

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 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 Officers Phillip Simmert and Christopher
Navarrette
C.I. File No. 07-S-243-13; EC 2492

Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officers Phillip Simmert and Christopher Navarrette. The claim is in the amount of \$1,842.06 including \$104.06 in disbursements for 15.80 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 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.

1032-2007-1837:124771v1

OFFICE OF THE CITY ATTORNEY

**Milwaukee Police
Department**

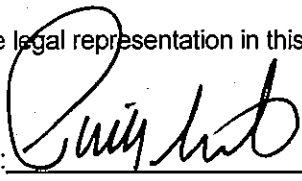
Memo

To: Detective Phillip Simmert
From: Deputy Inspector Mary K. Hoerig
Date: 8/10/2007
Re: Receipt of Legal Services from Law Firm of Cermele & Associates, S.C.

Attorney Jon Cermele has made a claim with the City, indicating that you were provided with legal services, outlined in the attached letter and arising out of the following situation:

- An incident which occurred on May 5, 2004
- A Citizen Complaint of Mr. Raymond Woolridge

Is this information correct? YES NO
 Did you receive legal representation in this matter? YES NO

Your Signature: 

Print Your Name: Phillip Simmert

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

07 AUG 14 PM 12:40
 PROFESSIONAL PERFORMANCE DIVISION

VCD
VCD

**Milwaukee Police
Department**

Memo

To: Police Officer Christopher Navarrette
From: Deputy Inspector Mary K. Hoerig
Date: 8/10/2007
Re: Receipt of Legal Services from Law Firm of Cermele & Associates, S.C.

Attorney Jon Cermele has made a claim with the City, indicating that you were provided with legal services, outlined in the attached letter and arising out of the following situation:

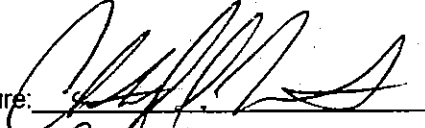
- An incident which occurred on May 5, 2004
- A Citizen Complaint of Mr. Raymond Woolridge

Is this information correct?

YES NO

Did you receive legal representation in this matter?

YES NO

Your Signature: 

Print Your Name: Christopher S. NAVARRETTE

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

07 AUG 15 AM 10:55
MILWAUKEE POLICE DEPARTMENT
PROFESSIONAL PERFORMANCE DIVISION

CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE
RACHEL L. PINGS
MATTHEW L. GRANITZ

LAURIE A. EGGERT
- OF COUNSEL -

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

June 29, 2007

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

CITY OF MILWAUKEE
2007 JUL -5 PM 2:54
RONALD D. LEONHARDT
CITY CLERK

**RE: Citizen Complaint of Mr. Raymond Woolridge
Against Det. Phillip Simmert and Christopher Navarrette
Complaint No.: 05-07
Date of Incident: May 5, 2004**

Dear Mr. Leonhardt:

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.

The Fire and Police Commission dismissed the complaint. Attached are copies of the dismissal notices and an itemization of the time and services rendered.

Sincerely,

CERMELE & ASSOCIATES, S.C.

Jon Cermele

CITY OF MILWAUKEE
2007 JUL -6 AM 11:19
OFFICE OF
CITY ATTORNEY

/kjs
Attachments
SIMMERT and NAVARRETTE

RECEIVED

JUN 13 2007

CERMELE & ASSOCIATES, S.C.

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

In Re:
THE CHARGES OF RAYMOND WOOLRIDGE
AGAINST DETECTIVE PHILLIP SIMMERT II AND
POLICE OFFICER CHRISTOPHER NAVARRETTE

ORDER OF DISMISSAL

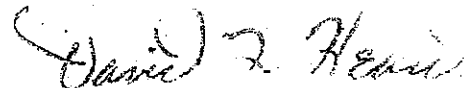
To Det. Phillip Simmert II:

It is hereby ordered that the Complaint of Raymond Woolridge, Complaint No. 05-07, filed with the Board on January 13, 2005, is dismissed due to the Complainant's failure to appear at the scheduled trial, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCZAK, CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JUNE 12, 2007.

c: Attorney Rachel Pings ✓

RECEIVED

JUN 13 2007

CERMELE & ASSOCIATES, S.C.

