

GRANT F. LANGLEY
City Attorney

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Deputy City Attorneys



THOMAS O. GARTNER
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DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
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KATHRYN Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRAOSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
Assistant City Attorneys

May 19, 2008

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

Re: Communication from Attorney Jonathan Cermele, Cermele & Associates,
S.C. for legal fees for Police Officer Vidal Colon
C.I. File No. 07-S-243-3; EC 2482

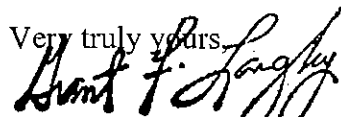
Dear Council Members:

Returned herewith is a document filed by Attorney Jonathan Cermele for attorney's fees for representing Police Officer Vidal Colon. The claim is in the amount of \$660.00 for 6.00 hours of service billed at the rate of \$110 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 a criminal investigation. No criminal charges were brought against the officer on whose behalf this claim was filed.

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.

1032-2007-1827:124731v1

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

07 AUG 17 AM 8:08
MILWAUKEE POLICE
INTERNAL AFFAIRS
INVESTIGATIVE DIVISION

Memo


To: Police Officer Vidal Colon
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 April 16, 2006
- A Criminal Investigation/Allegations regarding Mr. Horst Elwart

Is this information correct? YES NO

Did you receive legal representation in this matter? YES NO

Your Signature: 

Print Your Name: Vidal A. Colon

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

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: MPD Criminal Investigation of PO Vidal Colon
Allegations Regarding Mr. Horst Elwart
Date of Incident: April 16, 2006
Location of Incident: 1247 South 38th Street**

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 theft arrest.

According to correspondence from Deputy Inspector Hoerig, allegation is unfounded. As such, no charges were issued against the officers. Attached is a copy of the letter along with status of the CIS Investigatory file and an itemization of the time and services rendered.

Sincerely,

CERMELE & ASSOCIATES, S.C.

Jon Cermele

/kjs
Attachments
COLON

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

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



RECEIVED

JUN 20 2007

CERMELE & ASSOCIATES, S.C.

Police Department

Nannette H. Hegerty
Chief of Police

Thursday, June 14, 2007

Rachel L. Pings
Attorney At Law
6310 West Bluemound Road
Suite 200
Milwaukee, WI 53213

Dear Ms. PINGS:

This letter is in response to your inquiries regarding the status of CIS Investigatory Files.

Attached please find the requested information. If further assistance is needed Lieutenant of Detectives Karen Dubis can be contacted at 935-3540.

Sincerely,

MARY K. HOERIG
DEPUTY INSPECTOR OF POLICE

CIS FILE NO.	PPD FILE NO.	COMPLAINANT	ALLEGATION	DISPOSITION
1. 07-027	07-0089	DHEMBI, SORIAN	THEFT	TBD
2. 06-121	06-0691	PITTMAN, KEVIN	BATTERY	UNFOUNDED
3. 06-177	06-1025	CITY OF MILWAUKEE DISTRICT 3 REGISTER	THEFT	TBD
4. 06-043	06-0209	CRISS SMITH CITY OF MILWAUKEE DISTRICT 7	THEFT	SUSPENDED-PEND NEW INFO
5. 06-123	06-0696	MC VICKER, DAVON	BATTERY	WARRANT REFUSED
6. 06-063		ELLWART, HORST	PHYSICAL ABUSE TO CHILD	UNFOUNDED
7. 06-175	06-1024	YOUNG, KHADIJAH	BATTERY	WARRANT REFUSED
8. 06-039	06-0310	RAMIREZ, LIDIO	BATTERY	UNFOUNDED
9. 06-040	06-0310	RAMIREZ, GABRIEL	BATTERY	UNFOUNDED
10. 06-178	06-1090	SPEARS, DERICK	FAILURE TO PROTECT PRISONER	TBD
11. 06-110	06-0617	MCKINNEY, DEONTA	BATTERY/THEFT	BASELESS
12. 06-099	06-0559	HERRON, CEDRICK	BATTERY	BASELESS
13. 05-108	05-0485	CROOKS, RICKY	THEFT/CDTP	SUSPENDED PEND NEW INFO
14. 07-005	07-0032	FERREIRA, ANGELO	PHYSICAL ABUSE TO A CHILD	WARRANT REFUSED
15. 07-040	07-0146	CHAMPION, CEDRIC	PHYSICAL ABUSE TO A CHILD	WARRANT REFUSED

CERMELE & ASSOCIATES, S.C.

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June 29, 2007

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Milwaukee City Clerk
City Hall, Room 205
200 East Wells Street
Milwaukee WI 53202

RE: MPD Criminal Investigation of PO Vidal Colon
Allegations Regarding Mr. Horst Elwart
Date of Incident: April 16, 2006
Location of Incident: 1247 South 38th Street
Professional services

	<u>Hours</u>
5/8/2006 Telephone call from PO Colon regarding criminal investigation; open file; memo to file; telephone call from witness; memo to file.	0.80
5/25/2006 Brief office conference with client; receive and review Arrest and Detention reports and Use of Force report; calendar follow-up office conference with client.	0.50
5/26/2006 Office conference with client; telephone call to witness; memo to file.	1.00
6/15/2006 Telephone call to and from PPD.	0.40
6/16/2006 Several telephone calls to and from client; telephone call to PPD; schedule statement to PPD; review file; travel; meeting with client; attend client's statement to PPD; return travel; memo to file.	2.70
5/11/2007 Review file; Fax to PPD.	0.20
6/25/2007 Receive and review confirmation from PPD that criminal investigation was cleared; correspondence to client regarding same; close file.	0.40

Mr. Ronald Leonhardt

Page 2

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	6.00	\$660.00
Balance due		<u>\$660.00</u>

(Rate: \$110.00 per hour)