

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
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 Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
Assistant City Attorneys

April 20, 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 James Campbell, Thomas Obregon &
Detective Paul Lough
C.I. File No. ; EC 2656

Dear Council Members:

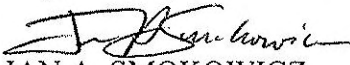
Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officers James Campbell, Thomas Obregon & Detective Paul Lough. The claim is in the amount of \$1,413.27 including \$16.27 in disbursements for 12.70 hours of service billed at the rate of \$110.00 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 detective & police officers 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.

1032-2008-3489.003:124771v1

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 5, 2009

TO: DET. PAUL LOUGH
DISTRICT: CIB

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: JULY 1, 2004
- 2) An incident regarding complaint of: TAU-HEED GRAVES
- 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 D Lough

Print your name: Paul D Lough

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

RECEIVED
 09 JAN 13 PM 12:05
 MILWAUKEE POLICE
 INTERNAL AFFAIRS
 DIVISION

KURT R. LEIBOLD
Acting Captain of Police
Professional Performance Division

KRL: lrc

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 5, 2009

TO: DET. JAMES CAMPBELL
DISTRICT: CIB

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: JULY 1, 2004
- 2) An incident regarding complaint of: TAU-HEED GRAVES
- 3) A police shooting incident occurring on: N/A

Is this information correct?

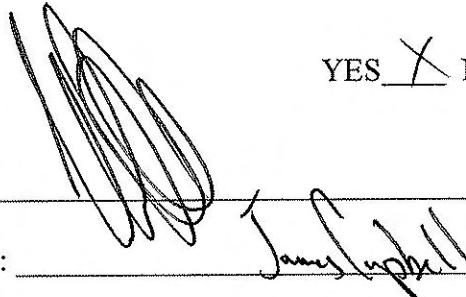
YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: _____

Print your name: _____



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

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 5, 2009

TO: DET. THOMAS OBREGON
DISTRICT: CIB

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

RECEIVED
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION
09 JAN 20 PM 2:00

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: JULY 1, 2004
- 2) An incident regarding complaint of: TAU-HEED GRAVES
- 3) A police shooting incident occurring on: N/A

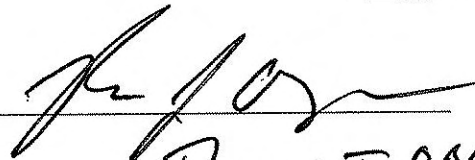
Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: _____



Print your name: _____

Thomas J. OBREGON

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

01-C-2008-408

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

October 8, 2008

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

**RE: Citizen Complaint of Mr. Tau-Heed Graves
Against Det. Paul Lough and PO's James Campbell and Thomas Obregon
Complaint No.: 04-79
Date of Incident: July 1, 2004**

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 a criminal investigation and arrest.

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

Thank you.

Sincerely,

CERMELE & ASSOCIATES, S.C.

Jon Cerméle

/kjs

Attachments

LOUGH, CAMPBELL and OBREGON

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

October 08, 2008

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

RE: Citizen Complaint of Mr. Tau-Heed Graves
Against Det. Paul Lough and PO's James Campbell and Thomas Obregon
FPC No: 04-79
Date of Incident: July 1, 2004
Professional services

	<u>Hours</u>
12/19/2006 Office conference with PO Campbell regarding new citizen complaint; open file; review file; Open Records request; telephone call to FPC.	1.00
12/29/2006 CCAP research regarding complainant's criminal history.	0.30
1/3/2007 Telephone call from client.	0.10
1/4/2007 Follow-up CCAP research for criminal charges; telephone call from client; telephone call to FPC.	0.50
1/5/2007 Telephone call from FPC; telephone call to client.	0.20
2/6/2007 Receive and review correspondence from FPC; CCAP research on case status.	0.30
2/15/2007 Intra-office conference with Granitz regarding correspondence from complainant's attorney refusing conciliation.	0.20
Receive and review correspondence from Atty. Safran; intra-office conference with Pings.	0.50

	<u>Hours</u>
2/16/2007 Intra-office conference with Granitz regarding requirement of conciliation; review statute and FPC rules with Granitz regarding same.	0.20
Review of correspondence from Atty. Safran; intra-office conference with Pings; telephone call to FPC; telephone call to and from PO Obregon; telephone call to and from Det. Lough; add PO Obregon and Det. Lough to file; memos to file.	1.00
2/28/2007 Review of correspondence from Atty. Safran; CCAP research.	0.20
3/1/2007 Telephone call to and from client.	0.20
3/15/2007 Telephone call from MPD.	0.10
3/30/2007 Receive and review correspondence from City regarding scheduling order for Witness and Exhibit List; calendar deadline; CCAP research regarding criminal charges against complainant; memo to file.	0.50
4/2/2007 Receive and review correspondence from MPD; receive and review documents from Det. Lough and PO Obregon.	0.50
4/3/2007 Intra-office conference with Pings regarding criminal charges being refiled; telephone call to Fronk regarding same; memo to file.	0.30
4/9/2007 Telephone call from FPC regarding complainant being charged criminally; memo to file.	0.20
4/19/2007 Correspondence to PO Obregon.	0.10
4/23/2007 Review file; organize information for Witness and Exhibit List; correspondence to Atty. Safran with Witness and Exhibit List information.	1.50

