

**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**  
**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 M. ZALEWSKI**  
**MEGAN T. CRUMP**  
**ELOISA DE LEON**  
**ADAM B. STEPHENS**  
**KEVIN P. SULLIVAN**  
**BETH CONRADSON CLEARY**  
**THOMAS D. MILLER**  
Assistant City Attorneys

April 16, 2007

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele  
for legal fees for Police Officer Montell Carter  
Claim File No. 04-S-267-3; EC No. 2041

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 \$1,874.60, including \$15.60 in disbursements for 16.90 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:enm  
Enc.  
117954/1032-2004-2323

**EGGERT & CERMELE, S.C.**

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*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings

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

August 5, 2004

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

**RE: Citizen Complaint of Ms. Joanne Forbes  
Against PO Montell Carter  
Complaint No.: 02-57  
Date of Incident: April 30, 2002  
EC No.: 2041**

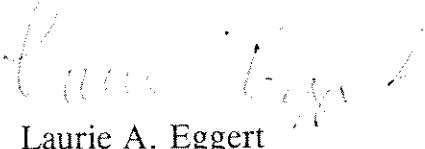
Dear Mr. Leonhardt:

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 a traffic stop. 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.

Sincerely,

EGGERT & CERMELE, S.C.

  
Laurie A. Eggert  
Attorney at Law

4/5/07

U.K.

JAS

Letter

2295

LAE/ldl  
attachment  
CARTER

**EGGERT & CERMELE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings

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

August 04, 2004

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

RE: Citizen Complaint of Ms. Joanne Forbes  
Against PO Montell Carter  
FPC No: 02-57  
Date of Incident: April 30, 2002  
Location of Incident: 4222 West Lloyd Street  
Professional services

	<u>Hours</u>
11/7/2002 Telephone call from client; open file; memo to file.	0.50
11/8/2002 Telephone call from client.	0.10
11/11/2002 Telephone call from client; conference with client; correspondence to FPC; memo to file.	1.60
11/14/2002 Telephone call from client; memo to file.	0.20
11/20/2002 Review of correspondence from FPC.	0.10
1/16/2003 Telephone call from FPC; review of file.	0.10
1/17/2003 Telephone call to FPC; review of file; correspondence to MPD Open Records; computer search regarding criminal cases; review Fax from FPC.	1.30
2/6/2003 Telephone call from MPD Open Records; review of file.	0.20
2/14/2003 Telephone call from FPC; memo to file.	0.10

	<u>Hours</u>
2/17/2003 Review of file; conference with Heard; memo to file; update computer search.	0.70
2/24/2003 Review of file; telephone call to and from FPC.	0.40
3/3/2003 Review of file.	0.10
4/2/2003 Telephone call from FPC; review of file; computer search regarding bench warrant for complainant; memo to file; telephone call to FPC.	0.50
4/4/2003 Telephone call from FPC; review of file; memo to file; computer search regarding other open cases.	0.40
4/29/2003 Review of correspondence from MPD Open Records; review of file.	0.20
4/30/2003 Telephone call from FPC; review of file; telephone call to FPC; memo to file; computer search regarding status of criminal case against complainant.	0.60
5/7/2003 Review of file; telephone call to FPC; memo to file.	0.20
5/8/2003 Telephone calls from FPC; telephone call to client; memo to file.	0.40
6/3/2003 Review of file; telephone call from and to FPC; computer update regarding pending litigation; telephone call to client.	0.70
6/4/2003 Telephone call from FPC; memo to file.	0.20
6/9/2003 Review of correspondence from FPC; correspondence to client; memo to file.	0.20
6/16/2003 Preparation for and appearance at conciliation; conference with client; memo to file; travel.	2.30

	<u>Hours</u>	
7/30/2003	0.20	Review of file; review of correspondence from FPC.
7/31/2003	0.20	Review of file; telephone call to FPC; memo to file.
8/18/2003	0.40	Telephone call from and to FPC; review of file.
10/15/2003	0.60	Computer update regarding criminal and TRO regarding complainant and witness; memo to file; review of file.
11/25/2003	0.10	Telephone call from FPC.
11/26/2003	2.30	Review of file; draft witness and exhibit list; review MPD rules and SOPs regarding restraining orders and no contact orders; correspondence to circuit court; correspondence to Sheriff's Department; telephone call to client.
12/1/2003	0.30	Review of file; telephone call to and from FPC.
12/11/2003	0.30	Review of correspondence from Circuit Court; review of file.
12/16/2003	0.20	Review of correspondence from Circuit Court clerk; memo to file.
2/13/2004	0.10	Review of file; correspondence to client.
2/16/2004	0.10	Review of file.
3/12/2004	0.30	Telephone call to and from FPC; memo to file.
3/16/2004	0.20	Review document from FPC; memo to file; review of file.
3/19/2004	0.50	Review of correspondence from FPC; correspondence to client; close file
	<u>16.90</u>	
		<u>Amount</u>
For professional services rendered	16.90	\$1,859.00

Mr. Ronald Leonhardt

Page 4

Additional charges:

	<u>Amount</u>
4/29/2003 MPD Open Records request	4.10
6/16/2003 Parking	4.00
12/12/2003 Circuit Court request	7.50
Total costs	<u>\$15.60</u>
Total amount of this bill	<u>\$1,874.60</u>
Balance due	<u><u>\$1,874.60</u></u>

(Rate: \$110.00 per hour)

**RECEIVED**

MAR 19 2004

EGGERT & CERMELE, S.C.

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

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In Re:  
THE CHARGES OF JOANNE FORBES  
AGAINST POLICE OFFICER MONTELL CARTER

ORDER OF DISMISSAL

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To Officer Montell Carter:

It is hereby ordered that the Complaint of Joanne Forbes, Complaint No. 02-57, filed with the Board on August 26, 2002, is dismissed due to the Complainant's passivity.

MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,  
CHAIRMAN

BY:



DAVID L. HEARD  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, MARCH 17, 2004.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

AUGUST 19, 2004

TO: P.O. MONTELL CARTER  
DISTRICT: INTEL DIVISION

RE: Receipt of Legal Services from Law Firm of  
Attorney

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 APRIL 30, 2002
- 2) A citizen's complaint made by JOANNE FORBES
- 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: *Montell Carter*

Print your name: MONTPELL CARTER

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

*Steven M. Settingsgaard*

Steven M. Settingsgaard *KES*  
Inspector of Police  
Professional Performance Division

SMS:kjs

RECEIVED  
04 AUG 25 PM 12:09  
MILWAUKEE POLICE  
INTERNAL AFFAIRS