.00</u>
Balance due		<u><u>\$682.00</u></u>

(Rate: \$110.00 per hour)



Police Department

RECEIVED

AUG 28 2008

CERMELE & ASSOCIATES, S.C.

Edward A. Flynn

Chief of Police

Monday, August 25, 2008

Matthew GRANITZ  
Attorney At Law  
6310 West Bluemound Road  
Suite 200  
Milwaukee, WI 53213

Dear Mr. GRANITZ:

This letter is in response to your inquiries regarding the status of CIS Investigatory Files.

Attached please find the requested information. If further assistance is needed Lieutenant of Detectives Karen Dubis can be contacted at 935-3540.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt Leibold".

KURT LEIBOLD  
ACTING CAPTAIN OF POLICE

CIS FILE NO.	PPD FILE NO.	COMPLAINANT	ALLEGATION	DISPOSITION
1. 07-160	07-0768	DOLENSHEK, DUANE	MISC PUBLIC OFFICE	SUSPENDED-PEND INFO NEW
2. 08-046	08-0193	MOORE, OTIS	THEFT-EARRING	SUSPENDED-PEND INFO NEW
3. 08-016	07-0993	CITY OF MILWAUKEE	THEFT OF MONEY	SUSPENDED-PEND INFO NEW
4. 08-036	08-0121	VELASQUEZ, PEDRO	BATTERY	UNFOUNDED
5. 08-040	08-0171	GREER, MARVIN D.	ILLEGAL STRIP SEARCH	UNFOUNDED
6. 08-055	08-0249	HOLTZ, KIMBERLY	BATTERY	BASELESS
7. 07-147	07-0696	WILLIAMS, TRAVIS D.	SUBSTANTIAL BATTERY	BASELESS