



Writer's Direct E-mail
fgimbel@grgblaw.com

December 15, 2011

CITY OF MILWAUKEE
11 DEC 15 PM 3:24
RONALD D. LEONHARDT
CITY CLERK

VIA MESSENGER

Milwaukee Common Council
Attn: Clerk
City Hall, Room 205
200 East Wells Street
Milwaukee, Wisconsin 53202

Re: Renewal Application – Precious Metal and Gem Dealer’s License
T&S Group, LLC – 1577 West Greenfield Avenue (“Sam’s Discount”)

Dear Members:

Please consider this correspondence to be Licensee Muwafaq Abuawaad’s objection to the December 8, 2011 Licenses Committee Report recommending that its Precious Metal and Gem Dealer’s License not be renewed. Be advised that I intend to appear on behalf of Muwafaq Abuawaad at the Common Council hearing on December 20, 2011 to make oral arguments on my client’s behalf.

As you know, the crux of the License Committee’s position in opposition to renewal is a series of citations issued to my clients that involve delayed entry of transaction information into the NEWPRS computer system. However, at this time, none of those citations have been fully and fairly adjudicated. Thirty-five of the citations are currently pending in the Milwaukee County Circuit Court and the remaining citations have not yet been adjudicated by the City of Milwaukee Municipal Court. While my clients defend themselves against the citations, the License Committee asks you to nevertheless take the allegations made therein as fact and use those unadjudicated facts to deny renewal.

What is a fact is the licensee’s history of substantial compliance with transaction reporting requirements. This is not a situation where a licensee has been involved in some sort of nefarious activity -- Sam’s Discount was collecting the appropriate information and provided that information when it was requested by the Milwaukee Police Department. Instead, it is a situation where a number of unforeseen management difficulties, coupled with cultural differences and communication problems, led to computer entry delays of legally purchased gold items in the NEWPRS system.

TWO PLAZA EAST
SUITE 1170
330 E. KILBOURN AVE.
MILWAUKEE, WI 53202
P: 414-271-1440
F: 414-271-7680
WWW.GRGBLAW.COM



At the hearing, there was also a significant amount of testimony regarding Mr. Abuawaad's brother, Sulemon, and a purchase of gold from an undercover police officer in the parking lot adjacent to Sam's Discount. Sulemon has no role whatsoever in the management, operation, or ownership of Sam's Discount. He was never authorized by Muwafaq Abuawaad, or the then manager and primary gold buyer of Sam's Discount, Aladdin Abuawaad, to purchase gold on Sam's Discount's behalf - either in the store or outside. The transaction shown on the tape presented by the License Committee was completely unauthorized and outside of the authority and control of Sam's Discount's management. These types of shady dealings are not demonstrative of the business practices of the owners, management, or employees of Sam's Discount. Mr. Abuawaad objects to this incorrect and unfairly prejudicial characterization and its inappropriate use before the committee.

Unfortunately, prior to my firm's involvement in this matter, the gold purchasing at Sam's Discount was entrusted to someone with a significant language barrier. However, today that problem has been fully rectified and going forward, the language issues underlying the events identified in the License Committee's Report will not repeat themselves.

Moreover, since the introduction of new management at Sam's Discount in August, there have been no problems with any transactions. It has been acknowledged by the Milwaukee Police Department that each and every one of the more than 500 transactions since late August of this year has been undertaken in full compliance with all ordinances and laws (including prompt entry into the NEWPRS system).

While the circumstances leading up to the issuance of the citations were truly unfortunate, they do not constitute wrongdoing or omissions that threaten the health, welfare and safety of the citizens of the City of Milwaukee. My client has identified the problems that were the catalyst for the citations and has fixed those problems. He has shown that previously, he undertook substantial compliance with the reporting requirements and has made the requisite management and administrative changes to ensure compliance in the future.

I look forward to being heard further on this matter and respectfully urge you to reject the License Committee's Report and renew my client's license. Thank you for your consideration.

Very truly yours,



FRANKLYN M. GIMBEL

FMG/ddc

cc: Alderman Willie L. Hines, Jr., Common Council President

Muni/abuawaad, Aladdin/c/common council 2011-12-14