

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
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Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
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SUSAN D. BICKERT
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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

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 Matt Gadzalinski and Danilo Cardenas
C.I. File No. 07-S-403 (3); EC 2526

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Matt Gadzalinski and Danilo Cardenas. The claim is in the amount of \$649.00 for 5.90 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.

1032-2007-3116:124731v1

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. MATTHEW GADZALINSKI
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 AUGUST 10, 2007
- 2) A citizen's complaint made by SALLIE COMODORE
- 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:

[Handwritten signature of Matthew Gadzalinski]

Matthew GADZALINSKI

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

NOV 10 2007 10:16 AM

08 JAN 16 PM 3:48

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 10, 2008

TO: P.O. DANILO CARDENAS
DISTRICT: FIVE

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

PROF. PER. DIV.
08 JAN 23 PM 7:17
MILWAUKEE POLICE
PROFESSIONAL PERFORMANCE
DIVISION

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 AUGUST 10, 2007
- 2) A citizen's complaint made by SALLIE COMODORE
- 3) A police shooting incident occurring on N/A

Is this information correct? YES X NO

Did you receive legal representation in this matter? YES X NO

Your signature: Daniilo Cardenas

Print your name: DANILO CARDENAS

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

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 Matt Gadzalinski and Danilo Cardenas
Allegations Regarding Ms. Sallie Comodore
Date of Incident: August 10, 2007
Location of Incident: 2729 North 25th 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 response to a "shots fired" complaint.

According to correspondence from Acting Captain Leibold, the file has been suspended. As such, no charges were issued against the officers. 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

GADZALINKSI and CARDENAS

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

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 -

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 Matt Gadzalinski and Danilo Cardenas
Allegations Regarding Ms. Sallie Comodore
Date of Incident: August 10, 2007
Location of Incident: 2729 North 25th Street
Professional services

	<u>Hours</u>
8/15/2007 Office conference with PO Gadzalinski regarding criminal investigation; open file; telephone call to PPD.	0.50
8/16/2007 Office conference with PO Cardenas; telephone call to PO Gadzalinski; telephone call from PPD; memo to file.	0.80
8/20/2007 Research applicable MPD Rules, as well as Jury Instructions.	0.70
8/21/2007 Telephone call to PO's Gadzalinski and Cardenas regarding scheduling statements; telephone call from PO Gadzalinski regarding same; telephone call to PPD regarding same; telephone call to PO Gadzalinski confirming PPD statement; calendar statement; memo to file.	0.50
8/22/2007 Travel; appear at Academy for PO Gadzalinski's statement to PPD; return travel.	1.50
8/23/2007 Further research of MPD's SOP's.	0.20

	<u>Hours</u>
8/27/2007 Telephone call to PO Cardenas; memo to file.	0.20
9/6/2007 Telephone call to PO Cardenas regarding scheduling statement; memo to file.	0.20
9/10/2007 Telephone calls to PO Cardenas regarding statement; telephone call to and from PPD regarding case status; memo to file.	0.50
9/11/2007 Telephone call to PPD seeking status update on file; telephone call to PO Cardenas; memo to file.	0.20
9/14/2007 Telephone call to PPD regarding case status; memo to file.	0.20
9/17/2007 Correspondence to Det. Lt. Dubis confirming case dismissed as unfounded.	0.10
11/6/2007 Telephone call to PPD; correspondence to clients regarding closure of file; close file.	0.30

	<u>Amount</u>
For professional services rendered	5.90 \$649.00
Balance due	<u>\$649.00</u>

(Rate: \$110.00 per hour)



RECEIVED

NOV 02 2007

PERMELE & ASSOCIATES S.C.

Police Department

Nannelle H. Hegerty
Chief of Police

Monday, October 29, 2007

Matthew L. 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. 07-042	07-0159	SARLITTO, IAN	BATTERY	WARRANT REFUSED
2. 07-110	07-0490	HEWINGS, ALBERT	MISC. IN PUBLIC OFFICE	UNFOUNDED
3. 07-132	07-0576	COMODORE, SALLIE	CRIMINAL DAMAGE TO PROP	SUSPENDED-PEND NEW INF
4. 07-080		DYES, NICOLE	THEFT OF MONEY	SUSPENDED-PEND NEW INF
5. 07-027	07-0089	DHEMBI, SOLIAN	THEFT OF MONEY	SUSPENDED-PEND NEW INF
6. 06-177	06-1025	CITY OF MILWAUKEE	THEFT OF MONEY	SUSPENDED-PEND NEW INF
7. 07-133	07-0596	ANDERSON, RUBEN	BATTERY	PENDING-TBD