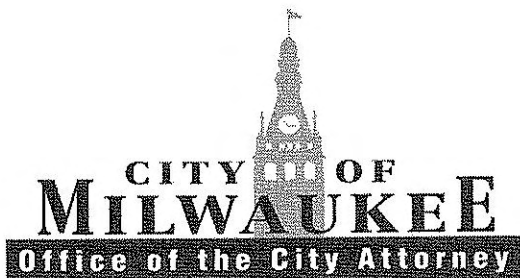


GRANT F. LANGLEY
City Attorney

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

January 28, 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 Alex Mantay
EC 2727

Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing for Police Officer Alex Mantay. The claim is in the amount of \$352.00 for 3.20 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 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.

1060-2009-2189:124764v1

1032-2009.2189

COPY

CERMELE & ASSOCIATES, S.C. CL-C-2009-0026

- 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

July 28, 2009

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

**RE: Citizen Complaint of Mr. Mark C. Carter
Against PO Alex Mantay
Complaint No.: 08-95
Date of Incident: October 2008**

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 him in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent him and, as he was performing the duties of his office at the time of the events giving rise to the incident, this claim is hereby made on his behalf for the indicated legal fees. This incident involved an investigation into the shooting of a vehicle.

The Fire and Police Commission have 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
MANTAY

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

July 28, 2009

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

RE: Citizen Complaint of Mr. Mark C. Carter
Against PO Alex Mantay
FPC No: 08-95
Date of Incident: October 2008
Professional services

		<u>Hours</u>	<u>Amount</u>
5/27/2009	SJJ Telephone call from Milwaukee Mediation Center; telephone call to PO Mantay; telephone call to FPC; receive and review correspondence from FPC; open file.	0.80	88.00
6/4/2009	SJJ E-mail to Mediator regarding scheduling.	0.10	11.00
6/8/2009	SJJ E-mail to Mediation Center; telephone call to client regarding scheduling; office conference with client; telephone call to FPC.	1.00	110.00
6/9/2009	SJJ Telephone call from FPC regarding mediation; correspondence to client regarding same; receive and review correspondence from FPC regarding complainant's history.	0.70	77.00
6/10/2009	SJJ Receive and review correspondence from FPC dismissing PO Mantay from complaint; correspondence to client regarding same.	0.30	33.00

Mr. Ronald Leonhardt

Page 2

	<u>Hours</u>	<u>Amount</u>
6/30/2009 SJJ Receive and review correspondence from FPC regarding dismissal of entire complaint; close file.	0.30	33.00
For professional services rendered	<u>3.20</u>	<u>\$352.00</u>
Balance due		<u>\$352.00</u>

(Rate: \$110.00 per hour)



RECEIVED

JUN 12 2009

CERMELE & ASSOCIATES, S.C.

Richard C. Cox
Chair
Carolina M. Stark
Vice-Chair
Ernesto A. Baca
Kathryn A. Hein
Paoi X. Lor
Sarah W. Morgan
Commissioners

Fire and Police Commission

Michael G. Tobin
Executive Director

June 10, 2009

Police Officer Alexander W. Mantay
District 7 - Early

RE: Fire and Police Commission Complaint No. 08-95
Complaint of Mark C. Carter v. Police Officer Alexander W. Mantay

Dear Officer Mantay:

Upon further contact with the complainant, it has been determined that you were misidentified in the above-referenced complaint as an accused member. Therefore, we are removing your name from the complaint and you do not have to participate in mediation.

If you have any questions regarding this decision, please contact us.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

cc: Chief Edward A. Flynn
Scott J. Jess, Esq.