Begin forwarded message:

From: "Jacob, Ayad P." <jacob@schiffhardin.com>
Date: February 4, 2013, 6:08:23 PM CST
To: "Poland, Douglas" <DPoland@agklaw.com>, "Peter Earle (peter@earle-law.com)" <peter@earle-law.com>
Cc: "Alberts, Barry S." <balberts@schiffhardin.com>
Subject: FW: Redistricting - SB150

Doug and Peter,

Attached are 15 documents which relate to SB150. Duplicate emails and strings were eliminated. As agreed these documents are provided without prejudice to or waiver of Michael Best’s position that documents relating to SB150 were not called for by Plaintiffs’ subpoenas and the Court’s subsequent orders. In addition, the production of any documents covered by the attorney-client privilege or the work-product doctrine will not result in a waiver of those privileges and we reserve the right to demand and you agree to return of any such documents upon request.

Best Regards,

Ayad

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---------------------------------------------------
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To: Taffora, Raymond P (22244) [mailto:rptaffora@michaelbest.com]; 'tottman'; 'adamfoltz@gmail.com'; 'Jim Troupis'; 'troupislawoffice.com
Cc: McLeod, Eric M (22257) [mailto:EMMcLeod@michaelbest.com]
Sent: Mon 7/18/2011 6:48:43 PM
Subject: RE: Fitchburg Memo - Ward Reduction Amendment

I believe Fitchburg is now OK.

I spoke with both Denise Solie and Jason (who is advising the Mayor who is out of the state today).

For some reason, they seemed to think the overall exemption provided in SB150 section 4 and the school district exemption in current law were somehow linked and the latter would negate the former. They now seem comfortable. The language added on Friday (Nothing in this paragraph shall be construed to compel a county or city to alter or redraw supervisory or aldermanic districts.*) is giving them additional comfort.

Denise will do her best to make sure no one from the city continues to claim state action is negatively affecting her city’s ability to create districts they desire.

---

To: Taffora, Raymond P (22244) [mailto:rptaffora@michaelbest.com]
Sent: Monday, July 18, 2011 8:33 AM
To: Joseph W. Handrick; 'tottman'; 'adamfoltz@gmail.com'; 'Jim Troupis'
Cc: McLeod, Eric M (22257)
Subject: RE: Fitchburg Memo - Ward Reduction Amendment

Great.

Joe, you should go back to Mayor Shawn and tell him his request is outside the "footprint" of SB 150 and suggest a way(s) for him to create Fitchburg’s "second majority-minority district" if that is the Mayor’s real concern. Perhaps Tad or Adam could join your conversation with Shawn.

Ok?

---

From: Joseph W. Handrick [mailto:JHandrick@reinhartlaw.com]
Sent: Monday, July 18, 2011 8:15 AM
To: Taffora, Raymond P (22244); 'tottman'; 'adamfoltz@gmail.com'; 'Jim Troupis'
Cc: McLeod, Eric M (22257)
Subject: RE: Fitchburg Memo - Ward Reduction Amendment

...and if Fitchburg's issue is "occasioned by the creation of the new state legislative districts," then no amendment is necessary because SB 150 itself solves it.

The only argument in favor of fixing it is they continue to state they can't draw their districts the way they wish and create a second minority district. That's not true, but it is bad PR. "If we can get this simple addition added to SB 150, I think it will allow us to create "majority minority" aldermanic districts in Fitchburg, which would truly represent the diversity of our city for the next 10 years and the desire of our non-partisan, citizen redistricting panel." -- the Mayor (from the email below).

From: Taffora, Raymond P (22244) [mailto:rptaffora@michaelbest.com]
Sent: Monday, July 18, 2011 8:02 AM
To: tottman; adamfoltz@gmail.com; Jim Troupis; Joseph W. Handrick
Cc: McLeod, Eric M (22257)
Subject: FW: Fitchburg Memo - Ward Reduction Amendment

Guys:

See below. Fitchburg has this request outstanding and we must decide whether to "fix" Fitchburg's issue by a Senate floor amendment or not.

