

GRANT F. LANGLEY
City Attorney

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BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVAN
JARELY M. RUIZ
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 Rodney Gonzales
EC 2728

Dear Council Members:

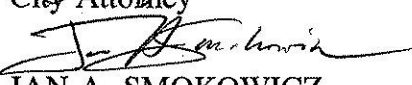
Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing Police Officer Rodney Gonzales. The claim is in the amount of \$529.92 including \$1.92 in disbursements for 4.80 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced 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.

1032-2009-2189.001:124771v1

COPY

CERMELE & ASSOCIATES, S.C.

C.C. 2009.0069

- 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. Jamie Wynn, Ms. Jennifer Wynn and
Ms. Gina Percifield
Against Det. Rodney Gonzales
Complaint No.: 08-31
Date of Incident: March 10, 2008**

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 detective 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 a police investigation.

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,

GERMELE & ASSOCIATES, S.C.



Jon Germele

/kjs
Attachments
GONZALES

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -

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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. Jamie Wynn, Jennifer Wynn and Gina Percifield
Against Det. Rodney Gonzales
FPC No: 08-31
Date of Incident: March 10, 2008
Professional services

		<u>Hours</u>	<u>Amount</u>
11/12/2008	CA Office conference with PO Gonzales regarding new citizen complaint; open file; telephone call to FPC; Open Records request.	0.80	88.00
11/14/2008	CA Telephone call from witness; research regarding complainants on CCAP.	0.40	44.00
12/3/2008	CA Telephone call from MPD regarding Open Records request; memo to file.	0.20	22.00
12/15/2008	CA Receive and review Open Records request.	0.30	33.00
1/7/2009	CA Telephone call from Mediation Center.	0.20	22.00
1/8/2009	CA Telephone call to client.	0.10	11.00
1/9/2009	CA Review file; prepare for mediation; outline issues to address with client regarding mediation; telephone call from client regarding mediation date; e-mail to Warmington regarding mediation date.	1.00	110.00

		<u>Hours</u>	<u>Amount</u>
1/26/2009	JC Review file; direction to Granitz.	0.10	11.00
	MG Review file; CCAP research regarding complainant.	0.70	77.00
2/3/2009	MG Telephone call from Mediation Center regarding scheduling; calendar possible mediation date/time; review file; meeting with MPA representative regarding sensitive crimes procedure; telephone call to and from FPC; memo to file.	0.10	11.00
2/10/2009	MG Receive and review e-mail correspondence from Mediation Center.	0.10	11.00
	MG Telephone call from FPC; memo to file; e-mail to Mediation Center.	0.30	33.00
2/16/2009	MG Telephone call from client.	0.10	11.00
5/20/2009	SJJ Receive and review correspondence from FPC confirming dismissal of citizen complaint for failure to prosecute.	0.10	11.00
6/26/2009	JC Correspondence to client; close file.	0.30	33.00
	For professional services rendered	4.80	\$528.00
	Additional charges:		
12/26/2008	CA MPD Open Records request		.192
	Total costs		<u>\$1.92</u>
	Total amount of this bill		<u>\$529.92</u>

Mr. Ronald Leonhardt

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Amount

Balance due

\$529.92

(Rate: \$110.00 per hour)



RECEIVED

MAY 20 2009

CERMELE & ASSOCIATES, S.C

Richard C. Cox
Chair
Carolina M. Stark
Vice-Chair
Ernesto A. Baca
Kathryn A. Hein
Paol X. Lor
Commissioners

Fire and Police Commission

Michael G. Tobin
Executive Director

May 18, 2009

Ms. Jamie A. Wynn
4218 West Congress Street
Milwaukee, WI 53209

Ms. Gina M. Percifield
900 Scott Avenue, Apt. 102
Waukesha, WI 53186

Ms. Jennifer L. Wynn
900 Scott Avenue, Apt. 102
Waukesha, WI 53186

RE: Complaint of Jamie A. Wynn, Gina M. Percifield and Jennifer L. Wynn v.
Detective Rodney P. Gonzales and Detective Matthew R. Quist
FPC Complaint No. 08-31

Dear Jamie, Gina and Jennifer:

Your complaint was forwarded to the Milwaukee Mediation Center for mediation with the above detectives. The Milwaukee Mediation Center sent you a letter with available dates for mediation and asked you to respond by May 5, 2009. Cindy Janusz of our office has attempted telephone contact with you to determine if you still wish to participate in mediation, but there was either no answer at the telephone numbers we have, or the telephone numbers were disconnected.

Due to no contact by you, we are closing your file and dismissing the complaint against the detectives.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

cc: Chief Edward A. Flynn
Scott J. Jess, Esq.
Detective Rodney Gonzales
Detective Matthew Quist