

## The Florida Bar Inquiry/Complaint Form

**PART ONE (See Page 1, PART ONE – Complainant Information.):**

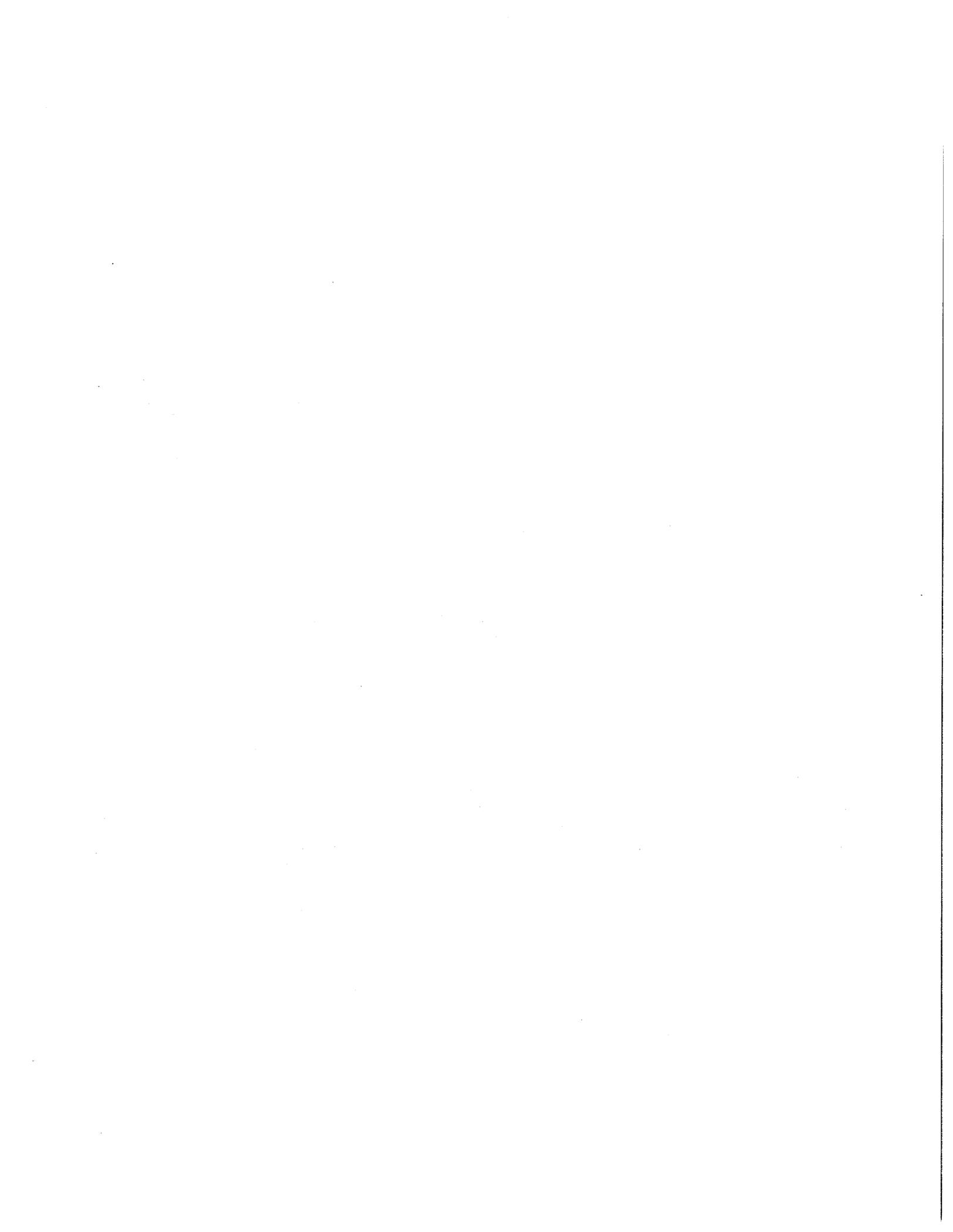
Your Name: JEFF P. H. CAZEAU, ESQ.  
Organization: CITY OF NORTH MIAMI  
Address: 776 NE 125 STREET  
City, State, Zip Code: NORTH MIAMI, FLORIDA 33161  
Telephone: 305-895-9810  
E-mail: JCAZEAU@NORTHMIAMIFL.GOV  
ACAP Reference No.: \_\_\_\_\_  
Does this complaint pertain to a matter currently in litigation? Yes  No

**PART TWO (See Page 1, PART TWO – Attorney Information.):**

Attorney's Name: MICHAEL JOSEPH, ESQ. Florida Bar No.: 86776  
Address: 4770 BISCAYNE BOULEVARD, SUITE #1400  
City, State, Zip Code: MIAMI, FLORIDA 33137  
Telephone: 786-245-2307

**PART THREE (See Page 1, PART THREE – Facts/Allegations.): The specific thing or things I am complaining about are: (attach additional sheets as necessary)**

