

GRANT F. LANGLEY
City Attorney

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



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
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
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
JARELY M. RUIZ
ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

June 24, 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 Christopher Fritz and Sergeant Justin Sebestyen
EC 2681

Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officer Christopher Fritz and Sergeant Justin Sebestyen. The claim is in the amount of \$1,247.17 including \$15.17 in disbursements for 11.20 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 and sergeant 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. Sec. 895.35, Stats., Bablitch and Bablitch v. Lincoln County, 82 Wis. 2d 574 (1978).

Very truly yours,

A handwritten signature in black ink that reads "Grant F. Langley".

GRANT F. LANGLEY
City Attorney

A handwritten signature in black ink that reads "Jan A. Smokowicz".

JAN A. SMOKOWICZ
Assistant City Attorney

JAS
Enc.

1032-2008-3819.009:147320

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 5, 2009

TO: SGT. JUSTIN SEBESTYEN
DISTRICT: SIX


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: January 16, 2007
- 2) A citizen complaint made by: Ms. Brigette Lindemann
- 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:  SEBESTYEN

Print your name: JUSTIN J. SEBESTYEN

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

RECEIVED
 09 JAN 12 PM 2:05
 MILWAUKEE POLICE
 INTERNAL AFFAIRS
 DIVISION

DRB: kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 5, 2009

TO: P.O. CHRISTOPHER FRITZ
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: January 16, 2007
- 2) A citizen complaint made by: Ms. Brigette Lindemann
- 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: _____

P.O. Christopher Fritz FRITZ

Print your name: _____

Christopher Fritz

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

CL-C-2008-0119

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 Ms. Brigette Lindemann
Against PO's Justin Sebestyen and Christopher Fritz *PO*
Complaint No.: 07-19
Date of Incident: January 16, 2007

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 call for police.

The Fire and Police Commission has closed the file. 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 Cermele

/kjs

Attachments
SEBESTYEN and FRITZ

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
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(414) 276-8750
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December 12, 2008

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

RE: Citizen Complaint of Ms. Brigitte Lindemann
Against PO's Justin Sebestyen and Christopher Fritz
FPC No: 07-19
Date of Incident: January 16, 2007
Professional services

	<u>Hours</u>
6/29/2007 Conference with PO Sebestyen; open file; Open Records request; CCAP and Muni. court research.	1.20
7/5/2007 Office conference with PO Fritz.	1.00
7/10/2007 Receive and review correspondence from City.	0.10
7/17/2007 Telephone call from MPD open records.	0.10
8/2/2007 Receive and review records; Open Records request for photos.	0.30
8/30/2007 Review photos from MPD.	0.10
3/3/2008 Telephone call from FPC regarding conciliation and availability; receive and review correspondence from FPC regarding new conciliation process; review file for complainant allegations; review photos from scene.	0.50
3/4/2008 Telephone call from PO Sebestyen and PO Fritz regarding conciliation scheduling; memo to file.	0.30

	<u>Hours</u>
3/7/2008 Telephone call from PO Fritz regarding 2008 vacation schedule; telephone call to FPC regarding same; memo to file.	0.30
7/18/2008 Telephone call to PO Sebestyen; memo to file.	0.20
7/21/2008 Review file.	0.20
7/23/2008 Telephone call to PO Sebestyen; telephone call to PO Fritz; telephone call to Mediation Center; telephone call to and from FPC; memo to file.	0.50
7/24/2008 Telephone call from PO Fritz regarding mediation; memo to file; e-mail to Mediation Center regarding same.	0.30
8/6/2008 Review e-mail correspondence from Mediation Center; telephone call to and from PO Sebestyen; telephone call to PO Fritz; memo to file; calendar mediation.	0.40
8/8/2008 Receive and review correspondence from Milwaukee Mediation Center regarding mediation date; correspondence to clients regarding same; calendar same.	0.30
8/27/2008 Telephone call from PO Fritz regarding mediation.	0.10
8/28/2008 Review file; prepare for mediation; travel; meeting with clients; attend mediation; return travel.	4.10
9/5/2008 Receive and review correspondence from Milwaukee Mediation Center.	0.10
9/11/2008 Receive and review correspondence from FPC.	0.10
10/8/2008 Review file; telephone call to FPC regarding status; memo to file; receive and review correspondence from FPC confirming file closure; correspondence to clients regarding same; close file.	1.00

Mr. Ronald Leonhardt

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	<u>Hours</u>	<u>Amount</u>
For professional services rendered	11.20	\$1,232.00
Additional charges:		
8/3/2007 MPD Open Records request		4.59
8/31/2007 MPD Open Records request		10.58
Total costs		<u>\$15.17</u>
Total amount of this bill		<u>\$1,247.17</u>
Balance due		<u><u>\$1,247.17</u></u>

(Rate: \$110.00 per hour)



Fire and Police Commission

Michael G. Tobin
Executive Director

October 8, 2008

Leonard J. Sobczak
Chairman

Ernesto A. Baca
Vice-Chairman

Earl A. Buford
Richard C. Cox
Kathryn A. Hein
Carolina M. Stark
Commissioners

Ms. Brigette M. Lindemann
5861 North 74th Street
Milwaukee, WI 53218

RECEIVED

OCT 10 2008

CERMELE & ASSOCIATES, S.C

RE: Citizen Complaint No. 07-19
Brigette M. Lindemann v. Sergeant Bradley Buddenhagen and
Police Officers Christopher Fritz and Justin Sebestyen

Dear Ms. Lindemann:

Having not heard from you regarding the successful mediation held on August 28, 2008, we are closing our file.

Thank you for giving us the opportunity to assist you with your complaint. Feel free to contact us in the future, should the need arise.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

cc: Chief Edward A. Flynn
Matthew L. Granitz, Esq.
Alan R. Johnson, Esq.
Sergeant Bradley Buddenhagen
Police Officer Christopher Fritz
Police Officer Justin Sebestyen