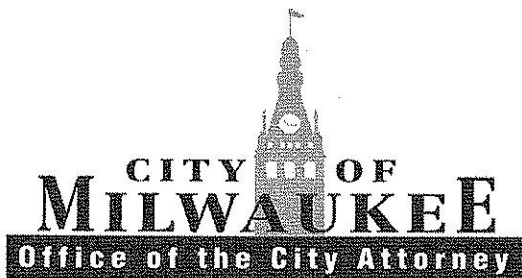


GRANT F. LANGLEY
City Attorney

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



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ROBIN A. PEDERSON
DANIELLE M. BERGNER
Assistant City Attorneys

January 28, 2010

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 Matthew Knight
EC 2742

Dear Council Members:

Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officer Matthew Knight. The claim is in the amount of \$1225.25 including \$4.25 in disbursements for 11.10 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.

1032-2009-2189.003:124771v1

1032-2009-2189-003
CLC-2009-0072

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
SCOTT J. JESS

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

July 28, 2009

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

**RE: Citizen Complaint of Ms. Barbara Rogers
Against PO Matthew Knight
Complaint No.: 07-13
Date of Incident: March 3, 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 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 the execution of a search warrant.

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
KNIGHT

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

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July 28, 2009

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

RE: Citizen Complaint of Ms. Barbara Rogers
Against PO Matthew Knight
FPC No: 07-13
Date of Incident: March 3, 2006
Professional services

		<u>Hours</u>	<u>Amount</u>
3/17/2008	MG Receive and review new citizen complaint; review CCAP and Muni. Court for case information; telephone call to PO Knight; open file.	0.40	44.00
3/18/2008	MG Office conference with PO Knight; review documents; correspondence to client; memo to file.	1.20	132.00
3/24/2008	MG Open records request; review file.	0.50	55.00
3/25/2008	MG Telephone call from FPC indicating receipt of client's vacation dates; receive and review correspondence from FPC.	0.20	22.00
4/22/2008	MG Telephone call from MPD.	0.10	11.00
4/23/2008	MG Telephone call from MPD.	0.10	11.00
7/21/2008	MG Review file.	0.20	22.00

		<u>Hours</u>	<u>Amount</u>
9/10/2008	MG	0.10	11.00
Receive and review correspondence from FPC regarding mediation.			
12/8/2008	MG	0.20	22.00
Review file.			
1/8/2009	MG	0.20	22.00
Telephone call to FPC; memo to file.			
1/9/2009	MG	0.50	55.00
Review file; telephone call to FPC; memo to file; calendar follow-up; CCAP research regarding complainant and witnesses.			
1/12/2009	MG	0.70	77.00
E-mail from FPC; fax to Professional Performance Division requesting internal affairs file; e-mail to FPC; several e-mails to FPC regarding open complaints of citizen witnesses; meeting with MPA regarding closed internal affairs file.			
1/14/2009	MG	0.70	77.00
Receive and review Professional Performance Division records.			
2/10/2009	MG	0.10	11.00
Review file.			
2/12/2009	SJJ	0.50	55.00
Office conference with Granitz regarding case background, status, etc.			
5/21/2009	SJJ	0.40	44.00
Receive and review correspondence from FPC; intra-office conference with Cermele regarding same; e-mail to Tobin regarding same; telephone call to client regarding same.			
5/22/2009	SJJ	0.50	55.00
Correspondence to client; e-mail to FPC.			
5/26/2009	SJJ	0.10	11.00
Telephone call from FPC regarding scheduling.			
6/12/2009	SJJ	0.90	99.00
Review file; determine documents and witnesses necessary for trial.			

Mr. Ronald Leonhardt

Page 3

		<u>Hours</u>	<u>Amount</u>
6/15/2009	SJJ Telephone call to client regarding scheduling; telephone call from Mediation center regarding scheduling.	0.40	44.00
6/19/2009	SJJ Receive and review mediation documents; correspondence to client regarding same.	0.30	33.00
6/25/2009	SJJ Review file for mediation; telephone call from FPC; travel; meeting with client; meeting with Mediator; return travel.	2.20	242.00
6/26/2009	SJJ Memo to file regarding mediation session.	0.20	22.00
7/9/2009	SJJ Receive and review correspondence from FPC dismissing citizen complaint.	0.10	11.00
7/10/2009	SJJ Correspondence to client regarding dismissal; close file.	0.30	33.00
	For professional services rendered	<u>11.10</u>	<u>\$1,221.00</u>
	Additional charges:		
5/16/2008	MG MPD Open Records request		4.25
	Total costs		<u>\$4.25</u>
	Total amount of this bill		<u>\$1,225.25</u>
	Balance due		<u><u>\$1,225.25</u></u>

(Rate: \$110.00 per hour)



RECEIVED

JUL 08 2009

CERMELE & ASSOCIATES, S.C.

Fire and Police Commission

Michael G. Tobin
Executive Director

Richard C. Cox
Chair

Carolina M. Stark
Vice-Chair

Ernesto A. Baca
Kathryn A. Hein
Paoi X. Lor
Sarah W. Morgan
Commissioners

July 7, 2009

Ms. Barbara D. Rogers
8537 West Hampton Avenue
Milwaukee, WI 53225

RE: Barbara D. Rogers v. Police Officer Matthew J. Knight
FPC Complaint No. 07-13

Dear Ms. Rogers:

We have been informed by the Milwaukee Mediation Center that mediation which was to be held on June 25, 2009, with Police Officer Matthew Knight, did not occur because you failed to appear.

Due to your unwillingness to attend mediation, or to notify either the Milwaukee Mediation Center or Cindy Janusz, of our office, of your inability to attend, your complaint has been dismissed.

If you have any questions, please contact Cindy Janusz at (414) 286-5055.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

cc: Chief Edward A. Flynn
Scott J. Jess, Esq.
Police Officer Matthew J. Knight