Regrettfully, I am writing to file a complaint against attorney Michael Joseph, Florida Bar #86776. By way of background, I serve as the City Attorney for the City of North Miami. In July 2016, there was a police involved shooting in the City that made national news. Following the shooting the City placed a North Miami Police Department ("NMPD") Commander on administrative leave. Michael Joseph represents the Commander. In August 2016, Mr. Joseph scheduled a press conference to discuss the case. He subsequently cancelled the press conference claiming that he was in settlement negotiations with the City. See Exhibit "A". Earlier that week, I had met with Mr. Joseph and informed him that settlement negotiations were premature. I was surprised to see his claim that he was in negotiations with the City. I informed Mr. Joseph that if he was in negotiations with anyone in the City other than myself it would be a violation of Florida Bar Rules of Professional Conduct 4-4.2. In December 2016, Mr. Joseph requested that we cease investigation of his client based on the close-out memo issued by the State Attorney's Office ("SAO"). I made it clear to Mr. Joseph that the SAO's determination had no bearing on the City's on-going administrative investigation. Apparently, not satisfied with my response, Mr. Joseph contacted the Chief of Police and made the same request without copying me on the communication. See Exhibit "B". I again advised Mr. Joseph that he should not contact City employees directly as they were represented by counsel. On April 20, 2017 after being out of the office extensively for personal reasons, I learned from an email forwarded to me by NMPD Sergeant Diana Roman, that Mr. Joseph had engaged in a conversation with Srgt. Roman regarding her Internal Affairs...



**PART FOUR (See Page 1, PART FOUR – Witnesses.): The witnesses in support of my allegations are: [see attached sheet].**

**PART FIVE (See Page 1, PART FIVE – Signature.): Under penalties of perjury, I declare that the foregoing facts are true, correct and complete.**

JEFF P. H. CAZEAU, ESQ.

