

Via Email (chairman@townofwaukesha.us) and U.S. Mail

December 4, 2012

Ms. Angie E. Van Scyoc
Town Chairman
Town of Waukesha
S51 W25375 Glendale Road
Waukesha, WI 53189

Dear Chairman Van Scyoc:

Following a meeting of today's date with my client, Everett German and Attorney Hector de la Mora, I submit the following proposal to the Town relative to our Open Records Request. I was somewhat shocked there would be more than 6000 emails in the period of time I had requested in my Open Records Request. However, be that as it may, my proposal is as follows:

The subject emails are to be bated stamped, which is numerical stamping of each and every email. Further, said emails would be provided in a three-ring binder. I would request that this be done as soon as is practical and not to exceed 30 days, and that my client be informed when the emails are ready to be reviewed. Further, the subject emails would not be made available to the public. My client would initiate the review of the emails and designate which emails he would like copied. My client will pay costs of printing of the specifically requested emails, with costs not to exceed \$300.00. At the conclusion of my client's review of the emails, Attorney de la Mora would then review the emails my client is requesting and indicate whether the emails would be provided to us in total, in redacted form or refused by Attorney de la Mora for release, citing the appropriate statutory provision that provides for non-disclosure.

I believe this will save the Town of Waukesha and my client a significant amount of funds and, hopefully, allow my client to achieve his ultimate goal.

There is still an issue as to whether the meeting that was called on October 16, 2012 at 2:45 p.m. (and which was, apparently, posted prior to 12:45 p.m.) was truly the type of

December 4, 2012

Page Two

meeting that could be called on less than 24 hours' notice. That is still an issue, but we are willing to place this issue on the back burner pending a resolution of the Open Records issue.

Please advise if this proposal is acceptable to you and the process can then be initiated. I believe this is a reasonable resolution, and I appreciate Attorney de la Mora's time in meeting and attempting to resolve this issue in the most efficient manner possible.

Thank you for your courtesies in this matter.

Sincerely,

BUCHER LAW GROUP, LLC

s/ Paul E. Bucher

Paul E. Bucher
Attorney at Law

PEB/sac

Cc: Everett German
Attorney Hector de la Mora via email (hdlm@delamoralaw.com)

Via Email (chairman@townofwaukesha.us) and U.S. Mail

December 4, 2012

Ms. Angie E. Van Scyoc
Town Chairman
Town of Waukesha
S51 W25375 Glendale Road
Waukesha, WI 53189

Dear Chairman Van Scyoc:

Following a meeting of today's date with my client, Everett German and Attorney Hector de la Mora, I submit the following proposal to the Town relative to our Open Records Request. I was somewhat shocked there would be more than 6000 emails in the period of time I had requested in my Open Records Request. However, be that as it may, my proposal is as follows:

The subject emails are to be bates stamped, which is numerical stamping of each and every email. Further, said emails would be provided in a three-ring binder. I would request that this be done as soon as is practical and not to exceed 30 days, and that my client be informed when the emails are ready to be reviewed. Further, the subject emails would not be made available to the public. My client would initiate the review of the emails and designate which emails he would like copied. My client will pay costs of printing of the specifically requested emails, with costs not to exceed \$300.00. At the conclusion of my client's review of the emails, Attorney de la Mora would then review the emails my client is requesting and indicate whether the emails would be provided to us in total, in redacted form or refused by Attorney de la Mora for release, citing the appropriate statutory provision that provides for non-disclosure.

I believe this will save the Town of Waukesha and my client a significant amount of funds and, hopefully, allow my client to achieve his ultimate goal.

There is still an issue as to whether the meeting that was called on October 16, 2012 at 2:45 p.m. (and which was, apparently, posted prior to 12:45 p.m.) was truly the type of

FW: Supervisor German - Open Records Review

Hector de la Mora [Hdlm@delamoralaw.com]

Sent: Wednesday, January 30, 2013 11:09 AM

To: Jamie Salentine

Cc: Angie E. Van Scyoc

FYI...no word as of this time.

