GRANT F. LANGLEY
City Attorney

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

CITY OF MILWAUKEE
Office of the City Attorney

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

January 6, 2010

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 Officer Virginia Gordy
EC 2745

Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing for Police Officer Virginia Gordy. The claim is in the amount of $847.00 for 7.70 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.
1032-2009-2191.001:124764v1

MILWAUKEE POLICE DEPARTMENT

December 10, 2009

TO: P.O. VIRGINIA GORDY
DISTRICT: ORGANIZED CRIME DIVISION

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: December 5, 2007
2) An incident regarding complaint of: Tina ABENDROTH
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: Virginia Gordy

Print your name: Virginia Gordy

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

1032-2009-2191.001
CLC-2009-0061

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

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

August 4, 2009

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

CITY OF MILWAUKEE
2009 AUG -6 PM 4:38
RONALD D. LEONHARDT
CITY CLERK

RE: Citizen Complaint of Ms. Tina Abendroth
Against PO Virginia Gordy
Complaint No.: 08-02
Date of Incident: December 5, 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 officer has retained us to represent her in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent her and, as she was performing the duties of her office at the time of the events giving rise to the incident, this claim is hereby made on her behalf for the indicated legal fees. This incident involved effectuating a search warrant.

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
GORDY

CERMELE & ASSOCIATES, S.C.

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August 04, 2009

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

RE: Citizen Complaint of Ms. Tina Abendroth
Against PO Virginia Gordy
FPC No: 08-02
Date of Incident: December 5, 2007
Professional services

		Hours	Amount
9/13/2008 CA	Office conference with PO Gordy regarding new citizen complaint; open file.	0.90	99.00
10/9/2008 CA	Telephone call from FPC regarding mediation and complainant's new contact information; e-mail from Mediator regarding schedule; telephone call to and from client; e-mail to Mediator.	0.60	66.00
10/15/2008 CA	Correspondence to client.	0.30	33.00
10/24/2008 CA	Receive and review Notice from Mediator regarding mediation date; correspondence to client regarding same.	0.20	22.00
10/29/2008 CA	E-mail to Mediator rescheduling mediation; correspondence to client regarding cancellation of mediation; telephone call to client regarding same.	0.30	33.00

		Hours	Amount
11/3/2008 CA	E-mail to Mediator regarding mediation date.	0.10	11.00
11/14/2008 CA	E-mail to Mediator; correspondence to client; e-mail from Mediator; telephone call to client; e-mail to Mediator.	0.60	66.00
11/17/2008 CA	Prepare for mediation; travel; attend mediation; return travel.	3.10	341.00
11/18/2008 CA	Telephone call to FPC.	0.20	22.00
12/18/2008 CA	Receive and review correspondence from Mediator.	0.20	22.00
1/26/2009 MG	Review file; telephone call to FPC; memo to file.	0.60	66.00
2/10/2009 MG	Review file; telephone call to FPC; memo to file.	0.30	33.00
8/3/2009 SJJ	Receive and review dismissal notice from FPC; correspondence to client regarding same; close file.	0.30	33.00
	For professional services rendered	7.70	$847.00
	Balance due		$847.00

(Rate: $110.00 per hour)

City of Milwaukee

Fire and Police Commission

Michael G. Tobin
Executive Director

Richard C. Cox
Chair
Carolina M. Stark
Vice-Chair
Ernesto A. Baca
Kathryn A. Hein
Paol X. Lor
Commissioners

March 25, 2009

Ms. Tina M. Abendroth
2408 South 5th Place
Milwaukee, WI 53207

RE: Fire and Police Commission Complaint No. 08-02
Tina M. Abendroth v. Police Officer Virginia S. Gordy

Dear Ms. Abendroth:

You attended mediation at the Milwaukee Mediation Center on November 17, 2008. The mediator informed us that the mediation was not successful. Cindy Janusz, of our office, spoke with you on November 21, 2008 regarding mediation. At that time, you informed Ms. Janusz that you did not feel Police Officer Virginia Gordy was being truthful or sincere regarding the incident with your baby. Upon speaking with the mediator and Officer Gordy's attorney, we believe that Officer Gordy participated in in good faith. It's unfortunate that the two of you could not reach an acceptable resolution. At this time, we are dismissing 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: Milwaukee Mediation Center
Chief Edward A. Flynn
Scott J. Jess, Esq.
Police Officer Virginia S. Gordy

1032-2009-2191. 001

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