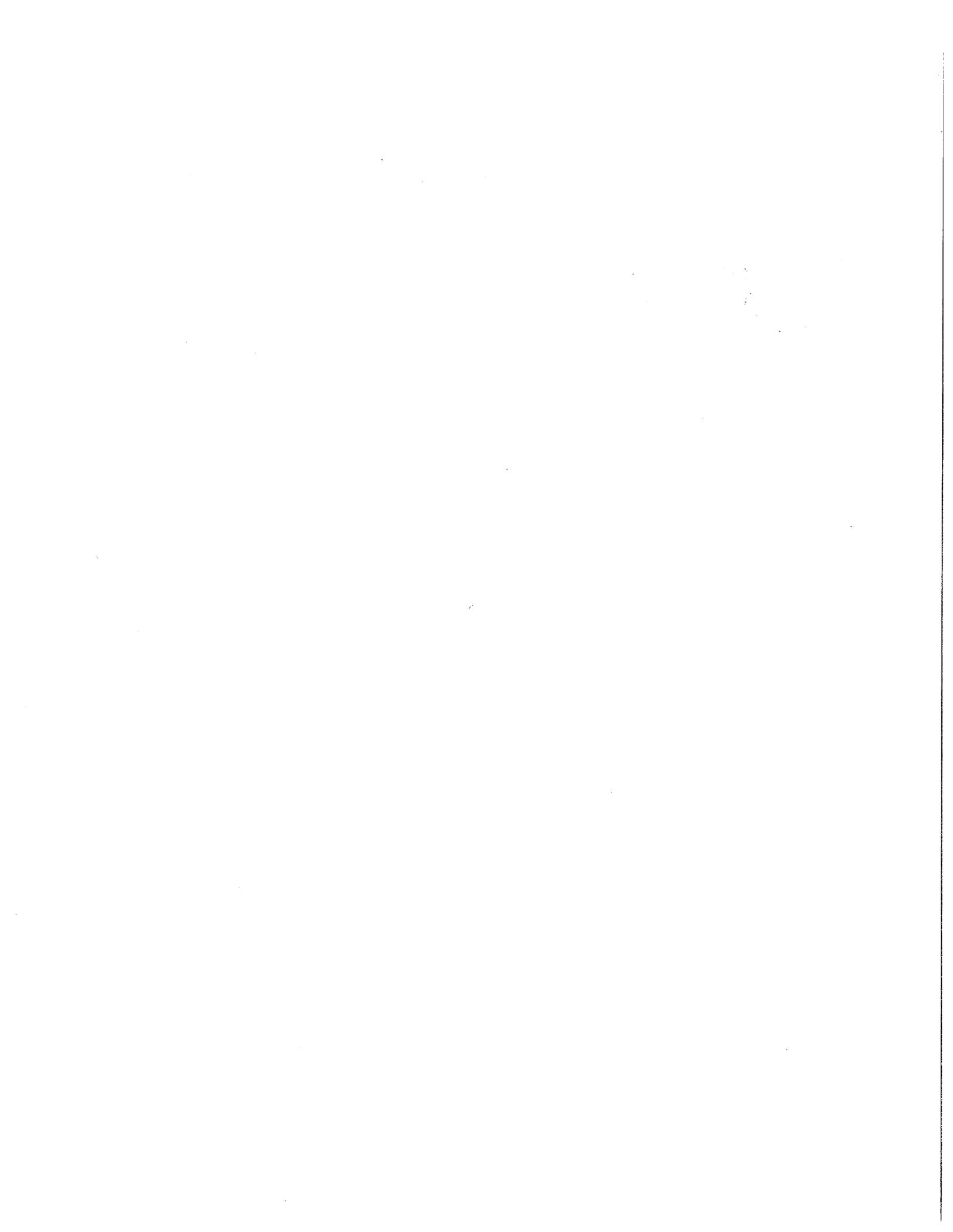
Print Name



Signature

04/25/2017

Date





## OFFICE OF THE CITY ATTORNEY

April 25, 2017

The Florida Bar  
Attn: ACAP  
651 East Jefferson Street  
Tallahassee, Florida 32399-2300

Re: The Florida Bar Inquiry/Complaint Form: **PART THREE**

To Whom It May Concern,

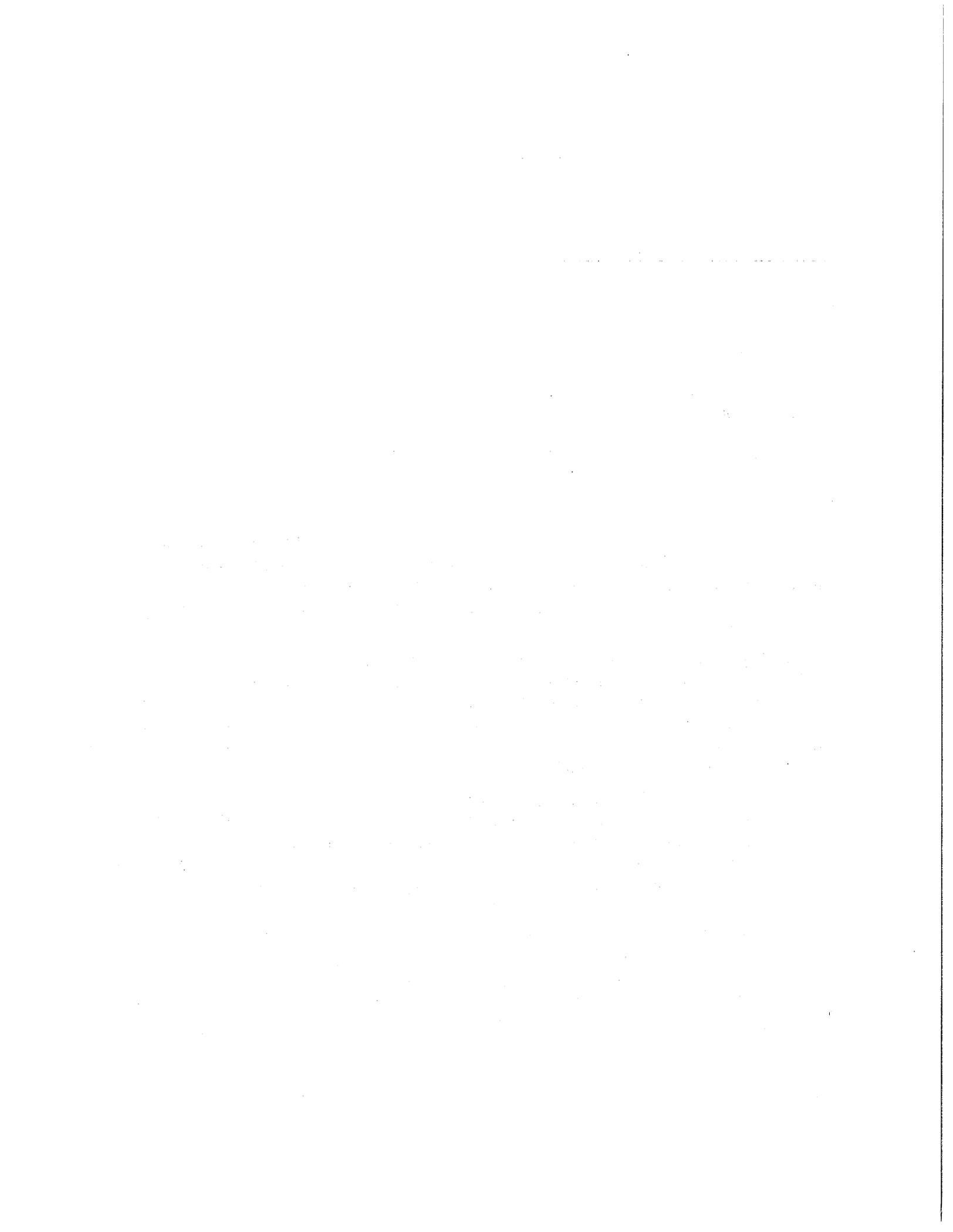
Regretfully, I am writing to file a complaint against attorney Michael Joseph, Florida Bar Number 86776. By way of background, I serve as the City Attorney for the City of North Miami. In July 2016, there was a police involved shooting in the City that made national news. Following the shooting the City placed a North Miami Police Department ("NMPD") Commander on administrative leave. Michael Joseph represents the Commander.