Hector de la Mora

From: Paul Bucher [mailto:PBucher@bucherlawgroup.com]

Sent: Tuesday, January 29, 2013 10:57 AM

To: Hector de la Mora

Subject: Re: Supervisor German - Open Records Review

Let me send this to him and will advise. Tx

Paul E. Bucher

Attorney at Law

Court Commissioner

Bucher Law Group, LLC

262-303-4916

www.bucherlawgroup.com

Sent from my iPhone

On Jan 29, 2013, at 10:36 AM, "Hector de la Mora" <Hdlm@delamoralaw.com> wrote:

Hello Paul—

Here is the schedule provided by Jamie Salentine, Waukesha Town Clerk for next week.

Can you confirm what days and times Mr. German would like to come in and review records?

Please note that the week after next is a challenging one . More information will follow on that one.

Hector de la Mora

From: Jamie Salentine [mailto:Clerk-Treasurer@townofwaukesha.us]

Sent: Monday, January 28, 2013 2:01 PM

To: * Everyone

Subject: Supervisor German - Open Records

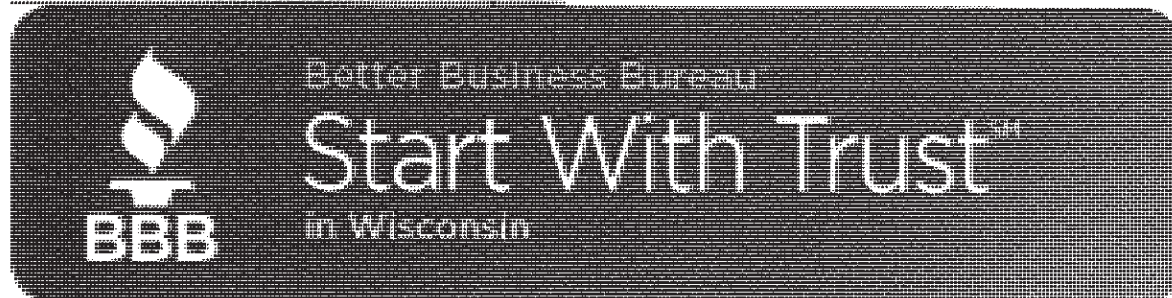
Attorney de la Mora,

Below are my available hours for the week of February 4th:

Tuesday, Feb. 5th: 8:30am – 12:30pm

Thursday, Feb. 7th: 8:30am – 12:30pm

F - (262) 303-4079
(Satellite Office: 1011 N. Mayfair Road Ste 307)
Wauwatosa, WI 53226-3431
Telephone: 262-303-4916
Facsimile: 262-303-4079
www.bucherlawgroup.com
www.facebook.com/BucherLawGroupLLC



The document(s) and/or information accompanying and/or contained in this email correspondence contains information from the sender that is confidential and/or privileged. This information is intended to be for the sole use of the individual or entity named in this email correspondence. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this information is prohibited and may constitute an invasion of privacy of the intended recipient. If you have received this email correspondence in error, or if you have any questions concerning the documents and/or information received, please contact the sender at (262) 303-4916.

In addition, unless a prior attorney/client relationship exists or a formal attorney/client agreement has been entered into, there is no attorney/client relationship that is established by an e mail response to an inquiry. Please be aware that until that occurs, certain legal rights and remedies you may have could be at risk or compromised. Also if you are using an employer's computer or electronic device, please be aware that confidentiality is not guaranteed and the employer may have access to your e mail.

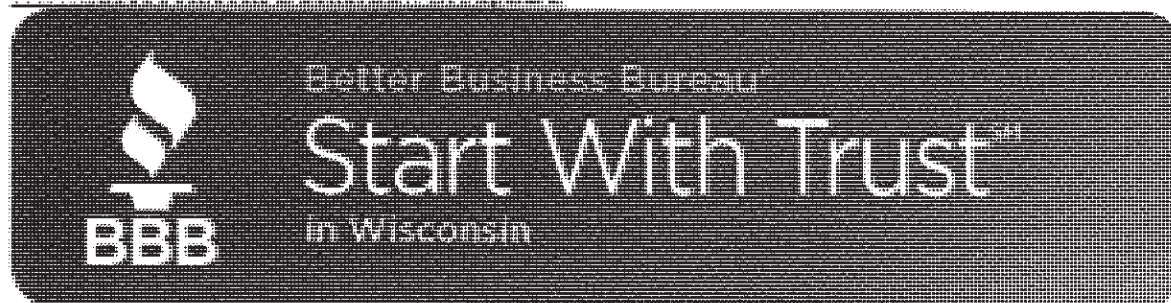
From: Evgerman@aol.com [mailto:Evgerman@aol.com]
Sent: Thursday, January 31, 2013 5:47 PM
To: Paul Bucher
Subject: open records

