

GRANT F. LANGLEY
City Attorney

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Deputy City Attorneys



THOMAS O. GARTNER
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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 Officer Robert Kendziorski
C.I. File No. 07-S-243-6; EC 2485

Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officer Robert Kendziorski. The claim is in the amount of \$430.64 including \$12.64 in disbursements for 3.80 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.

1032-2007-1830:124771v1

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**

Memo

To: Police Officer Robert Kendziorski
From: Deputy Inspector Mary K. Hoerig
Date: 8/10/2007
Re: Receipt of Legal Services from Law Firm of Cermele & Associates, S.C.

Attorney Jon Cermele has made a claim with the City, indicating that you were provided with legal services, outlined in the attached letter and arising out of the following situation:

- An incident which occurred on June 3, 2006
- A Citizen Complaint of Ms. Lakesha Williams

Is this information correct? YES X NO
 Did you receive legal representation in this matter? YES X NO

Your Signature: *[Signature]*
 Print Your Name: ROBERT KENDZIORSKI

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

07 AUG 13 AM 11:30
 MILWAUKEE POLICE DEPARTMENT
 PROFESSIONAL PERFORMANCE DIVISION

CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE
RACHEL L. PINGS
MATTHEW L. GRANITZ

LAURIE A. EGGERT
- OF COUNSEL -

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

June 29, 2007

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

**RE: Citizen Complaint of Ms. Lakesha Williams
Against PO Robert Kendziorski
Complaint No.: 06-21
Date of Incident: June 3, 2006**

OFFICE OF MILWAUKEE
CITY CLERK
2007 JUL -5 PM 2:54
RONALD D. LEONHARDT
CITY CLERK

Dear Mr. Leonhardt:

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 arrest.

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

OFFICE OF
CITY ATTORNEY
2007 JUL -6 AM 11:18
CITY OF MILWAUKEE
RECEIVED

/kjs
Attachments
KENDZIORSKI

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

In Re:
THE CHARGES OF LAKESHA WILLIAMS
AGAINST POLICE OFFICER ROBERT KENDZIORSKI

ORDER OF DISMISSAL

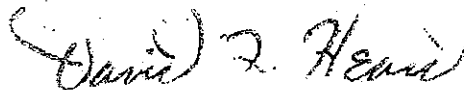
To Officer Robert Kendziorski:

It is hereby ordered that the Complaint of Lakesha Williams, Complaint No. 06-21, filed with the Board on June 6, 2006, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCHAK, CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JUNE 13, 2007.

c: Attorney Rachel Pings ✓

CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE
RACHEL L. PINGS
MATTHEW L. GRANITZ

LAURIE A. EGGERT
- OF COUNSEL -

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June 29, 2007

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

RE: Citizen Complaint of Ms. Lakesha Williams
Against PO Robert Kendziorski
FPC No: 06-21
Date of Incident: June 3, 2006
Professional services

	<u>Hours</u>
9/20/2006 Conference with PO Kendziorski; open file; Open Records request; CCAP and Muni research regarding complainant.	0.70
9/22/2006 Receive and review correspondence from client.	0.10
10/5/2006 Telephone call from client; memo to file.	0.20
10/16/2006 Receive and review Open Records request.	0.20
10/20/2006 Finish reviewing Open Records request.	0.30
2/12/2007 Telephone call from FPC regarding scheduling conciliation.	0.10
2/28/2007 Review file; telephone call to client; memo to file.	0.40
3/1/2007 Telephone call from client regarding scheduling; memo to file.	0.20
3/6/2007 Telephone call to FPC; schedule and calendar conciliation; correspondence to client.	0.20

Mr. Ronald Leonhardt

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	<u>Hours</u>
3/13/2007 Review and sign correspondence to client with Notice of Conciliation.	0.10
3/29/2007 Travel; meeting with client; citizen no-show; return travel.	1.00
6/18/2007 Receive and review Order of Dismissal; correspondence to client; close file.	0.30

	<u>Amount</u>
For professional services rendered	3.80
Additional charges:	\$418.00
10/20/2006 MPD Open Records request	6.64
3/29/2007 Parking	6.00
Total costs	<u>\$12.64</u>
Total amount of this bill	<u>\$430.64</u>
Balance due	<u><u>\$430.64</u></u>

(Rate: \$110.00 per hour)