

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



THOMAS O. GARTNER  
BRUCE O. 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  
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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  
Assistant City Attorneys

July 16, 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 Officers Rodolfo Gomez and Montell Carter;  
EC 2565

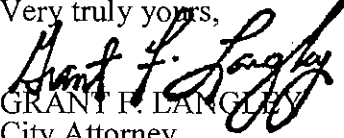
Dear Council Members:

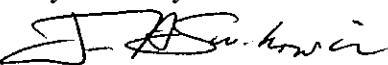
Returned herewith is a document filed by Attorney Jonathan Cermele for attorney's fees for representing Police Officers Rodolfo Gomez and Montell Carter. The claim is in the amount of \$616.00 for 5.60 hours of service billed at the rate of \$110 per hour. We ask that this matter be introduced and referred 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 officers 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.

1032-2008-921.004:124731v4

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

MEMORANDUM

May 26, 2008

TO: DET. RODOLFO GOMEZ  
DISTRICT: CIB

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: AUGUST 4, 2007
- 2) A citizen complaint made by: DEONTA JOHNSON
- 3) A police shooting incident occurring at: NA

Is this information correct?

YES ☒ NO ☐

Did you receive legal representation  
in this matter?

<sup>RL</sup>  
YES ☒ NO ☐

Your signature: \_\_\_\_\_

*Rodolfo Gomez*

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

Rodolfo Gomez

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: kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

May 26, 2008

TO: P.O. MONTEL CARTER  
DISTRICT: INTEL

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: AUGUST 4, 2007
- 2) A citizen complaint made by: DEONTA JOHNSON
- 3) A police shooting incident occurring at: NA

Is this information correct?

YES ☒ NO ☐

Did you receive legal representation  
in this matter?

YES ☒ NO ☐

Your signature: 

Print your name: MONTIEL CARTER

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: kjs

**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**

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**ADAM B. STEPHENS**  
**KEVIN P. SULLIVAN**  
**BETH CONRADSON-CLEARY**  
**THOMAS D. MILLER**  
Assistant City Attorneys

May 1, 2008

Acting Captain Kurt Leibold  
Milwaukee Police Department  
Professional Performance Division  
6680 North Teutonia Avenue, Rm. 325  
Milwaukee, WI 53209

Re: Communication from CERMELE & ASSOCIATES, S.C.  
EC No: 2565; Our File No. 1032-2008-921.004

Dear Captain Leibold:

Enclosed please find a claim filed by attorney Jonathan Cermele for Attorney's fees incurred during his representation of Police Officers Rodolfo Gomez and Montell Carter.

Please determine whether this officer was in fact involved in the matter described in Mr. Cermele's claim, and have this officer verify Mr. Cermele's representation. Please return the claims and verification forms to our office at your earliest convenience to Angelique M. Pettigrew, Paralegal.

Thank you for your anticipated cooperation in this matter.

Very truly yours,



JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:amp

Enclosure

1032-2008-921.004:130254

OFFICE OF THE CITY ATTORNEY

1032.2008.921.0

# CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -  
WWW.CERMELELAW.COM

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

April 3, 2008

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

CITY OF MILWAUKEE  
2008 APR -7 PM 2:25  
RONALD D. LEONHARDT  
CITY CLERK

RE: **MPD Criminal Investigation of PO's Rodolfo Gomez and Montell Carter**  
**Allegations Regarding Ms. Deonta Johnson**  
**Date of Incident: August 4, 2007**  
**Location of Incident: North 36<sup>th</sup> Street**

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 the search of a residence.

According to correspondence from Acting MPD Captain Leibold, the 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.

Thank you.

Sincerely,

CERMELE & ASSOCIATES, S.C.

Jon Cermele

/kjs

Attachments

GOMEZ and CARTER

# CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -  
WWW.CERMELELAW.COM

JONATHAN CERMELE  
RACHEL L. PINGS  
MATTHEW L. GRANTZ

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

LAURIE A. EGGERT  
- OF COUNSEL -

April 03, 2008

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

RE: MPD Criminal Investigation of PO's Rodolfo Gomez and Montell Carter  
Allegations Regarding Ms. Deonta Johnson  
Date of Incident: August 4, 2007  
Location of Incident: North 36th Street  
Professional services

	<u>Hours</u>
8/30/2007 Telephone call from PO Gomez regarding new criminal investigation; telephone call to PO Carter regarding same; calendar office conference with PO Gomez; open file; memo to file.	0.60
8/31/2007 Office conference with PO Gomez.	1.00
9/7/2007 Office conference with PO Carter; intra-office conference with Cermele; telephone call to PPD seeking case information; memo to file.	1.00
9/17/2007 Several telephone calls to MPD witnesses; memo to file; telephone call from PO Gomez; correspondence to PO Gomez confirming same; telephone call to and from PO Carter; correspondence to PO Carter confirming same.	1.00
9/20/2007 Telephone call to PPD regarding status update.	0.10
9/21/2007 Telephone call to PPD.	0.10

Mr. Ronald Leonhardt

Page 2

	<u>Hours</u>
10/10/2007 Telephone call to PPD seeking status update.	0.10
10/12/2007 Telephone call from PPD indicating file to be cleared; memo to file; calendar follow-up.	0.30
11/5/2007 Telephone call to PPD seeking status update.	0.10
11/6/2007 Telephone call from PPD confirming file was cleared; memo to file; correspondence to PPD requesting confirmation of clearance; calendar follow-up.	0.50
12/7/2007 Fax to PPD.	0.10
1/23/2008 PPD clearance confirmation follow-up.	0.10
3/5/2008 Fax to PPD seeking written confirmation of clearance.	0.10
3/11/2008 Receive and review PPD clearance letter; correspondence to clients; close file.	0.50

		<u>Amount</u>
For professional services rendered	5.60	\$616.00
Balance due		<u>\$616.00</u>

(Rate: \$110.00 per hour)





Police Department

Nannette H. Hegerty  
Chief of Police

Tuesday, March 11, 2008

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 of March 5, 2008, March 7, 2008, and January 23, 2008 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,

KURT LEIBOLD  
ACTING CAPTAIN OF POLICE

CIS FILE NO.	PPD FILE NO.	COMPLAINANT	ALLEGATION	DISPOSITION
1. 07-174	07-0797	STEELE, Robert	BATTERY	UNFOUNDED
2. 07-128	07-0567	TRAYLOR, Allan	THEFT	SUSPENDED PENDING NEW INFORMATION
3. 07-051	07-0203	VALENTIN, ZELLYBETH	PHYSICAL ABUSE OF CHILD	BASELESS
4. 07-049	07-0201	FOX, John	ILLEGAL STRIP SEARCH/ BATTERY	WARRANT REFUSED
5. 07-069	07-0270	BENNETT, Timothy	BATTERY	WARRANT REFUSED
6. 07-176	07-0818	HOFFMAN, Richard	PHYSICAL ABUSE OF CHILD	UNFOUNDED
7. 07-141	07-0658	WASHINGTON, Jamaral	THEFT	UNFOUNDED
8. 07-125	07-0555	JOHNSON, Deonta	THEFT	UNFOUNDED
9. 07-133	07-0596	ANDERSON, RUBEN	BATTERY	UNFOUNDED