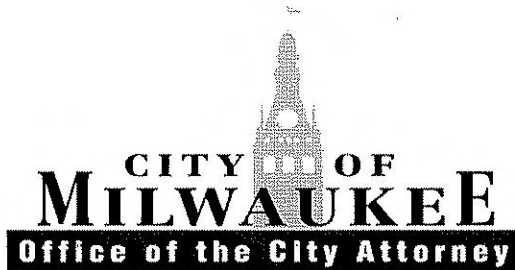


GRANT F. LANGLEY
City Attorney

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



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
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ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
Assistant City Attorneys

April 21, 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.
legal fees for Police Officer Shawn Lesniewski
EC 2675

Dear Council Members:

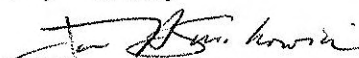
Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing for Police Officer Shawn Lesniewski. The claim is in the amount of \$825.00 for 7.50 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee 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.

1032-2008-3819.003:124764v1

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 5, 2009

TO: P.O. SHAUN LESNIEWSKI
DISTRICT: DISTRICT SEVEN

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 21, 2006
- 2) A citizen complaint made by: Mr. Clayborn Benson
- 3) A police shooting incident occurring at: N/A

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: 

Print your name: Shaun Lesniewski

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

DENITA R. BALL
Deputy Inspector of Police
Professional Performance Division

DRB: kjs

DL-C-2008-0113

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

December 12, 2008

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

**RE: Citizen Complaint of Mr. Clayborn Benson
Against PO Shaun Lesniewski
Complaint No.: 07-40
Date of Incident: November 21, 2006**

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 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 a call for assistance.

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.

Thank you.

Sincerely,

CERMELE & ASSOCIATES, S.C.

Jon Cermele

/kjs
Attachments
LESNIEWSKI

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
MATTHEW L. GRANITZ
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MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

December 12, 2008

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

RE: Citizen Complaint of Mr. Clayborn Benson
Against PO Shaun Lesniewski
FPC No: 07-40
Date of Incident: November 21, 2006
Professional services

	<u>Hours</u>
9/10/2008 Office conference with PO Lesniewski regarding new citizen complaint; review complaint; open file; draft Open Records request; research news articles relating to incident; telephone call to FPC; intra-office conference with Granitz.	1.40
9/16/2008 Telephone call from MPD Open Records regarding request.	0.10
10/9/2008 E-mail from Mediator regarding schedule; telephone call to client.	0.20
10/14/2008 E-mail from Mediator regarding 11/13/08 mediation date; e-mail from Lt. Johnson confirming his supervisor's availability; telephone call to and from client; e-mail to Mediator.	0.40
10/31/2008 E-mail from Mediator; correspondence to client.	0.20
11/12/2008 Telephone call to client; review file.	0.50
11/13/2008 Prepare for mediation; travel; attend mediation; return travel.	4.40
12/3/2008 Receive and review correspondence from FPC closing file; correspondence to client regarding same; close file.	0.30

Mr. Ronald Leonhardt

Page 2

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	7.50	\$825.00
Balance due		<u>\$825.00</u>

(Rate: \$110.00 per hour)



RECEIVED

DEC 03 2008

CERMELE & ASSOCIATES, S.C.

Fire and Police Commission

Michael G. Tobin
Executive Director

Richard C. Cox
Chair

Carolina M. Stark
Vice-Chair

Leonard J. Sobczak
Ernesto A. Baca
Earl A. Buford
Kathryn A. Hein
Paoi X. Lor
Commissioners

December 2, 2008

Mr. Clayborn Benson
c/o Mark E. Schmidt, Esq.
Godfrey & Kahn, S.C.
780 North Water Street
Milwaukee, WI 53202

RE: Clayborn Benson v. Sergeant Ken S. Henning and
Police Officer Shaun Lesniewski
FPC Complaint No. 07-40

Dear Mr. Benson:

You participated in mediation with the above-mentioned officers on Thursday, November 13, 2008 at 1:00 p.m. Upon completion of the mediation, you signed the resolution agreement confirming that the mediation was successful. We are, therefore, closing our file on your complaint.

If you have any questions regarding our decision, please call Cindy Janusz at (414) 286-5055.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

cc: Chief Edward A. Flynn
Chelsie Allan, Esq.
Alan R. Johnson, Esq.
Sergeant Ken S. Henning
Police Officer Shaun Lesniewski