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

In Re:
THE CHARGES OF RAYMOND WOOLRIDGE
AGAINST DETECTIVE PHILLIP SIMMERT II AND
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ORDER OF DISMISSAL

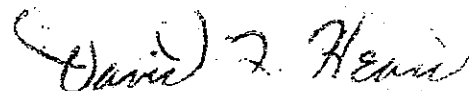
To Officer Christopher Navarrette:

It is hereby ordered that the Complaint of Raymond Woolridge, Complaint No. 05-07, filed with the Board on January 13, 2005, is dismissed due to the Complainant's failure to appear at the scheduled trial, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCZAK, CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JUNE 12, 2007.

c: Attorney Rachel Pings ✓

CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE
RACHEL L. PINGS
MATTHEW L. GRANITZ

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

LAURIE A. EGGERT
- OF COUNSEL -

June 29, 2007

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

RE: Citizen Complaint of Mr. Raymond Woolridge
Against POs Phillip Simmert and Christopher Navarrette
FPC No: 05-07
Date of Incident: May 5, 2004
Professional services

	<u>Hours</u>
6/7/2005 Initial review of new citizen complaint; open file; MPD Open Records request; review CCAP.	0.60
6/8/2005 Receive and review correspondence from FPC; correspondence to clients.	0.20
6/9/2005 Telephone call to PO Navarrette.	0.10
6/16/2005 Receive and review correspondence from FPC.	0.10
6/29/2005 Review of file; telephone calls to clients; review CCAP; telephone calls from PO Navarrette and PO Simmert; memos to file.	0.50
6/30/2005 Preparation for conciliation; travel; appearance at conciliation; citizen was no-show; conference with clients; memo to file; return travel.	1.50
8/8/2005 Telephone call from FPC.	0.10
8/11/2005 Telephone call from and to FPC; revise and sign correspondence to client; receive and review Open Records response and file same.	0.50

	<u>Hours</u>
9/12/2005 Telephone call from FPC; calendar conciliation.	0.10
9/16/2005 Receive and review citizen's sentencing transcript; file same.	0.40
12/29/2005 Review of file; travel to and perform conciliation; conference with client; memo to file.	1.00
12/7/2006 Receive and review Scheduling Order; calendar dates; correspondence to citizen with medical authorization request; correspondence to clients.	0.50
1/11/2007 Review file; create Witness and Exhibit List.	0.50
2/7/2007 Intra-office conference with Eggert; telephone call to Fronk.	0.20
2/9/2007 Receive and review correspondence from FPC to citizen regarding late Witness and Exhibit List; calendar deadline.	0.20
2/27/2007 Telephone call from Fronk regarding status.	0.10
3/2/2007 Telephone call from Fronk regarding scheduling a hearing; telephone call to clients.	0.30
3/6/2007 Telephone call to clients regarding scheduling hearing; telephone call to Fronk; telephone call from PO Simmert; conference with PO Navarrette; correspondence to clients; prepare witness subpoenas.	1.00
3/7/2007 Travel; deliver subpoenas to Academy; return travel.	1.50
3/13/2007 Several telephone calls from and to subpoenaed witnesses; receive and review Notice of hearing; correspondence to clients with same.	0.40
3/19/2007 Review file; several telephone calls to and from subpoenaed witnesses.	0.50

	<u>Hours</u>
3/20/2007 Review file and organize file as preparation for 03/21/07 hearing.	1.00
3/21/2007 Telephone call to clients; continue review of file and prepare outline and exhibits for hearing; travel to City Hall; telephone call from witness; citizen no-show; telephone call to subpoenaed witnesses to release them from subpoenas; return travel.	4.00
6/12/2007 Telephone call to FPC confirming dismissal, order not yet written; memo to file.	0.20
6/18/2007 Receive and review Orders of Dismissal; correspondence to clients; close file.	0.30
	<u>Amount</u>
For professional services rendered	15.80
Additional charges:	\$1,738.00
6/30/2005 Parking	3.00
9/2/2005 MPD Open Records request	6.06
9/16/2005 Transcript	60.50
12/29/2005 Parking	1.50
3/6/2007 Subpoenas (5)	30.00
3/21/2007 Parking	3.00
Total costs	<u>\$104.06</u>
Total amount of this bill	<u>\$1,842.06</u>

Mr. Ronald Leonhardt

Page 4

Amount

Balance due

\$1,842.06

(Rate: \$110.00 per hour)