

Former councilman Montgomery to sock Sunrise for legal bill

By Jay Gayoso
Staff Writer

The attorney for former Sunrise City Council member John Montgomery, who along with his business associate had an extortion conviction overturned, said on Thursday that he now can bill the city for his legal services.

The cost of those services, if added to a likely bill from Montgomery's associate, Robert O'Keefe, could be almost \$200,000, Council President Bill Colon said.

"There is no question under Florida law that the City of Sunrise will have to reimburse Mr. Montgomery because he was charged under his official duties," said Kenneth Lipman, attorney for Montgomery.

Lipman, who sued Sunrise in October for not paying legal bills for an earlier Montgomery trial, said he will submit his bill within a month. Lipman said he expects O'Keefe's attorney to do the same.

"It's all ridiculous," said Colon, a long-time Montgomery political foe. "I will not vote to pay this man a cent."

Colon said he hopes the U.S. Attorney's Office decides to appeal Wednesday's ruling by U.S. District Judge Thomas Scott to overturn

Montgomery's and O'Keefe's convictions.

Lipman submitted a legal bill of \$78,000 for the earlier trial, and he said he did about the same amount of work on this trial.

"This whole experience exhausted any resources I had," said Montgomery, who was a member of the council from 1975 to 1984. "I'm extremely pleased that the judge stepped in and justice was served, but I still have to recover some of the money I put up for my defense."

Bruce Zimet, attorney for O'Keefe, said he and his client have not decided whether to bill the city. He said his fees would be "very significant," but he would not estimate an amount.

Lipman argues that the legal fee payment has been upheld in court, specifically in a 1982 ruling by the 4th District Court of Appeal in West Palm Beach in favor of paying legal fees for former Sunrise Mayor John Lomelo. Before being acquitted in that case, Lomelo had been indicted by a state grand jury on charges he wrongfully used the powers of his office. Lomelo is presently in prison after being convicted last year on similar charges.