In my view, unless the problem that Fitchburg has is occasioned by the creation of new state legislative districts, then we should decline Fitchburg's request. We have been saying all along that SB 150's "surgery" on the local redistricting process is confined to allowing the municipalities to fix ward divisions occasioned by the state's new
I believe that we shouldn't open the door to requests to re-write sec. 5.15 unless such a request is occasioned by the creation of new legislative districts.

Agreed?

Ray

From: Joseph W. Handrick [mailto:JHandrick@reinhartlaw.com]
Sent: Friday, July 15, 2011 11:34 AM
To: 'Shawn Pfaff'; Taffora, Raymond P (22244)
Cc: 'Denise Solie'; 'Mark Sewell'
Subject: RE: Fitchburg Memo - Ward Reduction Amendment

Ray -

I just got off the phone with the mayor and was able to follow-up on the conversation he and I had the other day.

I don't see any harm in their proposal to create a new exception to the minimal ward requirement for municipalities with multiple school districts.

There are two distinct issues here involving Fitchburg: One involves the difficulty dealing with multiple school districts and one involving a proposed legislative plan that requires wards to be divided.
The issue with the school districts is likely pre-existing issue and is not triggered by SB 150 or the state redistricting map. If it is, in fact, triggered by SB 150 or the state legislative plan, it is also fixed already by SB 150. Any ward division issues that are triggered by the state redistricting map are addressed by SB 150 Section 4 which permits the drawing of wards outside of the prescribed population ranges.

The language suggested by the city would seem to address this pre-existing issue by adding an additional exception to current law for municipalities with multiple school districts.

The other issue is whether the proposed redistricting maps force the city to alter its aldermanic seats or its efforts to create minority districts.

Please read the attached news article. This article suggests that the state redistricting plan and/or SB 150 is affecting the ability of the city to create minority districts. As I understand it SB 150 or the state redistricting proposal does not, in any way, cause any county or city to redraw any county supervisory or aldermanic district. In fact, SB 150 specifically allows wards to be drawn below the otherwise prescribed population minimums to accommodate the state plan.

Referring to the memo from Jason Schmidt, he says "Ward 15 would be divided." If this division is the result of the state redistricting proposal and/or SB 150, then the city does would be able to drop the population of the multiple wards that are created below the population threshold. If, however, he is referring to the "old" ward 15 (in place since 2001) and the need to divide that because it is in 2 school districts, then the language proposed by the city would fix that.


In summary, I would encourage the committee to adopt the proposal from the city of
Fitchburg as outline in the memo from Jason Schmidt.

From: Shawn Pfaff [mailto:Shawn.Pfaff@city.fitchburg.wi.us]
Sent: Friday, July 15, 2011 10:45 AM
To: rptaffora@michaelbest.com
Cc: Denise Solie; Mark Sewell
Subject: Fitchburg Memo - Ward Reduction Amendment

Ray:

It was great to see you the other day in the Capitol at the Redistricting hearing. I know you've been following the issue closely.

As we discussed, we have a unique situation in Fitchburg (three school districts in our city) when it comes to the minimum ward requirement as I explained with my testimony. I have attached a backgrounder memo prepared by our city legal and planning staff that explains our issue and suggests our simple remedy for it.

If we can get this simple addition added to SB 150, I think it will allow us to create "majority minority" aldermanic districts in Fitchburg, which would truly represent the diversity of our city for the next 10 years and the desire of our non-partisan, citizen redistricting panel.

I have cc'd our city attorney Mark Sewell and our Redistricting Chair Alder Denise Solie in case you have any technical questions.

I think our ask is not too heavy of a lift.

Thanks for your attention,
Shawn
(608)628-3275

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Produced 2/4/2013 (15 Emails)
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To: Taffora, Raymond P (22244) [mailto:rptaffora@michaelbest.com]; tottman@tottman@gmail.com; adamfoltz@gmail.com; jhandrick@reinhartlaw.com
Cc: McLeod, Eric M (22257) [mailto:EMMcLeod@michaelbest.com]
From: Jim Troupis
Sent: Mon 7/18/2011 1:40:22 PM
Subject: RE: Fitchburg Memo - Ward Reduction Amendment

Per all the subsequent emails, I also agree. As we discussed yesterday on a much more important issue in Milwaukee on the districts themselves, the legislation is final absent some catastrophic potential result.

