

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
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
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ELLEN H. TANGEN
MELANIE R. SWANK
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DONALD L. SCHRIEFER
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MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN M. ZALEWSKI
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
Assistant City Attorneys

January 23, 2008

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: Communication from Attorney Laurie A. Eggert for legal fees for
Police Officer Montell Carter
C.I. File No. 05-S-343; EC 2253

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Montell Carter. The claim is in the amount of \$1012.00 for 9.20 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 officer 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.

1032-2004-3292:124731v1

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

DECEMBER 5, 2005

TO: P.O. MONTELL CARTER
DISTRICT: INTEL

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

Attorney Laurie Eggert 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 15 & 17, 2004
- 2) A citizen's complaint made by JERMAINE SAMPTON
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES X NO _____

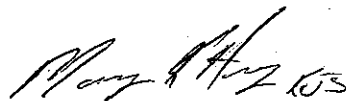
Did you receive legal representation in this matter?

YES X NO _____

Your signature: 

Print your name: MONTELL CARTER

Upon completion, please return this memorandum to the Professional Performance Division at the Police Academy (Room 325) as soon as possible.



MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

05 DEC 14 AM 10:01

RECEIVED

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings
Timothy J. Walther

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

November 10, 2005

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

**RE: MPD Criminal Investigation of PO Montell Carter
Allegations Regarding Mr. Jermaine L. Sampton
Date of Incident: August 15 & 17, 2004
Location of Incident: 22nd and Center
EC No.: 2253**

Dear Mr. Leonhardt:

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, the claim is hereby made on his behalf for the indicated legal fees. This incident involved the issuance of a citation.

According to correspondence from Captain Hoerig, the warrant was refused. As such, no charges were issued against the officer. Attached is a copy of the letter along with status of the CIS Investigatory file, and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Jon Cermele

JC/ldl
attachment
CARTER

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
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November 10, 2005

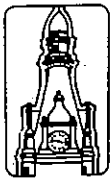
Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee WI 53202

RE: MPD Criminal Investigation re: Mr. Jermaine L. Sampton
Regarding: PO Montell Carter
Date of Incident: August 15 & 17, 2004
Location of Incident: 22nd and Center
Professional services

	<u>Hours</u>
8/18/2004 Telephone call from PO Carter regarding new criminal investigation; open file; memo to file; calendar office conference.	0.70
8/19/2004 Office conference with client; memo to file; telephone call to IAD; telephone call to client's sergeant; several telephone calls to and from CIB; telephone call to IAD; meeting with IAD; travel; telephone call to and from client.	2.10
8/20/2004 Several telephone calls to and from client.	0.50
8/24/2004 Review of file; telephone call to and from client; memo to file.	1.10
9/1/2004 Telephone call to DDA Reddin.	0.20
9/23/2004 Discussion with DDA Reddin; brief meeting with client and witness.	0.30
9/28/2004 Telephone call to DDA Reddin.	0.20
10/5/2004 Telephone call to DDA Reddin; telephone call to and from ADA McAdams.	0.20
10/14/2004 Telephone call to DDA Reddin; telephone call to ADA McAdams.	0.20

	<u>Hours</u>
10/21/2004 Telephone call to ADA McAdams; telephone call to client.	0.20
10/22/2004 Telephone call from ADA McAdams.	0.10
11/4/2004 Telephone call to ADA McAdams.	0.20
11/15/2004 Review of file; telephone call to ADA McAdams.	0.20
11/16/2004 Telephone call from ADA McAdams.	0.10
11/22/2004 Telephone call to ADA McAdams.	0.20
2/17/2005 Discussion with IAD; telephone call to witness; memo to file.	0.50
2/18/2005 Review file; telephone call to client; telephone call to ADA McAdams.	0.50
2/21/2005 Telephone call to ADA Dague; discussion with ADA McAdams.	0.20
2/22/2005 Discussion with ADA McAdams and DDA Reddin.	0.30
2/28/2005 Telephone call to ADA McAdams; telephone call to ADA Dague; telephone call to and from client.	0.50
10/25/2005 Draft letter to Capt. Hoerig.	0.20
10/31/2005 Receive and review Fax from Capt. Hoerig confirming case cleared as "warrant refused"; correspondence to client; close file.	0.50

	<u>Amount</u>
For professional services rendered	9.20 \$1,012.00
Balance due	<u>\$1,012.00</u>



**City
of
Milwaukee**

Police Department

Nannette H. Hegerty
Chief of Police

Wednesday, October 26, 2005

Egert & Cermele, S.C.
Timothy Walther
Attorney At Law
1840 North Farwell Avenue
Suit 303
Milwaukee, WI 53202

RECEIVED
OCT 28 2005
EGGERT & CERMELE, S.C.

Dear Mr. WALTHER:

This letter is in response to your inquiries of October 18th and 25th, 2005, regarding the status of CIS Investigatory Files.

Attached please find the requested information. If further assistance is needed Lieutenant of Detectives Jeffery Micklitz can be contacted at 935-3540.

Sincerely,

MARY K. HOERIG
CAPTAIN OF POLICE

CIS FILE NO	PPD FILE NO	COMPLAINANT	ALLEGATION	DISPOSITION
2. 04-198	04-0654	SAMPTON, JERMAINE	BATTERY / MISCONDUCT	WARRANT REFUSED