

GRANT F. LANGLEY  
City Attorney

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



THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
ROXANE L. CRAWFORD  
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  
VINCENT J. BOBOT  
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  
Assistant City Attorneys

January 5, 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 Carrie Finley and David Martinez; EC  
2593

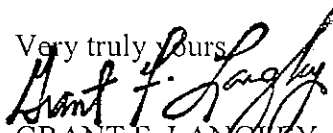
Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officers Carrie Finley and David Martinez. The claim is in the amount of \$300.87 including \$3.87 in disbursements for 2.70 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 officers 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.

1032-2008-2037.001:124771v1

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

September 3, 2008

TO: P.O. CARRIE FINLEY  
DISTRICT: SEVEN

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: November 9, 2006
- 2) A citizen complaint made by: VALERIE RIVERS
- 3) A police shooting incident occurring at: NA

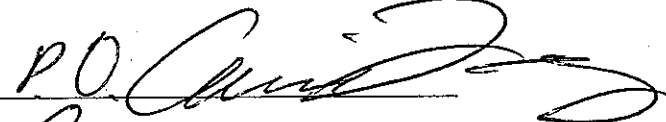
Is this information correct?

YES  NO

Did you receive legal representation  
in this matter?

YES  NO

Your signature:



Print your name:

CARRIE FINLEY

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

September 3, 2008

TO: P.O. DAVID MARTINEZ  
DISTRICT: SEVEN

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: November 9, 2006
- 2) A citizen complaint made by: VALERIE RIVERS
- 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: \_\_\_\_\_

*P.O. David Martinez*

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

*P.O. DAVID MARTINEZ*

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**  
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BETH CONRADSON CLEARY  
THOMAS D. MILLER  
HEIDI E. GALVÁN  
Assistant City Attorneys

June 25, 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: 2593; Our File No. 1032-2008-2037.001

Dear Captain Leibold:

Enclosed please find a claim filed by attorney Jonathan Cermele for Attorney's fees incurred during his representation of Police Officers Carrie Finley and David Martinez.

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,

A handwritten signature in black ink, appearing to read "JASm", written over a horizontal line.

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:amp  
Enclosure

1032-2008-2037.001:12978

# CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -  
WWW.CERMELELAW.COM

JONATHAN CERMELE  
MATTHEW L. GRANITZ  
CHELSIE ALLAN

LAURIE A. EGGERT  
- OF COUNSEL -

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

June 12, 2008

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

**RE: Citizen Complaint of Ms. Valerie Rivers  
Against PO's Carrie Finely and David Martinez  
Complaint No.: 06-43  
Date of Incident: November 9, 2006**

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.

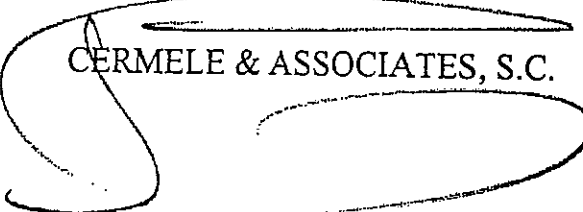
The above-named police officers have retained us to represent them in connection with the above-referenced matter.

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 call for assistance.

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.

Thank you.

Sincerely,



CERMELE & ASSOCIATES, S.C.

Jon Cermele

/kjs

Attachments

FINLEY and MARTINEZ

# CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -  
WWW.CERMELELAW.COM

JONATHAN CERMELE  
MATTHEW L. GRANITZ  
CHELSIE ALLAN

LAURIE A. EGGERT  
- OF COUNSEL -

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

June 12, 2008

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

RE: Citizen Complaint of Ms. Valerie Rivers  
Against PO's Carrie Finley and David Martinez  
FPC No: 06-43  
Date of Incident: November 9, 2006  
Professional services

|   | <u>Hours</u> |
|---|--------------|
| 2/2/2007 Open file; review file; telephone call to PO Finley; memo to file; intra-office conference with Pings; Open Records request to MPD; CCAP research for case status.   | 0.80         |
| 2/6/2007 Receive and review correspondence from City.   | 0.10         |
| 3/5/2007 Receive and review correspondence from MPD.  | 0.30         |
| 4/3/2007 Receive and review correspondence from PO Martinez.  | 0.20         |
| 5/29/2007 Receive and review correspondence from City.  | 0.10         |
| 3/4/2008 Receive and review correspondence from FPC regarding conciliation scheduling; telephone call to PO Martinez and telephone call to PO Finley regarding upcoming vacation dates; telephone call to FPC with open dates for conciliation; memo to file. | 0.50         |
| 4/5/2008 Correspondence to FPC.   | 0.20         |

|  | <u>Hours</u> |
|--|--------------|
| 4/29/2008 Receive and review correspondence from FPC; correspondence to clients; close file. | 0.50         |

|                                    | <u>Amount</u>          |
|------------------------------------|------------------------|
| For professional services rendered | 2.70                   |
| Additional charges:                |                        |
| 3/9/2007 MPD Open Records request  | 3.87                   |
| Total costs                        | <u>\$3.87</u>          |
| Total amount of this bill          | <u>\$300.87</u>        |
| Balance due                        | <u><u>\$300.87</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  
Woody Welch  
Earl A. Buford  
Richard C. Cox  
Commissioners

April 29, 2008

Ms. Valerie Rivers  
4485 N. 26<sup>th</sup> St.  
Milwaukee, WI 53209

RE: Complaint of Valerie A. Rivers  
FPC Complaint No. 06-43

Dear Mr. Rivers:

We have made several attempts to contact you and have been unsuccessful. We attempted to contact you by phone only to find that the phone number has been temporarily disconnected. On March 4, 2008, we sent you a letter regarding a conciliation conference with Police Officers Carrie Finley and David Martinez and you did not respond to the letter. We again attempted to contact you by phone on March 18, 2008, and the phone number is still disconnected. On April 24, 2008, our investigator attempted to make contact with you at your residence and left a note for you to contact her. Due to the fact that we are unable to make contact with you, we cannot move ahead with your complaint and will be closing the file at this time.

If you have any questions, please contact Susan Boddien of the Fire and Police Commission at (414) 286-5056.

Sincerely,

Michael G. Tobin  
Executive Director

MGT:sb

cc: Chief Edward A. Flynn  
Police Officer Carrie Finley  
Police Officer David Martinez  
Matthew L. Granitz, Esq (via facsimilie)

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

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In Re:  
The Charges of Valerie A. Rivers  
Against Police Officers Carrie Finley and David Martinez

Complaint No. 2006-43

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**ORDER OF DISMISSAL**

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WHEREAS, IT IS HEREBY ORDERED that the Complaint of Valerie A. Rivers, Complaint No. 06-43, filed with the Board on November 15, 2006, is dismissed because of the unavailability of the complainant.

DATED at Milwaukee, Wisconsin, this 29<sup>th</sup> day of April, 2008.

MILWAUKEE BOARD OF FIRE  
AND POLICE COMMISSIONERS

LEONARD J. SOBCZAK, CHAIRMAN

BY:



MICHAEL G. TOBIN  
EXECUTIVE DIRECTOR

cc: Chief Edward A. Flynn  
Matthew L. Granitz, Esq  
Carrie Finley  
David Martinez  
Valerie Rivers