Jim

James R. Troupis
Troupis Law Office LLC
jrtroupis@troupislawoffice.com
ph. 608-807-4096

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From: Taffora, Raymond P (22244) [mailto:rptaffora@michaelbest.com]
Sent: Monday, July 18, 2011 8:02 AM
To: tottman; adamfoltz@gmail.com; Jim Troupis; jhandrick@reinhartlaw.com
Cc: McLeod, Eric M (22257)
Subject: FW: Fitchburg Memo - Ward Reduction Amendment

Guys:

See below. Fitchburg has this request outstanding and we must decide whether to "fix" Fitchburg's issue by a Senate floor amendment or not.
In my view, unless the problem that Fitchburg has is occasioned by the creation of new state legislative districts, then we should decline Fitchburg's request. We have been saying all along that SB 150's "surgery" on the local redistricting process is confined to allowing the municipalities to fix ward divisions occasioned by the state's new legislativedistricts. Fitchburg's issue, as I understand, is not with our redistricting plans, but with other portions of existing state law.

I believe that we shouldn't open the door to requests to re-write sec. 5.15 unless such a request is occasioned by the creation of new legislative districts.

Agreed?

Ray

From: Joseph W. Handrick [mailto:JHandrick@reinhartlaw.com]
Sent: Friday, July 15, 2011 11:34 AM
To: 'Shawn Pfaff', Taflora, Raymond P (22244)
Cc: 'Denise Solie'; 'Mark Sewell'
Subject: RE: Fitchburg Memo - Ward Reduction Amendment

Ray -

I just got off the phone with the mayor and was able to follow-up on the conversation he and I had the other day.

I don't see any harm in their proposal to create a new exception to the minimal ward requirement for municipalities with multiple school districts.
There are two distinct issues here involving Fitchburg: One involves the difficulty dealing with multiple school districts and one involving a proposed legislative plan that requires wards to be divided.

The issue with the school districts is likely pre-existing issue and is not triggered by SB 150 or the state redistricting map. If it is, in fact, triggered by SB 150 or the state legislative plan, it is also fixed already by SB 150. Any ward division issues that are triggered by the state redistricting map are addressed by SB 150 Section 4 which permits the drawing of wards outside of the prescribed population ranges.

The language suggested by the city would seem to address this pre-existing issue by adding an additional exception to current law for municipalities with multiple school districts.

The other issue is whether the proposed redistricting maps force the city to alter its aldermanic seats or its efforts to create minority districts.

Please read the attached news article. This article suggests that the state redistricting plan and/or SB 150 is affecting the ability of the city to create minority districts. As I understand it SB 150 or the state redistricting proposal does not, in any way, cause any county or city to redraw any county supervisory or aldermanic district. In fact, SB 150 specifically allows wards to be drawn below the otherwise prescribed population minimums to accommodate the state plan.

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In summary, I would encourage the committee to adopt the proposal from the city of Fitchburg as outlined in the memo from Jason Schmidt.

From: Shawn Pfaff [mailto:Shawn.Pfaff@city.fitchburg.wi.us]
Sent: Friday, July 15, 2011 10:45 AM
To: rpfaffor@michaelbest.com
Cc: Denise Solie; Mark Sewell
Subject: Fitchburg Memo - Ward Reduction Amendment

Ray:

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As we discussed, we have a unique situation in Fitchburg (three school districts in our city) when it comes to the minimum ward requirement as I explained with my testimony. I have attached a backgrounder memo prepared by our city legal and planning staff that explains our issue and suggests our simple remedy for it.

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I have cc'd our city attorney Mark Sewell and our Redistricting Chair Alder Denise Solie in case you have any technical questions.

I think our ask is not too heavy of a lift.

