

GRANT F. LANGLEY
City Attorney

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KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
Assistant City Attorneys

April 18, 2008

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 Eric Devries and Susan Stirmel
C.I. File No. 07-S-41-1; EC 2408

Dear Council Members:

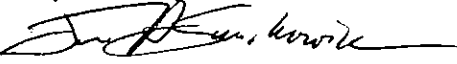
Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officers Eric Devries and Susan Stirmel. The claim is in the amount of \$1,732.00 including \$38.00 in disbursements for 15.40 hours of service billed at the rate of \$110.00 per hour. We ask that 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 officers 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.

1032-2007-453:124771v1

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

February 15, 2007

TO: P.O. ERIC DEVIES
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 JUNE 8, 2005
- 2) A citizen complaint made by TRENELL SCOTT
- 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: P.O. Eric Devies DEVIES

Print your name: P.O. Eric DEVIES

Upon completion, please return this memorandum to the Professional Performance Division at the Police Academy (Room 325) as soon as possible.


MARY K. HOERIG
Deputy Inspector
Professional Performance Division

MKH: kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

February 15, 2007

TO: P.O. SUSAN STIRMEL
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 JUNE 8, 2005
- 2) A citizen complaint made by TRENELL SCOTT
- 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: *Susan Stirmel*

Print your name: Susan Stirmel

Upon completion, please return this memorandum to the Professional Performance Division at the Police Academy (Room 325) as soon as possible.

Mary K. Hoerig
MARY K. HOERIG
Deputy Inspector
Professional Performance Division

MKH: kjs

CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE
LAURIE A. EGGERT
RACHEL L. PINGS
MATTHEW L. GRANITZ

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

January 26, 2007

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

**RE: Citizen Complaint of Mr. Trenell Scott
Against PO's Eric Devries and Susan Stirmel
Complaint No.: 06-15
Date of Incident: June 8, 2005**

Dear Mr. Leonhardt:

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 for intimidation of a victim.

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.

Sincerely,

CERMELE & ASSOCIATES, S.C.

Jon Cermele

/kjs

Attachments
DEVRIES and STIRMEL

2007 FEB -1 PM 2:00
CITY ATTORNEY

2007 FEB -1 PM 2:17
CITY ATTORNEY

DEC 29 2006

BOARD OF
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

In Re:
THE CHARGES OF TRENELL SCOTT
AGAINST POLICE OFFICERS ERIC
DEVRIES AND SUSAN STIRMEL

ORDER OF DISMISSAL

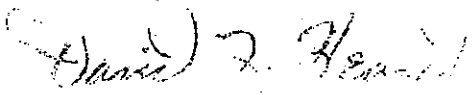
To Officer Eric Devries:

It is hereby ordered that the Complaint of Trenell Scott, Complaint No. 06-15, filed with the Board on February 3, 2006, is dismissed because the Complainant failed to appear at the scheduled meeting, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCZAK, CHAIRMAN

BY:


DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, DECEMBER 27, 2006.

c: Attorney Laurie Eggert ✓

DEC 29 2006

BOARD OF
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

In Re:
THE CHARGES OF TRENELL SCOTT
AGAINST POLICE OFFICERS ERIC
DEVRIES AND SUSAN STIRMEL

ORDER OF DISMISSAL

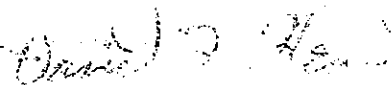
To Officer Susan Stirmel:

It is hereby ordered that the Complaint of Trenell Scott, Complaint No. 06-15, filed with the Board on February 3, 2006, is dismissed because the Complainant failed to appear at the scheduled meeting, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCZAK, CHAIRMAN

BY:


DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, DECEMBER 27, 2006.

c: Attorney Laurie Eggert ✓

CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE
LAURIE A. EGGERT
RACHEL L. PINGS
MATTHEW L. GRANITZ

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

January 26, 2007

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

RE: Citizen Complaint of Mr. Trenell Scott
Against PO's Eric Devries and Susan Stirmel
FPC No: 06-15
Date of Incident: June 8, 2005
Professional services

	<u>Hours</u>
5/16/2006 Conference with PO Devries; open file; memo to file; telephone call to City Atty.; correspondence to FPC; correspondence to City Atty.; computer search regarding complainant and witnesses.	2.60
5/17/2006 Telephone call from and to City Atty.; memo to file.	0.50
5/24/2006 Telephone call from and to City Atty.; travel; obtain documents; return travel.	0.50
5/30/2006 Telephone call from and to FPC; memo to file.	0.50
6/20/2006 Review of correspondence from FPC; review file.	0.20
6/28/2006 Telephone call from and to City Atty.; memo to file.	0.20
7/20/2006 Review file; telephone call to City Atty.; review documents regarding complainant's claim against the City and criminal convictions regarding incident.	1.80
7/31/2006 Telephone call from City Atty.; review file; telephone call to and from FPC; memo to file; telephone call to client.	0.70

	<u>Hours</u>
8/14/2006 Prepare for conference with PO Stirmel; office conference with PO Stirmel; add PO Stirmel to file.	0.80
8/21/2006 Review phone message canceling conciliation; review of correspondence from FPC; telephone call to client; telephone call to FPC; telephone call to City Atty.; memo to file.	0.80
8/28/2006 Review of correspondence from FPC; memo to file; telephone call from and to City Atty.	0.10
8/31/2006 Telephone call from and to client; telephone call to FPC; memo to file; telephone call from City Atty.	0.50
9/11/2006 Review message from FPC; memo to file.	0.10
9/12/2006 Review of correspondence from FPC.	0.10
9/18/2006 Telephone call from and to FPC; review file; review documents regarding prior criminal charges.	0.80
9/20/2006 Telephone call from FPC; memo to file.	0.20
9/27/2006 Review of correspondence from FPC; correspondence to client; review internal investigation clearing officers.	1.90
10/17/2006 Review file; telephone call to FPC; memo to file.	0.60
10/18/2006 Telephone call to client; review file.	0.20
10/19/2006 Prepare for conciliation; travel; appearance at conciliation; conference with clients; return travel; memo to file.	1.40
10/31/2006 Review of correspondence from City Atty. regarding dismissal of complainant's federal case.	0.10
11/14/2006 Telephone call to and from FPC; memo to file.	0.20

Mr. Ronald Leonhardt

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	<u>Hours</u>	
12/7/2006 Review file.	0.10	
1/9/2007 Receive and review dismissal notice; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	15.40	\$1,694.00
Additional charges:		
5/24/2006 Records request from Milwaukee City Attorney		36.00
10/19/2006 Parking		2.00
		<u>\$38.00</u>
Total costs		<u>\$1,732.00</u>
Total amount of this bill		<u>\$1,732.00</u>
Balance due		<u><u>\$1,732.00</u></u>

(Rate: \$110.00 per hour)