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 Officers Eric Brenson and Roh Fohr
EC 2702

Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officers Eric Brenson and Roh Fohr. The claim is in the amount of $771.17 including $1.17 in disbursements for 7.00 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.
1032-2009-1276.001:124771v1

MILWAUKEE POLICE DEPARTMENT

December 10, 2009

TO: P.O. ERIC BRENSON
DISTRICT: SEVEN

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 11, 2008
2) An incident regarding complaint of: David Miller
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: Eric Brenson

Print your name: Eric BRENSON

Upon completion, please return this document 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

MILWAUKEE POLICE DEPARTMENT

December 10, 2009

TO: P.O. RON FOHR
DISTRICT: SEVEN

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 11, 2008
2) An incident regarding complaint of: David Miller
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: _____

Print your name: Ron Fohr

Upon completion, please return this document 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

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

April 16, 2009

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

RE: Citizen Complaint of Mr. David Miller
Against PO's Eric Brenson and Ron Fohr
Complaint No.: 08-86
Date of Incident: September 11, 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 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 responding to an auto theft complaint.

The Fire and Police Commission has closed the file. Attached is a copy of the letter and an itemization of the time and services rendered.

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

April 16, 2009

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

RE: Citizen Complaint of Mr. David Miller
Against PO's Eric Brenson and Ron Fohr
FPC No: 08-86
Date of Incident: September 11, 2008
Professional services

		Hours	Amount
10/16/2008 CA	Office conference with PO Brenson regarding new citizen complaint; open file; Open Records request.	1.00	110.00
10/20/2008 CA	Telephone call from client; telephone call to FPC.	0.30	33.00
10/27/2008 CA	Office conference with PO Fohr; add PO Fohr to file.	0.50	55.00
11/4/2008 CA	Receive and review CAD report.	0.20	22.00
11/25/2008 CA	E-mail from Mediator; review file; telephone call to PO Brenson; telephone call to and from PO Fohr; e-mail to Mediator.	0.40	44.00
12/10/2008 CA	E-mail from Mediator regarding scheduling mediation; telephone call to PO Brenson; e-mail to and from Mediator regarding new date.	0.30	33.00

			Hours	Amount
12/11/2008	CA	Telephone call to PO Brenson.	0.10	11.00
12/12/2008	CA	Telephone call from PO Brenson; telephone call from PO Fohr; e-mail to and from Mediator; telephone call to PO Brenson; telephone call to PO Fohr; correspondence to client with mediation information.	0.30	33.00
12/16/2008	CA	Receive and review mediation packets from Mediation Center.	0.10	11.00
12/18/2008	CA	Review file; prepare for mediation; travel; attend mediation; return travel.	3.10	341.00
12/29/2008	CA	Correspondence from Mediation Center regarding agreement.	0.20	22.00
1/20/2009	MG	Review file; receive and review correspondence from FPC dismissing complaint; correspondence to clients regarding same; close file.	0.50	55.00
		For professional services rendered	7.00	$770.00
		Additional charges:		
12/26/2008	CA	MPD Open Records request		1.17
		Total costs		$1.17
		Total amount of this bill		$771.17
		Balance due		$771.17

(Rate: $110.00 per hour)

City of Milwaukee

Fire and Police Commission

Michael G. Tobin
Executive Director

RECEIVED
JAN 20 2009
CERMELE & ASSOCIATES, S.C

Richard C. Cox
Chair
Carolina M. Stark
Vice-Chair
Leonard J. Sobczak
Ernesto A. Baca
Earl A. Buford
Kathryn A. Hein
Paoi X. Lor
Commissioners

January 15, 2009

Mr. David A. Miller
5103 Highway KW
Port Washington, WI 53074

RE: Complaint of David A. Miller v. Police Officers Ron C. Fohr and Eric K. Brenson
FPC Complaint No. 08-86

Dear Mr. Miller:

Pursuant to your telephone conversation today with Cindy Janusz of our office, you informed her that you are satisfied with the mediation that took place on December 18, 2008 with Police Officers Ron Fohr and Eric Brenson.

We are, therefore, closing our file on your complaint.

If you have any questions, please call Ms. Janusz at (414) 286-5055.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

cc: Chief Edward A. Flynn
Chelsie Allan, Esq.
Police Officer Ron C. Fohr
Police Officer Eric K. Brenson