In August 2016, Mr. Joseph scheduled a press conference to discuss the case. He subsequently cancelled the press conference claiming that he was in settlement negotiations with the City. *See* Exhibit "A". Earlier that week I had met with Mr. Joseph and informed him that settlement negotiations were premature. I was surprised to see his claim that he was in negotiations with the City. I informed Mr. Joseph that if he was in negotiations with anyone in the City other than myself it would be a violation of Florida Bar Rules of Professional Conduct 4-4.2.

In December 2016, Mr. Joseph requested that we cease the investigation of his client based on a close-out memo issued by the State Attorney's Office ("SAO"). I made clear to Mr. Joseph that the SAO's determination had no bearing on the City's ongoing administrative investigation. Apparently, not satisfied with my response, Mr. Joseph contacted the Chief of Police and made the same request without copying me on the communication. *See* Exhibit "B". I again advised Mr. Joseph that he should not contact City employees directly as they were represented by counsel.

On April 20, 2017, after being out of the office extensively for personal reasons, I learned from an email forwarded to me by NMPD Sergeant Diana Roman that Mr. Joseph had engaged in a conversation with SGT Roman regarding her Internal Affairs investigation of Mr. Joseph's client. *See* Exhibit "C". Mr. Joseph wholly failed to contact the City Attorney's Office. I informed SGT Roman that although she had initiated the contact, Mr. Joseph should have known that as a City employee she was represented by counsel. I asked SGT Roman to cease all communications with Mr. Joseph.

My intent was to contact Mr. Joseph again and advise him not to contact City employees directly regarding the case. Before I could do so, on April 22, 2017, Mr. Joseph, yet again, contacted SGT. Roman without contacting the City Attorney's Office. *See* Exhibit "D".



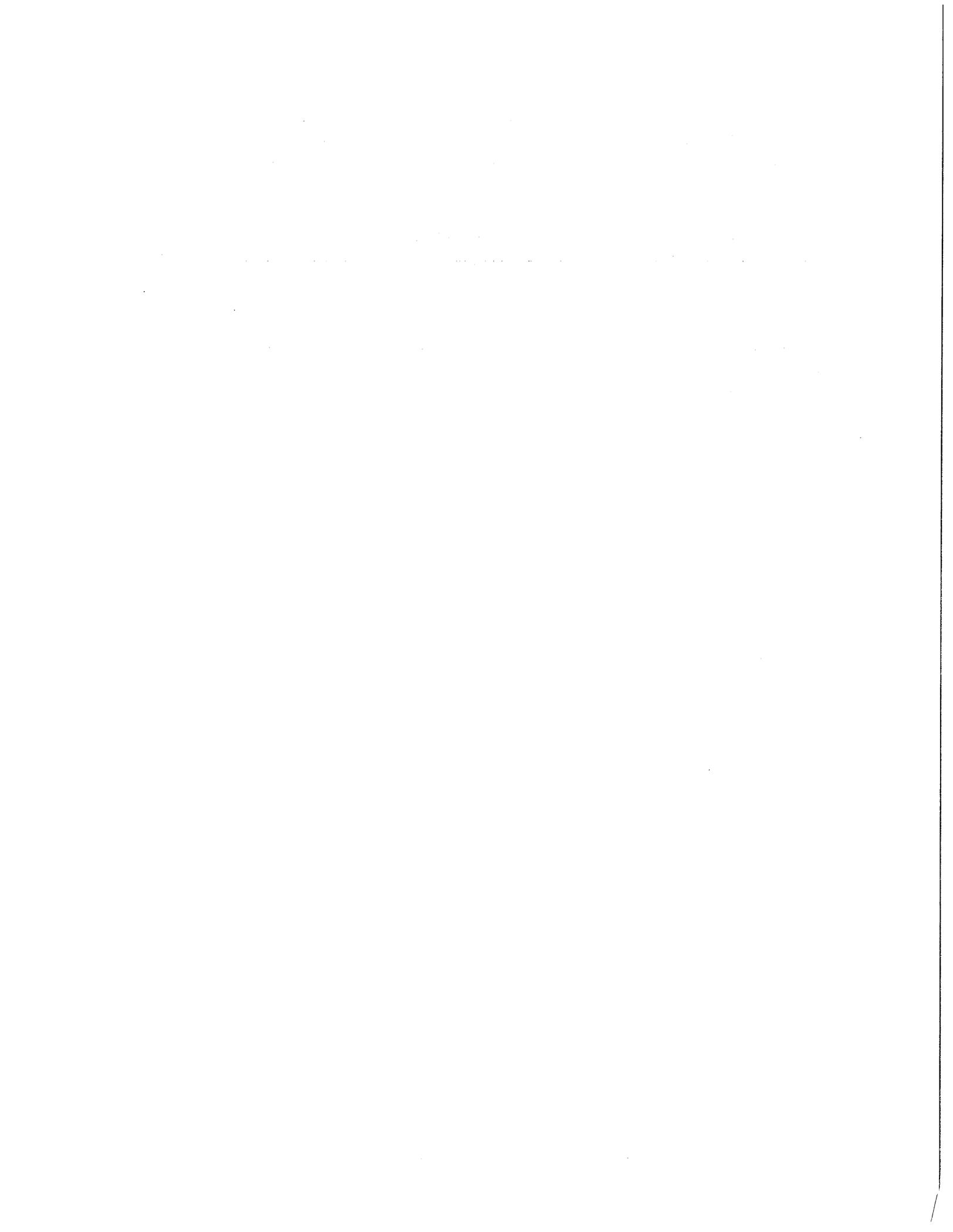
Finally, on April 25, 2016, the City's outside employment attorney, during an in person meeting, informed Mr. Joseph that he should direct all inquiries to the City Attorney's Office. Significantly, hours later Mr. Joseph contacted SGT Roman again without copying the City Attorney's Office, *See* Exhibit "E".

