

III
Res. No. 126 - 21 - 22. By Alderpersons Felde and Filicky-Peneski.
February 7, 2022.

A RESOLUTION authorizing the appropriate City officials to execute a conflict waiver letter prepared by von Briesen & Roper, s.c. regarding representation of the City of Sheboygan and Rogers Behavioral Health.

WHEREAS, the rules are being suspended so that this Resolution may be approved immediately due to the fact that von Briesen & Roper, s.c. needs to begin their representation of Rogers Behavioral Health as soon as possible.

NOW, THEREFORE, BE IT RESOLVED: That the City Attorney is hereby authorized to execute the conflict waiver letter, a copy of which is attached hereto.

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor

III

TAGLaw International Lawyers

James R. Macy
Direct Telephone
920-232-4841
jmacy@vonbriesen.com

January 21, 2022

VIA PDF E-MAIL

(Charles.Adams@sheboyganwi.gov)

Charles Adams, City Attorney
City of Sheboygan City Hall
828 Center Avenue, Suite 210
City of Sheboygan 53081

Re: Request for waiver of conflict

Dear Attorney Adams:

Other partners in my firm, von Briesen & Roper, s.c. (sometimes referred to herein as "we"), have been asked to represent Rogers Behavioral Health on potential property tax matters (the "Scope of Work") related to property located in the City of Sheboygan (the "City"). As we discussed, our firm also assists the City of Sheboygan on other unrelated matters.

Pursuant to this letter, we ask that the City consent to waive this potential conflict of interest before my partners commence any work on the Scope of Work.

Under Wisconsin Supreme Court Rule 20:1.7, if there is a potential for a conflict of interest, we may only represent both clients if: (1) we reasonably believe that we can provide competent and diligent representation to each affected client; (2) the representation of each client is unrelated; (3) the representation of both clients is not prohibited by law; and (4) each client gives informed consent to the representation, in writing.

We would like to continue performing services for the City. We must obtain informed client consent where the representation of a client would be adverse to another client, even if the representations are with respect to unrelated matters. The primary reason for obtaining this client consent is that no client should need to be concerned that its attorneys may have divided loyalties or that confidential information might be used against it. In asking for this consent, we assure you that we will not use any of your information delivered to us against you. In addition, we do not believe there is any material risk that my partners' representation of Rogers Behavioral Health with respect to the Scope of Work will adversely affect our representation of the City.

Charles Adams, Esq.
January 21, 2022
Page 2 of 2

By executing this conflict waiver letter, you agree that we may represent Rogers Behavioral Health with respect to the Scope of Work. We appreciate your attention to this matter. Please feel free to contact me with any questions.

Very truly yours,

von BRIESEN & ROPER, s.c.



James R. Macy

ACKNOWLEDGED AND AGREED
CITY OF SHEBOYGAN

By: _____

Name: _____

Title: _____