

**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

July 14, 2009

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 Edward Matecki and Daniel Culver  
EC 2648

Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officers Edward Matecki and Daniel Culver. The claim is in the amount of \$522.66, including \$5.66 in disbursements for 4.70 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 and sergeant 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. Sec. 895.35, Stats., Bablitch and Bablitch v. Lincoln County, 82 Wis. 2d 574 (1978).

Very truly yours,

A handwritten signature in black ink that reads "Grant F. Langley".

GRANT F. LANGLEY  
City Attorney

A handwritten signature in black ink that reads "Jan A. Smokowicz".

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS  
Enc.

1032-2007-968:147918

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 5, 2009

TO: P.O. EDWARD MATECKI  
DISTRICT: ONE

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: JULY 20, 2007
- 2) An incident regarding complaint of: CARLA EVANS
- 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:



Print your name:

Edward MATECKI

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

KURT R. LEIBOLD  
Acting Captain of Police  
Professional Performance Division

KRL: lrc

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 5, 2009

TO: P.O. DANIEL CULVER  
DISTRICT: ONE

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: JULY 20, 2007
- 2) An incident regarding complaint of: CARLA EVANS
- 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: \_\_\_\_\_



Print your name: \_\_\_\_\_

DANIEL A. CULVER

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

KURT R. LEIBOLD  
Acting Captain of Police  
Professional Performance Division

KRL: lrc

1032-2008-3509.006

CL-C-2008-0097

## CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -  
WWW.CERMELELAW.COM

JONATHAN CERMELE  
MATTHEW L. GRANITZ  
CHELSIE ALLAN  
SCOTT J. JESS

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

September 16, 2008

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

**RE: Citizen Complaint of Ms. Carla Evans  
Against PO's Edward Matecki and Daniel Culver  
Complaint No.: 07-38  
Date of Incident: July 20, 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 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 a traffic stop.

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

# CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -  
WWW.CERMELELAW.COM

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September 16, 2008

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

RE: Citizen Complaint of Ms. Carla Evans  
Against PO's Edward Matecki and Daniel Culver  
FPC No: 07-38  
Date of Incident: July 20, 2007  
Professional services

	<u>Hours</u>
6/2/2008 Receive and review citizen complaint; open file; Open Records request.	0.60
6/13/2008 Additional Open Records request.	0.40
6/18/2008 Receive and review correspondence from FPC.	0.10
6/19/2008 Telephone call from FPC.	0.10
7/13/2008 Receive and review correspondence from FPC regarding mediation.	0.10
7/23/2008 Telephone call to clients regarding scheduling mediation; memo to file.	0.20
7/29/2008 Telephone call to PO Culver regarding mediation dates.	0.10
7/31/2008 Telephone call from client; memo to file; telephone call to Mediator.	0.40

	<u>Hours</u>
8/7/2008 Correspondence to clients regarding mediation.	0.30
8/13/2008 Receive and review correspondence from Milwaukee Mediation Center.	0.10
8/14/2008 Travel; attend mediation; return travel.	1.80
8/29/2008 Receive and review correspondence from Milwaukee Mediation Center.	0.10
9/9/2008 Receive and review correspondence from FPC indicating file closure; correspondence to clients; close file.	0.40

	<u>Amount</u>
For professional services rendered	4.70
Additional charges:	
7/25/2008 MPD Open Records request	5.66
Total costs	<u>\$5.66</u>
Total amount of this bill	<u>\$522.66</u>
Balance due	<u><u>\$522.66</u></u>

(Rate: \$110.00 per hour)



Fire and Police Commission

Michael G. Tobin  
Executive Director

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

September 8, 2008

RECEIVED  
SEP 09 2008

Ms. Carla R. Evans  
3015 North 25<sup>th</sup> Street  
Milwaukee, WI 53206

RE: Carla R. Evans v. Police Officers Daniel Culver and Edward Matecki  
FPC Complaint No. 07-38

Dear Ms. Evans:

You were scheduled for mediation with Police Officers Daniel Culver and Edward Matecki on Thursday, August 14, 2008 at 1:00 p.m., at which you did not appear.

A telephone call was placed to you by Cathy Warmington of the Milwaukee Mediation Center during which you stated that you just returned home from the hospital with your child and forgot about the mediation. You informed Ms. Warmington that you would be there within 20 minutes. Everyone involved waited for one (1) hour for you to arrive. Your failure to appear is still charged to the Fire and Police Commission for the service and the police officers' salary for their time spent waiting.

Cindy Janusz, of our office, placed a call to you on Friday, August 15, 2008 regarding the mediation that you missed. Your mother informed her that you were at the ER with your infant, but that she would have you call her upon your return home.

Since you have not contacted us regarding this matter, we are closing our file on your complaint.

If you have any questions regarding our decision, please call Cindy Janusz, of our office, at (414) 286-5055.

Sincerely,

Michael G. Tobin  
Executive Director

MGT:cj

cc: Chief Edward A. Flynn  
Matthew L. Granitz, Esq.  
Police Officer Daniel Culver  
Police Officer Edward Matecki