Unfortunately, despite several warnings Mr. Joseph continues to violate Rule 4-4.2. While I understand that Mr. Joseph may be a younger and inexperienced attorney, his flagrant violation of Florida Bar rules after receipt of numerous warnings is inexplicable and warrants investigation by the Florida Bar.

Very truly yours,



Jeff P. H. Cazeau  
City Attorney





**OFFICE OF THE CITY ATTORNEY**

August 9, 2016

**VIA EMAIL: [mjoseph@galbutwalters.com](mailto:mjoseph@galbutwalters.com)**

Michael Joseph, Esq.  
Galbut Walters & Associates LLP  
4770 Biscayne Blvd, Suite 1400  
Miami, FL 33137-3243

**Re: Press Release Dated August 8, 2016**

Dear Mr. Joseph:

I am writing regarding your press release dated August 8, 2016, in which you claim to have postponed your press conference “[d]ue to ongoing negotiations between the City of North Miami and [your] client”. As you know, we met on Friday, August 5, 2016, at your insistence. During that meeting I informed you that due to the ongoing FDLE investigation, any settlement discussions at this point were premature.

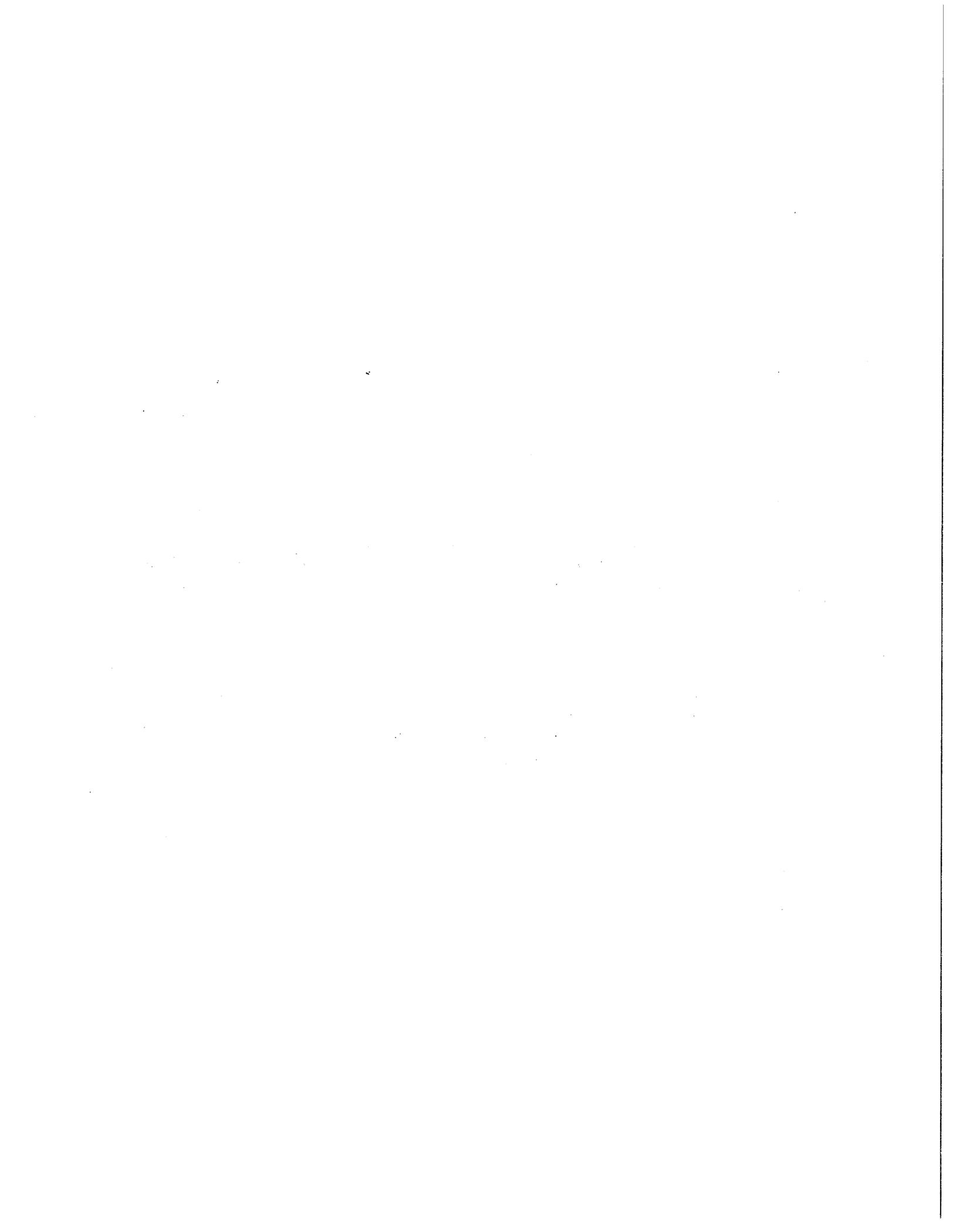
I am therefore surprised to see you claim in your press release that the postponement of your press conference had to do with ongoing settlement negotiations. If you are in settlement negotiations with anyone at the City please advise me immediately since communications between you and any member of the City administration without my knowledge would be a violation of Florida Bar Rules of Professional Conduct, specifically, Rule 4-4.2 Communication with Person Represented By Counsel.

