



CITY OF GROSSE POINTE WOODS

MEMORANDUM

Date: January 19, 2022

To: Mayor and City Council

From: Frank Schulte, City Administrator *FS*

Subject: Request for Conditional Waiver of Conflict

Attached is a letter from the city's former attorney Charles T. Berschback. Mr. Berschback is the attorney representing *Woods Wholesale Wine* regarding a potential new development along Mack Avenue.

As the city's former attorney, Mr. Berschback may be required by the *Rules of Professional Conduct* to obtain consent or a conditional waiver of any conflict regarding his representation of *Woods Wholesale Wine*. The attached letter outlines his request to City Council asking for consideration to grant the conditional waiver of any conflict.

Prerogative of City Council as to action taken.

Attachment

CHARLES T. BERSCHBACK

ATTORNEY AT LAW

24053 EAST JEFFERSON AVENUE

ST. CLAIR SHORES, MICHIGAN 48080-1530

(586) 777-0400

FAX (586) 777-0430

blbwlaw@yahoo.com

January 18, 2022

City of Grosse Pointe Woods
Attn: City Administrator
20025 Mack Plaza Dr.
Grosse Pointe Woods, MI 48236

Re: Request for Conditional Waiver

Dear Mr. Schulte:

This will confirm our discussion last week regarding the possibility of my representation of Woods Wholesale Wine regarding a new development along Mack Avenue. Since Grosse Pointe Woods is a former client of mine, the Rules of Professional Conduct indicate that my involvement with a former client may require consent or a waiver of any potential conflict of interest.

I have discussed this issue with the current City Attorney, Debra Walling. Based on that conversation, I am requesting that the City of Grosse Pointe Woods grant a waiver of any conflict regarding my representation of Woods Wholesale Wine related to this project, up to the point of an adversarial hearing. I believe, of course, that an adversarial hearing would be very unlikely in these circumstances. In the event one does occur, my client understands that I would withdraw as his attorney.

I ask that this letter be placed on a Council agenda at your earliest convenience. Thank you.

Very truly yours,



CHIP BERSCHBACK

CTB/cab

cc: Bill Matouk
Debra Walling