Paul,

Have you had time to review my email in regards to having records picked up from town hall. It is becoming a very hostile environment due to chairwoman and town clerk. I do not feel comfortable reviewing these records at town hall or accepting a stall tactic on availability of clerk or anyone else to be present as I review. That is totally unacceptable.

Thanks,
Everett

www.betterbusinessbureau.com/BucherLawGroupLLC



The document(s) and/or information accompanying and/or contained in this email correspondence contains information from the sender that is confidential and/or privileged. This information is intended to be for the sole use of the individual or entity named in this email correspondence. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this information is prohibited and may constitute an invasion of privacy of the intended recipient. If you have received this email correspondence in error, or if you have any questions concerning the documents and/or information received, please contact the sender at (262) 303-4916.

In addition, unless a prior attorney/client relationship exists or a formal attorney/client agreement has been entered into, there is no attorney/client relationship that is established by an e mail response to an inquiry. Please be aware that until that occurs, certain legal rights and remedies you may have could be at risk or compromised. Also if you are using an employer's computer or electronic device, please be aware that confidentiality is not guaranteed and the employer may have access to your e mail.

From: Hector de la Mora [mailto:Hdlm@delamoralaw.com]

Sent: Friday, February 01, 2013 12:59 PM

To: Paul Bucher

Subject: RE: open records

Hi Paul—

The purpose of examination at the town hall is to maintain a chain of custody and to avoid having to go through each of the 1600 pages to see if anything needs to be redacted (to protect litigation strategy confidentiality). Since Mr. German is a member of the Board his examination with the participation of the clerk overcomes these issues. The removal of the copies potentially compromises the achievement of these stated objectives.

Hector de la Mora

From: Paul Bucher [mailto:PBucher@bucherlawgroup.com]

Sent: Friday, February 01, 2013 12:50 PM

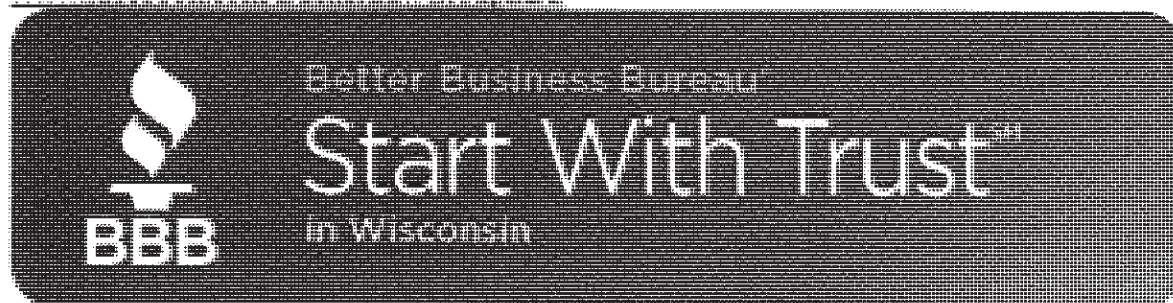
To: Hector de la Mora

Subject: FW: open records

Is this possible for my client??

Paul E. Bucher
Attorney at Law and Court Commissioner
Bucher Law Group, LLC
355 Austin Circle, Suite 110
Delafield WI, 53018
P - (262) 303-4916

www.betterbusinessbureau.com/BucherLawGroupLLC



The document(s) and/or information accompanying and/or contained in this email correspondence contains information from the sender that is confidential and/or privileged. This information is intended to be for the sole use of the individual or entity named in this email correspondence. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this information is prohibited and may constitute an invasion of privacy of the intended recipient. If you have received this email correspondence in error, or if you have any questions concerning the documents and/or information received, please contact the sender at (262) 303-4916.