Thanks for your attention,
Shawn
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To: Taffora, Raymond P (22244)<rptaffora@michaelbest.com>
Cc: adamfollz@gmail.com; Jim Troupis<troupis@troupislawoffice.com>; jhandrick@reinhartlaw.com; McLeod, Eric M (22257)<EMmcleod@michaelbest.com>
From: lottman
Sent: Mon 7/18/2011 1:14:29 PM
Subject: Re: FW: Fitchburg Memo - Ward Reduction Amendment

Agreed.

There are other outstanding issues that we have elected not to address because the problems were not created by the new districts. Most prominent is the issue of prisons with populations larger than allowed by the maximum ward limits. If we were to address Fitchburg's additional concerns with current law, I don't know that we have a good answer for not addressing other concerns like prison populations.

Tad

On Mon, Jul 18, 2011 at 8:01 AM, Taffora, Raymond P (22244) <rptaffora@michaelbest.com> wrote:

Guys:

See below. Fitchburg has this request outstanding and we must decide whether to "fix" Fitchburg's issue by a Senate floor amendment or not.

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Sent: Friday, July 15, 2011 11:34 AM
To: 'Shawn Pfaff'; Taffora, Raymond P (22244)
Cc: 'Denise Solie'; 'Mark Sewell'
Subject: RE: Fitchburg Memo - Ward Reduction Amendment

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From: Shawn Pfaff [mailto:Shawn.Pfaff@city.fitchburg.wi.us]
Sent: Friday, July 15, 2011 10:45 AM
To: rtaffora@michaelbest.com
Cc: Denise Solie; Mark Sewell
Subject: Fitchburg Memo - Ward Reduction Amendment

Ray:

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I have cc'd our city attorney Mark Sewell and our Redistricting Chair Alder Denise Solie in case you have any technical questions.

I think our ask is not too heavy of a lift.

Thanks for your attention,
Shawn
(608)628-3275

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First, the districts have not yet been approved in Milwaukee for the wards and supervisory districts, have they? So while negotiation of those are still ongoing the timing is actually a positive.

Second, all 150 affects is ward boundaries, it does affect the ultimate configuration of local aldermanic or supervisory districts. It may well be that the wards of several legislative districts will be combined for the local electoral districts. Nothing requires the lines match.

Third, just draw smaller wards at the local level and then combine them in whatever way they want.

I don't have a clue what he is talking about when he says they must oppose both in Court. Per above, that does not make sense.

Jim

James R. Troupis
Troupis Law Office LLC
jrtroupis@troupislawoffice.com
ph. 608-807-4096

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Subject: FW: Zeua Rodriguez on Maps and Mke County Redistricting

See below for comments by Jesus Rodriguez, one of the Mke-area Hispanic leaders, on his support for the MALDEF alternative map and his concern about the municipal redistricting process under SB 150. Any suggestions on the SB 150 issue Zeua raises?

Thanks.

From: RodriguezWI [mailto:zeus@rodriguezwI.com]
Sent: Tuesday, July 12, 2011 6:59 PM
To: Taffora, Raymond P (22244)
Subject: Re: Test

Ray,

I know the focus is 100% on the State right now but if SB 150 doesn't allow for major revisions of municipal redistricting after the initial tentative plan has been passed. Then what we are doing at the County level will be for nothing and we will have to sue both the county AND the state based on the fact that the County's tentative plan disenfranchises the Latino community. I can give you the details later. Maybe we can find out if a stipulation can be added to the bill for exceptions like ours. Not only are we fighting for proper Hispanic Representation but also to keep Republican Supervisor Joe Rice's district intact.

Again, I know it's all about the State, but we really need to figure something out with SB 150 ASAP. Your help would be greatly appreciated.

Thank you and I will get you our letter of support tomorrow in favor if 60/54

Zeus
Agnus Dei, qui tollis peccata Mundi.

On Jul 12, 2011, at 18:22, "Taftora, Raymond P (22244)" <rptaffora@michaelbest.com> wrote:

Raymond P. Taftora
Michael Best & Friedrich LLP
1 South Pinckney Street, Suite 700
Madison, WI. 53703
(608) 257-3501
(608) 283-2244 (Direct)
rptaffora@michaelbest.com

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