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DANIELLE M. BERGNER
Assistant City Attorneys

February 2, 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 Greg Colker
EC 2756

Dear Council Members:

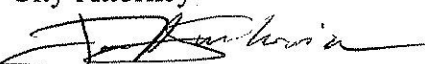
Returned herewith is a document filed by Attorney Jon Cermele for attorney's fees for representing for Police Officer Greg Colker. The claim is in the amount of \$242.00 for 2.2 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee 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.

1060-2009-2832:124764v1

CL-C-2009-0068
COPY

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

September 22, 2009

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

**RE: Citizen Complaint of Ms. Carinda Lisiak
Against PO Greg Colker
Complaint No.: 09-147
Date of Incident: April 29, 2009**

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 an animal ordinance violation.

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.

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

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September 22, 2009

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

RE: Citizen Complaint of Ms. Carinda Lisiak
Against PO Greg Colker
FPC No: 09-0147
Date of Incident: April 29, 2009
Professional services

		<u>Hours</u>	<u>Amount</u>
7/21/2009	SJJ Telephone call to and from PO Colker regarding new citizen complaint; telephone call from Mediator regarding scheduling; open file.	0.50	55.00
8/5/2009	SJJ Telephone call to PO Colker regarding scheduling mediation; e-mail to Mediation Center regarding same.	0.20	22.00
8/19/2009	SJJ Receive and review e-mail from Mediation Center; correspondence to client regarding same; telephone call from FPC regarding complaint; receive and review citizen complaint.	0.70	77.00
8/28/2009	SJJ Office conference with client.	0.50	55.00
9/1/2009	SJJ Receive and review correspondence from FPC dismissing complaint; correspondence to client regarding same; close file.	0.30	33.00

Mr. Ronald Leonhardt

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For professional services rendered

<u>Hours</u>	<u>Amount</u>
✓ 2.20	✓ \$242.00

Balance due

\$242.00

OK

(Rate: \$110.00 per hour)



RECEIVED

AUG 31 2009

CERMELE & ASSOCIATES, S.C.

Richard C. Cox
Chair
Carolina M. Stark
Vice-Chair

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

Fire and Police Commission

Michael G. Tobin
Executive Director

August 27, 2009

Ms. Carinda S. Lisiak
327 West Mineral Street
Milwaukee, WI 53204

RE: Complaint of Carinda S. Lisiak v. Police Officer Gregory T. Colker
FPC Complaint No. 09-147.

Dear Ms. Lisiak:

Pursuant to your telephone conversation with Cathy Warmington of the Milwaukee Mediation Center and Cindy Janusz of our office, this correspondence confirms that you do not wish to proceed with your complaint. We are closing our file at this time and will take no further action concerning this incident. If you need further assistance with this matter, or have any questions regarding it, please do not hesitate to contact us.

Sincerely,

Michael G. Tobin
Executive Director

MGT:cj

cc: Chief Edward A. Flynn
Police Officer Gregory T. Colker
Scott J. Jess, Esq.