

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
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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
DONALO 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 CONRAOSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
Assistant City Attorneys

March 17, 2008

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

Re: Communication from Attorney Laurie A. Eggert for legal fees for
Police Officers Ryan Carpenter and Jeff Lepianka
C.I. File No. 07-S-403; EC 2524

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Ryan Carpenter and Jeff Lepianka. The claim is in the amount of \$517.00 for 4.70 hours of service billed at the rate of \$110 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 officers 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. 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.

1032-2007-3114:124731v1

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 10, 2008

TO: P.O. RYAN CARPENTER
DISTRICT: FOUR

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 MAY 28, 2007
- 2) A citizen's complaint made by WILLIE JOINER
- 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:

RYAN CARPENTER

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 10, 2008

TO: P.O. JEFFREY LEPIANKA
DISTRICT: FOUR

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 MAY 28, 2007
- 2) A citizen's complaint made by WILLIE JOINER
- 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: _____

Jeff Lepianka
LEPIANKA

Print your name: _____

JEFF LEPIANKA

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

RECEIVED
DIVISION
JAN 16 11:04 AM '08

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

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

November 26, 2007

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

**RE: MPD Criminal Investigation of PO's Ryan Carpenter and Jeff Lepianka
Allegations Regarding Mr. Willie Joiner
Date of Incident: May 28, 2007
Location of Incident: 5800 North Teutonia Avenue**

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 complaint was baseless. As such, no charges were issued against the officers. Attached is a copy of the notification and an itemization of the time and services rendered.

Thank you.

Sincerely,

CERMELE & ASSOCIATES, S.C.



Jon Cermele

/kjs

Attachments

CARPENTER and LEPIANKA

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

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

LAURIE A. EGGERT
- OF COUNSEL -

November 27, 2007

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

RE: MPD Criminal Investigation of PO's Ryan Carpenter and Jeff Lepianka
Allegations Regarding Mr. Willie Joiner
Date of Incident: May 28, 2007
Location of Incident: 5800 North Teutonia Avenue
Professional services

	<u>Hours</u>
8/13/2007 Telephone call from PO Carpenter; open file.	0.20
8/15/2007 Telephone call to PPD; telephone call to and from PO Carpenter; memo to file.	0.50
8/17/2007 Office conference with PO Carpenter and PO Lepianka; review reports; memos to file.	1.50
8/24/2007 Telephone call from PO Lepianka; memo to file.	0.20
8/27/2007 Telephone call from PPD; memo to file; telephone call to PO Carpenter; telephone call to PO Lepianka.	0.50
8/28/2007 Telephone call from PPD; memo to file.	0.30
9/10/2007 Telephone call from PO Lepianka; memo to file; review file regarding status.	0.40
9/18/2007 Telephone call from and to PO Lepianka.	0.20

Mr. Ronald Leonhardt

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	<u>Hours</u>
9/24/2007 Telephone call to PO Lepianka; telephone call to PPD; memo to file; telephone call to PO Lepianka.	0.50
9/28/2007 Telephone call from client regarding receipt of letter closing case.	0.10
10/1/2007 Receive and review Notice from client of investigation being closed as baseless; correspondence to clients; close file.	0.30

	<u>Amount</u>
For professional services rendered	4.70
Balance due	<u>\$517.00</u>

(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

Professional Performance Division

COPY

TO: CAPTAIN ERIC MOORE
FOURTH DISTRICT

SUBJECT: NOTIFICATION RE: CONCLUSION OF CRIMINAL INVESTIGATION

MEMBER TO BE NOTIFIED: JEFFREY P. LEPIANKA
PEOPLE SOFT NO. 016625

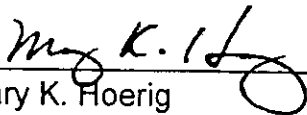
DATE: SEP 26 2007

This memo is to serve as official notification that the criminal investigation in which you were involved stemming from a complaint filed by Willie L. Joiner, PPD File No. PPD-2007-0568 /CIS File No. CIS-2007-0129 has been concluded with a finding of Baseless pending new information.

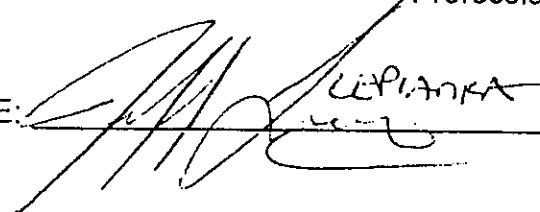
This criminal matter is now closed. However, the investigation may be reopened if pertinent new information regarding this matter is brought to the attention of the Department.

This matter will now be turned over to the Internal Affairs Section of the Professional Performance Division for review and appropriate action.

Your commanding officer will have you sign and date this memo. This notification will then be forwarded to the Professional Performance Division where it will be made a part of the aforementioned investigative file.


Mary K. Hoerig
Deputy Inspector of Police
Professional Performance Division

SIGNATURE:


LEPIANKA

DATE:

09-28-07