Sincerely,



Jeff P. H. Cazeau  
City Attorney

cc: Larry M. Spring, Jr., City Manager



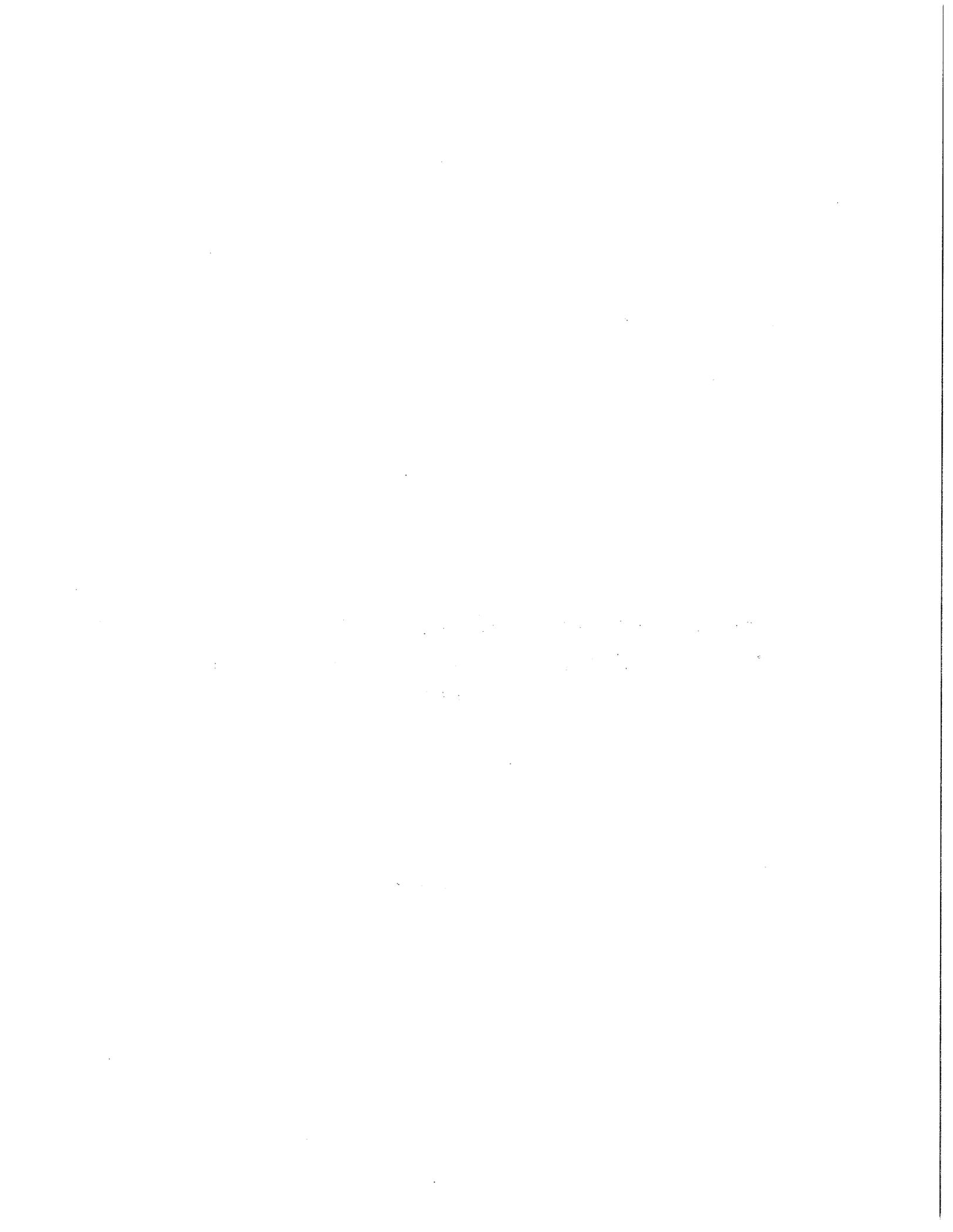
## FOR IMMEDIATE RELEASE

### Contact

Michael Joseph, Esq.  
[mjoseph@galbutwalters.com](mailto:mjoseph@galbutwalters.com)  
[\(786\) 245-2307](tel:(786)245-2307)

