

**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 LEÓN  
ADAM B. STEPHENS  
KEVIN P. SULLIVAN  
BETH CONRADSON CLEARY  
THOMAS D. MILLER  
Assistant City Attorneys

April 30, 2007

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

Re: Communication from Laurie Eggert, Eggert & Cermele, S.C.  
for legal fees for Police Officers Justin Carloni and Timothy  
Behning; Claim File No. 04-S-376; EC No. 2068

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Justin Carloni and Timothy Behning. The claim is in the amount of \$718.00, including \$3.00 in disbursements for 6.5 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 officers 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.

118519/1032-2004-3013

**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

October 8, 2004

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

**RE: Citizen Complaint of Ms. Sandra Wright  
Against POs Justin Carloni and Timothy Behning  
Complaint No.: 04-08  
Date of Incident: February 25, 2004  
EC No.: 2068**

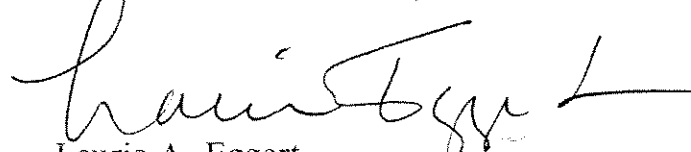
Dear Mr. Leonhardt:

The above-named police officers have retained us to represent them in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent them and as they were performing the duties of their office at the time of the events giving rise to the incident, the claim is hereby made on their behalf for the indicated legal fees. This incident involved the search for a felony suspect. 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

4/27/07  
O-K  
JRS  
Letter 2295

LAE/ldl  
attachment  
CARLONI BEHNING

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

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings

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Suite 303  
Milwaukee, Wisconsin 53202  
(414) 276-8750  
FAX (414) 276-8906

October 08, 2004

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

RE: Citizen Complaint of Ms. Sandra Wright  
Against Dets. Justin Carloni and Timothy Behning  
FPC No: 04-08  
Date of Incident: February 25, 2004  
Professional services

Hours

5/17/2004 Telephone call from client; open file; memo to file.	0.60
5/19/2004 Telephone call from client; conference with client; correspondence to FPC; memo to file; correspondence to MPD Open Records; review complainant's criminal/municipal history; telephone call to FPC regarding outstanding bench warrant.	2.30
5/20/2004 Telephone call from FPC; memo to file.	0.20
5/25/2004 Receive and review correspondence from FPC; telephone call to client; telephone call from client.	0.30
5/26/2004 Receive and review correspondence from FPC.	0.10
6/7/2004 Review of file; preparation for and appearance at conciliation; Fax to FPC regarding Behning; conference with clients; memo to file; travel.	2.40
6/30/2004 Review FPC document.	0.10
7/8/2004 Review of correspondence from FPC; correspondence to clients; close file.	0.50

Mr. Ronald Leonhardt

Page 2

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	6.50	\$715.00
Additional charges:		
6/7/2004 Parking		3.00
Total costs		<u>\$3.00</u>
Total amount of this bill		<u>\$718.00</u>
Balance due		<u><u>\$718.00</u></u>

CAH

REC'D  
JUL 6 8 2004  
MILWAUKEE

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

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In Re:  
THE CHARGES OF SANDRA WRIGHT  
AGAINST DETECTIVES JUSTIN CARLONI  
AND TIMOTHY BEHNING

ORDER OF DISMISSAL

-----  
To Detective Justin Carloni:

It is hereby ordered that the Complaint of Sandra Wright, Complaint No. 04-08, filed with the Board on February 25, 2004, is dismissed because the Complaint has been successfully conciliated, by the

MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,  
CHAIRMAN

BY:



DAVID L. HEARD  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JULY 2, 2004.

✓c: Attorney Rachel Pings

CAH

RECEIVED  
JUL 08 2004  
CITY OF MILWAUKEE

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

-----  
In Re:  
THE CHARGES OF SANDRA WRIGHT  
AGAINST DETECTIVES JUSTIN CARLONI  
AND TIMOTHY BEHNING

ORDER OF DISMISSAL

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To Detective Timothy Behning:

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MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,  
CHAIRMAN

BY: 

DAVID L. HEARD  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JULY 2, 2004.

cc: Attorney Rachel Pings

MILWAUKEE POLICE DEPARTMENT RECEIVED

04 NOV 12 AM 11:53  
October 28, 2004

MILWAUKEE POLICE  
INTERNAL AFFAIRS

MEMORANDUM

TO: DETECTIVE JUSTIN CARLONI  
DISTRICT: CIB

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 FEBRUARY 24, 2004
- 2) A citizen's complaint made by SANDRA WRIGHT
- 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: Justin Carloni  
Print your name: JUSTIN CARLONI

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

*Mary K. Hoerig*  
MARY K. HOERIG  
Captain of Police  
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

RECEIVED

04 NOV 11 AM 9:59  
October 28, 2004

MEMORANDUM

TO: DETECTIVE TIMOTHY BEHNING  
DISTRICT: SENSITIVE CRIMES

MILWAUKEE POLICE  
INTERNAL AFFAIRS  
UNIT

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 FEBRUARY 24, 2004
- 2) A citizen's complaint made by SANDRA WRIGHT
- 3) A police shooting incident occurring on N/A

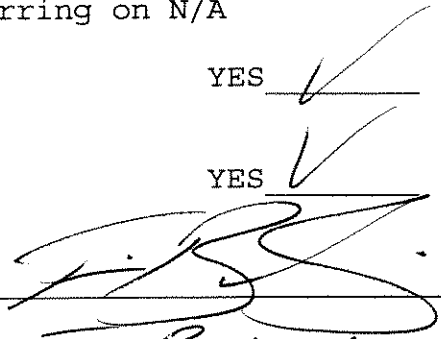
Is this information correct?

YES  NO

Did you receive legal representation in this matter?

YES  NO

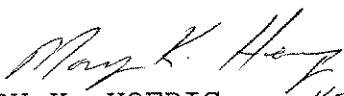
Your signature: \_\_\_\_\_



Print your name: \_\_\_\_\_

TIM BEHNING

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