In addition, unless a prior attorney/client relationship exists or a formal attorney/client agreement has been entered into, there is no attorney/client relationship that is established by an e mail response to an inquiry. Please be aware that until that occurs, certain legal rights and remedies you may have could be at risk or compromised. Also if you are using an employer's computer or electronic device, please be aware that confidentiality is not guaranteed and the employer may have access to your e mail.

From: Hector de la Mora [mailto:Hdlm@delamoralaw.com]

Sent: Friday, February 01, 2013 12:59 PM

To: Paul Bucher

Subject: RE: open records

Hi Paul—

The purpose of examination at the town hall is to maintain a chain of custody and to avoid having to go through each of the 1600 pages to see if anything needs to be redacted (to protect litigation strategy confidentiality). Since Mr. German is a member of the Board his examination with the participation of the clerk overcomes these issues. The removal of the copies potentially compromises the achievement of these stated objectives.

Hector de la Mora

From: Paul Bucher [mailto:PBucher@bucherlawgroup.com]

Sent: Friday, February 01, 2013 12:50 PM

To: Hector de la Mora

Subject: FW: open records

Is this possible for my client??

Paul E. Bucher
Attorney at Law and Court Commissioner
Bucher Law Group, LLC
355 Austin Circle, Suite 110
Delafield WI, 53018
P - (262) 303-4916

Success...by Ralph Waldo Emerson - 1803-1882

*To laugh often and much;
to win the respect of intelligent people
and the affection of children; to earn the
appreciation of honest critics and
endure the betrayal of false friends;
to appreciate beauty, to find the best
in others;*

*To leave the world a bit better,
whether by a healthy child, a garden
patch or a redeemed social condition;*

*To know even one life has breathed
easier because you have lived.*

This is to have succeeded.

Success...by Ralph Waldo Emerson - 1803-1882

*To laugh often and much;
to win the respect of intelligent people
and the affection of children; to earn the
appreciation of honest critics and
endure the betrayal of false friends;
to appreciate beauty, to find the best
in others;*

*To leave the world a bit better,
whether by a healthy child, a garden
patch or a redeemed social condition;*

*To know even one life has breathed
easier because you have lived.*

This is to have succeeded.

FW: open records

Jamie Salentine

Sent: Tuesday, February 05, 2013 8:57 AM

To: De La Mora Law

Cc: Angie E. Van Scyoc

Attorney de la Mora,

Please see Supervisor German's email below regarding the secured open records request.

Sincerely,

Jamie Salentine

Clerk/Treasurer

Town of Waukesha

262-542-5030

Fax: 262-542-7870

Email: clerk-treasurer@townofwaukesha.us

Website: www.townofwaukesha.us

From: Evgerman@aol.com [mailto:Evgerman@aol.com]

Sent: Tuesday, February 05, 2013 8:27 AM

To: Jamie Salentine

Subject: open records

Good Morning,

Jamie, since it has been over 60 days for my open records request and know records are at Town Hall I will be stopping in this afternoon to pick boxes up so that I may review in my time frame.

Let me know what works for you this afternoon time wise for me to come in and pick up.

Thank you,

Everett German

Your Town of Waukesha Supervisor

Common Sense with Integrity

work 262-542-3952

cell 414-587-6603

FW: open records

Jamie Salentine

Sent: Tuesday, February 05, 2013 8:57 AM

To: De La Mora Law

Cc: Angie E. Van Scyoc

Attorney de la Mora,

Please see Supervisor German's email below regarding the secured open records request.

Sincerely,

Jamie Salentine

Clerk/Treasurer

Town of Waukesha

262-542-5030

Fax: 262-542-7870

Email: clerk-treasurer@townofwaukesha.us

Website: www.townofwaukesha.us

From: Evgerman@aol.com [mailto:Evgerman@aol.com]

Sent: Tuesday, February 05, 2013 8:27 AM

To: Jamie Salentine

Subject: open records

Good Morning,

Jamie, since it has been over 60 days for my open records request and know records are at Town Hall I will be stopping in this afternoon to pick boxes up so that I may review in my time frame.

Let me know what works for you this afternoon time wise for me to come in and pick up.