## Postponed: Press Conference Regarding Charles Kinsey Shooting Incident involving North Miami Police

North Miami - Aug. 8, 2016 – Due to ongoing negotiations between the City of North Miami and my client, the press conference in the matter of the July 18, 2016 police involved shooting of Mr. Charles Kinsey involving North Miami Police Department (NMPD) Officer Jonathan Aledda scheduled for August 9, 2016 at 2 PM, has been postponed until further notice.



**Cazeau, Jeff P.H.**

---

**From:** Cazeau, Jeff P.H. <jcazeau@northmiamifl.gov>  
**Sent:** Wednesday, December 21, 2016 1:13 PM  
**Subject:** Re: FDLE Report on North Miami Shooting Incident- Cmdr Emile Hollant  
**Attachments:** image001.jpg

Mr. Joseph, I already responded to your email. Further, the city is represented by counsel. Please refrain from contacting my clients directly. Thank you.

Sent from my iPhone

On Dec 21, 2016, at 12:22 PM, mjoseph <[mjoseph@galbutwalters.com](mailto:mjoseph@galbutwalters.com)> wrote:

Chief Eugene,

Please see the correspondence below from Deputy Chiefs ASA Arrojo and ASA Jacobo.

The SAO has made it clear that they have concluded their investigation into Cmdr. Hollant and found that he did nothing wrong.

Can you please confirm whether or not the police department intends to continue any investigation, I.A. or otherwise, towards Cmdr. Hollant?

Happy Connecting. Sent from my Sprint Samsung Galaxy S® 5 Sport

----- Original message -----

From: Esther Jacobo <[EstherJacobo@MiamiSAO.com](mailto:EstherJacobo@MiamiSAO.com)>  
Date: 12/20/16 12:03 PM (GMT-05:00)  
To: Jose Arrojo <[JoseArrojo@MiamiSAO.com](mailto:JoseArrojo@MiamiSAO.com)>, Michael Joseph <[mjoseph@galbutwalters.com](mailto:mjoseph@galbutwalters.com)>  
Cc: Howard Rosen <[HowardRosen@MiamiSAO.com](mailto:HowardRosen@MiamiSAO.com)>  
Subject: RE: FDLE Report on North Miami Shooting Incident- Cmdr Emile Hollant

You are correct Mr. Arrojo. The information provided to you about Commander Hollant is the same information provided in the FDLE report.

Esther Jacobo

Chief Assistant State Attorney

Office of the State Attorney

Katherine Fernandez Rundle

1350 NW 12<sup>th</sup> Avenue

Miami Florida 33136

305-547-0562

[estherjacobo@miamisao.com](mailto:estherjacobo@miamisao.com)

---

**From:** Jose Arrojo

**Sent:** Tuesday, December 20, 2016 12:01 PM

**To:** Michael Joseph

**Cc:** Howard Rosen; Esther Jacobo

**Subject:** RE: FDLE Report on North Miami Shooting Incident- Cmdr Emile Hollant

Dear Mr. Joseph:

Thank you for contacting me this morning regarding Commander Emile Hollant and his involvement in a July 18<sup>th</sup> police use of deadly force in North Miami. As you may know, any possible criminal allegations regarding Commander Hollant arising out of the police use of deadly force were separated out from the main investigation. My colleague Mr. Rosen and I handled the matter. There was a finding of no criminal conduct by our office and the same was communicate in writing to the Florida Department of Law Enforcement, the North Miami Police Department, and your client through his former counsel, Don Slesnick.

I have been consulting with another colleague, Esther Jacobo, who is the lead on the police use of deadly force investigation. I do not envision that the FDLE final report will have any comment regarding actions by Commander Hollant and I do believe that it will focus solely on the shooting officer's conduct.

Ms. Jacobo is copied on this response.

Best regards,



JOSE J. ARROJO

# CHIEF ASSISTANT STATE ATTORNEY

Office of Katherine Fernandez Rundle

STATE ATTORNEY

ELEVENTH JUDICIAL CIRCUIT OF FLORIDA  
E. R. GRAHAM BUILDING  
1350 N.W. 12TH AVENUE  
MIAMI, FLORIDA 33136-2111

TELEPHONE: (305) 547-0309

FACSIMILE: (305) 547-0313

E-MAIL: [JoseArrojo@MiamiSAO.com](mailto:JoseArrojo@MiamiSAO.com)

*Florida has a very broad public records law. Written communications to or from this e-mail address may become available to the public and media upon request.*

---

**From:** Michael Joseph [<mailto:mjoseph@galbutwalters.com>]  
**Sent:** Tuesday, December 20, 2016 11:46 AM  
**To:** Jose Arrojo  
**Subject:** FDLE Report on North Miami Shooting Incident- Cmdr Emile Hollant

Mr. Arrojo,

Thank you for retuning my this morning.

