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DANIELLE M. BERGNER
Assistant City Attorneys

April 21, 2010

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

Re: Communication from Attorney Jon Cermele
for legal fees for Police Officer Wesam Yagham

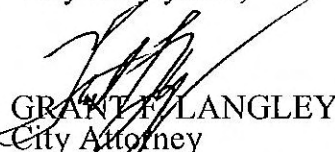
Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officer Wesam Yagham. The claim is in the amount of \$451.00 for 4.10 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.

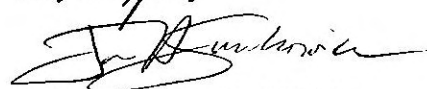
We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by the filing of a citizen complaint against the officer with the Fire and Police Commission. The complaint was dismissed by the Commission.

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:enm
Enc.

1032-2010-268/157193

OFFICE OF THE CITY ATTORNEY

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CERMELE & ASSOCIATES, S.C.

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6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213

(414) 276-8750
FAX (414) 276-8906

January 14, 2010

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

**RE: Citizen Complaint of Ms. Crill Evans
Against PO Wesam Yagham
Complaint No.: 08-116
Date of Incident: November 14, 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 a call for service.

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.

4/20/10
D.R.
JRS
Letter 2291

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January 14, 2010

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

RE: Citizen Complaint of Ms. Crill Evans
Against PO Wesam Yagham
FPC No: 08-116
Date of Incident: November 14, 2008
Professional services

		<u>Hours</u>	<u>Amount</u>
7/16/2009	SJJ Office conference with PO Yagham regarding new citizen complaint; open file; memo to file.	0.70	77.00
7/30/2009	SJJ Receive and review correspondence from FPC regarding mediation; review citizen complaint; review client's written response; search Court records.	0.60	66.00
8/5/2009	SJJ Telephone call to client regarding mediation; e-mail to Mediation Center regarding same.	0.20	22.00
8/12/2009	SJJ Receive and review e-mail from Mediation Center regarding scheduling; telephone call to client regarding same; e-mail to Mediation Center.	0.30	33.00
8/19/2009	SJJ E-mail to Mediation Center.	0.10	11.00

		<u>Hours</u>	<u>Amount</u>
9/16/2009	SJJ	Receive and review e-mail from Mediation Center; telephone call to client regarding same; e-mail to Mediation Center; telephone call to FPC regarding mediation process.	0.60 66.00
9/25/2009	JC	Intra-office conference with Jess regarding status, strategy.	0.20 22.00
9/29/2009	JC	Receive and review file; direction to Matthews.	0.40 44.00
	BPM	Meeting with Mediator regarding dismissal of complaint.	0.20 22.00
10/5/2009	BPM	Review file; correspondence to client.	0.40 44.00
10/7/2009	BPM	Receive and review correspondence from FPC dismissing Complaint; correspondence to client; close file.	0.40 44.00
		For professional services rendered	4.10 \$451.00
		Balance due	\$451.00

(Rate: \$110.00 per hour)



RECEIVED

OCT 05 2009

CERMELE & ASSOCIATES, S.C.

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
Sarah W. Morgan
Commissioners

October 1, 2009

Ms. Crill A. Evans
2657 North 55th Street
Milwaukee, WI 53210

RE: Complaint of Crill A. Evans v. Police Officer Wesam F. Yagham
FPC Complaint No. 08-116

Dear Ms. Evans:

Your complaint was forwarded to the Milwaukee Mediation Center for mediation with the above police officer. The Milwaukee Mediation Center sent you a letter with available dates for mediation and asked you to respond by September 25, 2009. Cindy Janusz of our office has attempted telephone contact with you to determine if you still wish to participate in mediation, but the cell number you gave us has a recording that states the number is incorrect. She also attempted to contact you at the work number you gave us but she was informed that you no longer work there.

Due to not being able to contact you, and you not contacting us, we are closing our file and dismissing the complaint against the police officer.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

cc: Chief Edward A. Flynn
Jonathan Cermele, Esq.
Police Officer Wesam F. Yagham