Thank you,

Everett German

Your Town of Waukesha Supervisor

Common Sense with Integrity

work 262-542-3952

cell 414-587-6603

FW: open records

Jamie Salentine

Sent: Tuesday, February 05, 2013 2:32 PM

To: De La Mora Law

Cc: Angie E. Van Scyoc

Attorney de la Mora,

Please see Supervisor German's email below.

Thank you.

Sincerely,

Jamie Salentine

Clerk/Treasurer

Town of Waukesha

262-542-5030

Fax: 262-542-7870

Email: clerk-treasurer@townofwaukesha.us

Website: www.townofwaukesha.us

From: Evgerman@aol.com [mailto:Evgerman@aol.com]

Sent: Tuesday, February 05, 2013 2:28 PM

To: Jamie Salentine

Subject: open records

Good Afternoon,

I had emailed a request over to you this morning and have not yet heard from you. As a board member I am making a specific request of the town clerk. Please respond to me as to what the problem is in regards to my request to pick up 4 boxes of emails pertaining to my open records request and the reasoning that you feel you do not have to acknowledge me.

Sincerely,

Everett German

Your Town of Waukesha Supervisor

Common Sense with Integrity

work 262-542-3952

cell 414-587-6603

RECEIVED FEB 06 2013



Bucher Law Group, LLC



February 5, 2013

Attorney Hector de la Mora
de la Mora & de la Mora
15255 Watertown Plank Road
Elm Grove, WI 53122

Re: My client, Everett German

Dear Hector:

I am contacting you relative to the continue controversy regarding my client's valid Open Records request. As you are aware, Mr. German's Open Records request complied with Wisconsin law. Further, Mr. German remitted the \$300 fee for the retrieval of the records. Shockingly, the amount of records delivered is simply overwhelming. I cannot believe a public official would generate such a voluminous amount of emails in such a short period of time. I think that needs to be re-examined, but so be it. The procedure set up at present is for my client to go in for a short period of time to review the records with the county clerk. When he locates a record he wants, it is removed and then examined for redaction and returned. This procedure is simply not acceptable to my client.

Therefore, since my client has made a valid Open Records request and paid the retrieval costs, he is demanding that the records in question be turned over to him within a reasonable period of time. If that means, unfortunately, that each and every record must be reviewed for redaction, so be it. Per the recent Supreme Court decision, the costs of redaction cannot be charged to my client. I realize you are extremely busy and there are a great deal of records are involved. Certainly, a reasonable amount of time is appropriate for review and redaction.

Please advise when the requested records are ready for pick up by my client.

Sincerely,

BUCHER LAW GROUP, LLC

Paul E. Bucher
Attorney at Law

PEB/sac

Cc: Everett German

FW: open records/town attorney's direction

Jamie Salentine

Sent: Thursday, February 07, 2013 7:16 AM

To: De La Mora Law

Cc: Angie E. Van Scyoc

Attorney de la Mora,

Please see Supervisor German's email below.

Sincerely,

Jamie Salentine

Clerk/Treasurer

Town of Waukesha

262-542-5030

Fax: 262-542-7870

Email: clerk-treasurer@townofwaukesha.us

Website: www.townofwaukesha.us

From: Evgerman@aol.com [mailto:Evgerman@aol.com]

Sent: Wednesday, February 06, 2013 9:43 AM

To: Jamie Salentine

Cc: pbucher@bucherlawgroup.com

Subject: open records/town attorney's direction

Jamie,

It amazes me that I as a supervisor cannot contact or get a legal opinion from the town attorney although when I ask you as town clerk for specific information in regards to 5 Diamonds that you have not responded to and I have not received. Then in regards to open records that are laying in the town hall I inform you that I will be picking up for my review and the town attorney tells you not to reply to a town supervisor so you feel no need to respond to me.

Look at this picture and what do you see wrong with this scenario?

My request for 5 Diamonds I will be stopping in and I guess will have to file another open records. And as far as the town attorney a hired vendor is telling town clerk not to respond to a town supervisors request, what gives our attorney the right to make such a statement?

Everett German

Your Town of Waukesha Supervisor

Common Sense with Integrity

work 262-542-3952

cell 414-587-6603