

**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  
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ADAM B. STEPHENS  
KEVIN P. SULLIVAN  
BETH CONRADSON CLEARY  
THOMAS D. MILLER  
HEIDI E. GALVÁN  
JARELY M. RUIZ  
ROBIN A. PEDERSON  
Assistant City Attorneys

January 5, 2009

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

Re: Communication from Attorney Jonathan Cermele, Cermele & Associates,  
S.C. for legal fees for Police Officers Scott Schmitz, Jeff Lepianka, and  
Robert Lemanczyk; EC 2601

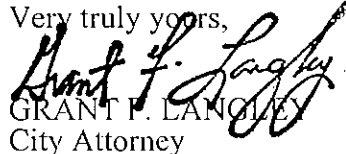
Dear Council Members:

Returned herewith is a document filed by Attorney Jonathan Cermele for attorney's fees for representing Police Officers Scott Schmitz, Jeff Lepianka, and Robert Lemanczyk. The claim is in the amount of \$495.00 for 4.50 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.

1032-2008-2037.009:124731v4

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

September 3, 2008

TO: DET. SCOTT SCHMITZ (e)  
DISTRICT: CIB

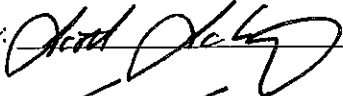
RE: Receipt of Legal Services from Law Firm of  
Attorney Jonathan Cermele

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: September 15, 2007
- 2) A citizen complaint made by: ALMONYONNA WILSON
- 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: SCOTT SCHMITZ

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: kjs

RECEIVED  
08 SEP 12 AM 11:03  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

September 3, 2008

TO: P.O. ROBERT LEMANCZYK  
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:

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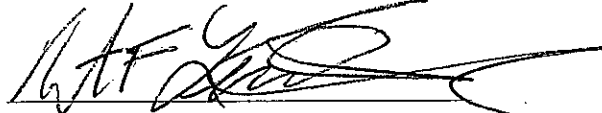
Is this information correct?

YES  NO

Did you receive legal representation  
in this matter?

YES  NO

Your signature:



Print your name:

ROBERT LEMANCZYK

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: kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

September 3, 2008

TO: P.O. JEFF 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: September 15, 2007
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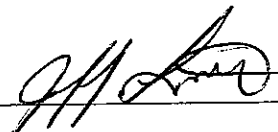
Is this information correct?

YES  NO

Did you receive legal representation  
in this matter?

YES  NO

Your signature: \_\_\_\_\_



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: kjs

**GRANT F. LANGLEY**  
City Attorney

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**BETH CONRADSON CLEARY**  
**THOMAS D. MILLER**  
**HEIDI E. GALVÁN**  
Assistant City Attorneys

June 25, 2008

Acting Captain Kurt Leibold  
Milwaukee Police Department  
Professional Performance Division  
6680 North Teutonia Avenue, Rm. 325  
Milwaukee, WI 53209

Re: Communication from Cermele & Associates, S.C.  
EC: 2601; Our File No. 1032-2008-2037.009

Dear Captain Leibold:

Enclosed please find a claim filed by attorney Jonathan Cermele for Attorney's fees incurred during his representation of Police Officers Scott Schmitz, Jeff Lepianka, and Robert Lemanczyk.

Please determine whether this officer was in fact involved in the matter described in Mr. Cermele's claim, and have this officer verify Mr. Cermele's representation. Please return the claims and verification forms to our office at your earliest convenience to Angelique M. Pettigrew, Paralegal.

Thank you for your anticipated cooperation in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "J. Smokowicz".

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:amp  
Enclosure

1032-2008-2037.009:12978

# CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -  
WWW.CERMELELAW.COM

JONATHAN CERMELE  
MATTHEW L. GRANITZ  
CHELSIE ALLAN

LAURIE A. EGGERT  
- OF COUNSEL -

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

June 12, 2008

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

**RE: MPD Criminal Investigation of PO's Scott Schmitz, Jeff Lepianka and  
Robert Lemanczyk  
Allegations Regarding Ms. Almonyonna Wilson  
Date of Incident: September 15, 2007  
Location of Incident: 6725 North 75<sup>th</sup> 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 an arrest.

According to correspondence from Acting Captain Leibold, the allegation is baseless. 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

SCHMITZ, LEPIANKA and LEMANCZYK

# CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -

WWW.CERMELELAW.COM

JONATHAN CERMELE  
MATTHEW L. GRANITZ  
CHELSIE ALLAN

LAURIE A. EGGERT

- OF COUNSEL -

6310 WEST BLUEMOUND ROAD  
SUITE 200

MILWAUKEE, WISCONSIN 53213  
(414) 276-8750

FAX (414) 276-8906

June 12, 2008

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

RE: MPD Criminal Investigation of PO's Scott Schmitz, Jeff Lepianka and  
Robert Lemanczyk  
Allegations Regarding Ms. Almonyonna Wilson  
Date of Incident: September 15, 2007  
Location of Incident: 6725 North 75th Street  
Professional services

	<u>Hours</u>
9/28/2007 Office conference with PO Schmitz regarding criminal investigation; open file; memo to file.	0.70
10/1/2007 Office conference with PO Lepianka and PO Lemanczyk; add as clients; memo to file; telephone call to and from PPD; memo to file; follow-up call from PPD.	1.50
10/2/2007 Telephone call to PO Schmitz; memo to file; telephone call to witnesses; create chart of witnesses / allegations.	1.50
4/17/2008 Telephone call to PPD; memo to file; correspondence to Det. Lt. Dubis requesting confirmation that case was cleared as baseless.	0.30
5/15/2008 Telephone call to Det. Lt. Dubis as follow-up to request written confirmation of closure.	0.10
5/22/2008 Receive and review written confirmation from MPD regarding case cleared as baseless; correspondence to clients; close file.	0.40



Mr. Ronald Leonhardt

Page 2

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	4.50	\$495.00
Balance due		<u>\$495.00</u>

(Rate: \$110.00 per hour)



City  
of  
Milwaukee

Police Department

MAY 22 2008

Edward A. Flynn  
Chief of Police

Monday, May 19, 2008


Rachel L. Pings  
Attorney At Law  
6310 West Bluemound Road  
Suite 200  
Milwaukee, WI 53213

Dear Ms. PINGS:

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,



KURT LEIBOLD  
ACTING CAPTAIN OF POLICE

CIS FILE NO.	PPD FILE NO.	COMPLAINANT	ALLEGATION	DISPOSITION
08-0019	08-0170	BURTON, OMAR	THEFT	SUSPENDED-PENDING NEW INFORMATION
07-0168	07-0745	HEWING, DEREK	C.D.T.P.	UNFOUNDED
07-0179	07-0779	SCHROEDER, JAMES	THEFT	SUSPENDED-PENDING NEW INFORMATION
07-0200	07-0924	HARRIS, KEVIN	THEFT	SUSPENDED-PENDING NEW INFORMATION
07-0159	07-0790	BENNETTE-GREEN, RICHARD	MISCONDUCT IN PUBLIC OFFICE	SUSPENDED-PENDING NEW INFORMATION
07-0148	07-0697	WILSON, ALMONYONNA	PHYSICAL ABUSE OF A CHILD	BASELESS
07-0198	07-0911	BLANKENHEIM, ROBERT	BATTERY	WARRANT REFUSED
07-0161	07-0746	BARNES, LEMAR	MISCONDUCT IN PUBLIC OFFICE	WARRANT REFUSED
08-0035	08-0122	PARR-CHESSER, WHITNEY	BATTERY	UNFOUNDED