	<u>Hours</u>
4/24/2007 Telephone call to Det. Lough; memo to file.	0.20
4/25/2007 Correspondence to Det. Lough; finish Witness and Exhibit List for Atty. Safran; intra-office conference with Pings; draft medical records authorization.	2.00
4/26/2007 Calendar new Witness and Exhibit List deadline; calendar medical authorization follow-up.	0.10
4/30/2007 Receive and review correspondence from Atty. Safran.	0.10
5/10/2007 Intra-office conference with Pings regarding Witness and Exhibit List.	0.10
5/17/2007 Telephone call and e-mail from FPC regarding case being placed on hold; memo to file.	0.30
5/29/2007 Receive and review correspondence from Atty. Safran regarding medical authorization; receive and review correspondence from Det. Lough regarding representation; receive and review correspondence from City regarding prior citizen complaints.	0.30
9/11/2007 CCAP research regarding status of complainant's criminal trial.	0.10
9/28/2007 Telephone call to each client regarding FPC hearing; memo to file.	0.30
1/4/2008 CCAP research regarding complainant's criminal trial status.	0.10
3/20/2008 CCAP research for complainant's criminal trial status and information.	0.10
7/21/2008 Review file; CCAP research for criminal case information.	0.30
8/28/2008 Telephone call to FPC; telephone call to client; memo to file.	0.30
9/25/2008 Receive and review correspondence from FPC indicating file closure; correspondence to clients regarding same; close file.	0.50

Mr. Ronald Leonhardt

Page 4

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	12.70 ✓	\$1,397.00 ✓
Additional charges:		
4/16/2007 MPD Open Records request		11.57
6/22/2007 Photocopies		4.70
Total costs		<u>\$16.27</u>
Total amount of this bill		✓ <u>\$1,413.27</u>
Balance due		<u><u>\$1,413.27</u></u>

(Rate: \$110.00 per hour)



Fire and Police Commission

Michael G. Tobin
Executive Director

Leonard J. Sobczak
Chairman
Ernesto A. Baca
Vice-Chairman
Earl A. Buford
Richard C. Cox
Kathryn A. Helm
Carolina M. Stark
Commissioners

September 8, 2008

Mr. Tauheed L. Graves
2828 West Melvina Street
Milwaukee, WI 53216

RE: Complaint of Tauheed L. Graves against Detectives James Campbell,
Thomas Obregon and Paul Lough
FPC Complaint No. 04-79

Dear Mr. Graves:

Pursuant to your conversation with Attorney Jon Safran, and his letter to me, this correspondence confirms that you do not wish to proceed with your complaint. We are closing our file at this time and will take no further action concerning this incident.

If you have any questions regarding this matter, please do not hesitate to contact us.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

- cc: Chief Edward A. Flynn (w/Attorney Safran's letter)
- Detective James Campbell (w/Attorney Safran's letter)
- Detective Thomas Obregon (w/Attorney Safran's letter)
- Detective Paul Lough (w/Attorney Safran's letter)
- Matthew L. Granitz, Esq. (w/Attorney Safran's letter)

SAMSTER, KONKEL & SAFRAN, s.c.
ATTORNEYS AT LAW

James P. Samster
Jerome A. Konkol*
Jonathan S. Safran
Gordon R. Leech**

1110 North Old World Third St., Suite 405
Milwaukee, Wisconsin 53203

Telephone: (414) 224-0400
Facsimile: (414) 224-0280
www.skslawyers.com

**Certified Civil Trial Specialist by
the National Board of Trial
Advocacy*

***Also Admitted in Florida*

September 2, 2008

City of Milwaukee
Fire and Police Commission
Attn: Mr. Michael Tobin, Executive Director
200 East Wells Street, Room 706
Milwaukee, WI 53202

Re: Our Client: Tauheed Graves
F.P.C. Complaint No.: 04-79

Dear Mr. Tobin:

As the file may reflect, I was retained by Tauheed Graves to represent him regarding an incident he had with City of Milwaukee police officers on July 1, 2004. Mr. Graves filed a complaint with the Fire and Police Commission concerning this incident and it is F.P.C. Complaint Number 2004-79.

I met with Mr. Graves on August 27, 2008 and he has advised me to notify the Fire and Police Commission that he wishes to dismiss his complaint and not proceed further with either the mediation program, conciliation, or trial.

Should you have any questions regarding the above, please feel free to contact me.

Yours very truly,

SAMSTER, KONKEL & SAFRAN, S.C.

Jonathan S. Safran
jsafran@skslawyers.com

JSS/sf

CC: Tauheed Graves