As I mentioned I need some confirmation.

Can you elaborate on whether the FDLE report on the 7/18 North Miami Shooting incident would change the findings of the 8-2-16 Closeout Memo regarding Cmdr. Emile Hollant?

Michael Joseph, Esq.  
*Associate*

**Galbut Walters & Associates**

4770 Biscayne Blvd.

Suite 1400

Miami, Florida 33137

Direct Telephone: (786) 245-2307

Fax: (305) 531-6987

[MJoseph@galbutwalters.com](mailto:MJoseph@galbutwalters.com)

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## **Cazeau, Jeff P.H.**

---

**From:** Cazeau, Jeff P.H.  
**Sent:** Thursday, April 20, 2017 5:28 PM  
**To:** Roman, Diana; Eugene, Gary; Spring, Larry  
**Cc:** Warren, Jennifer; 'Alison F. Smith'; 'Brett J. Schneider'; Brooke L. Ehrlich  
**Subject:** RE: Notice to Appear

Sgt. Roman, I've just had an opportunity to see this string of emails. Thank you for forwarding them to me. I've informed Commander Hollant's attorney in the past that communicating with City staff directly on this matter without copying me is violation of Florida Bar Rules. Although you initiated the contact at his client's request, he should have known to copy this office on the emails.

Nonetheless, in the future, please remember to simultaneously copy the CAO on any communications with outside attorneys. I've copied Jennifer Warren, Deputy City Attorney and our outside counsel for employment law matters, Brett Schneider, Brooke Ehrlich and Alison Smith. If I'm not available, any of them can be of assistance at any time.

---

**From:** Roman, Diana  
**Sent:** Friday, April 14, 2017 3:08 PM  
**To:** Cazeau, Jeff P.H.  
**Subject:** FW: Notice to Appear

Mr. Cazeau, just wanted to make you aware of the communication below.  
Have a good day.  
Sgt. Roman

---

**From:** Roman, Diana  
**Sent:** Thursday, April 13, 2017 4:50 PM  
**To:** 'Michael Joseph' <[mjoseph@galbutwalters.com](mailto:mjoseph@galbutwalters.com)>  
**Cc:** Eugene, Gary <[geugene@northmiamipolice.com](mailto:geugene@northmiamipolice.com)>  
**Subject:** RE: Notice to Appear

Mr. Joseph,

In response to your email, please note the following:

- 1) I respond to all police shooting incidents.
- 2) There is no time limit for internal complaints.
- 3) Mr. Burden is a sworn NMPD reserve officer assigned to IA.
- 4) The NMPD must complete an internal investigation into the matter initially reviewed by the State Attorney's Office, as it does with all cases reviewed by the State, regardless of the outcome on their end.

We look forward to resolving Commander Hollant's status as soon as feasibly possible following his interview and the submission of the completed investigation to the Disposition Panel.

Regards,



**Diana Román**

Sergeant

Office of Professional Compliance  
and Accreditation

North Miami Police Department

700 NE 124 Street

North Miami, FL 33161

305-891-0294, Ext. 24112

Please print only if necessary



**Celebrate with North Miami - Community Events**

---

**From:** Michael Joseph [<mailto:mjoseph@galbutwalters.com>]

**Sent:** Thursday, April 13, 2017 1:47 PM

**To:** Roman, Diana <[droman@northmiamipolice.com](mailto:droman@northmiamipolice.com)>

**Cc:** Eugene, Gary <[geugene@northmiamipolice.com](mailto:geugene@northmiamipolice.com)>

**Subject:** RE: Notice to Appear

Ms. Roman,

Based on the North Miami PD's SOP (300.6) and the Florida the Law Enforcement Officers' Bill of Rights it seems clear that the time period has lapsed to bring any disciplinary actions against Commander Hollant relating to the IA investigation case# 16-06. Am I wrong in this assessment?

Also we are of strong belief that this IA investigation will not be objective given the fact that:

- 1.The IA investigator (yourself) was a responding officer to the shooting incident and was briefed by Commander Hollant at the scene. As such you would be considered a witness to this event.
2. This IA investigation is based solely on a complaint filed by Chief Eugene who also gave sworn testimony to the FDLE and to the State Attorney which completely contradicts this complaint.
3. This IA investigation seems to be politically motivated given the allegation that individuals such as the city manager and Mr. Adam Burden have been privy to the review and management of this IA investigation.

That said, please clarify and confirm why this IA investigation is still ongoing at this point?

Regards,

Michael

---

**From:** Roman, Diana [<mailto:droman@northmiamipolice.com>]  
**Sent:** Wednesday, April 12, 2017 5:31 PM  
**To:** Michael Joseph  
**Cc:** Eugene, Gary  
**Subject:** RE: Notice to Appear

Mr. Joseph,

No.

Please ensure that he is here on time.

Regards,



**Diana Román**  
Sergeant  
Office of Professional Compliance  
and Accreditation

North Miami Police Department  
700 NE 124 Street  
North Miami, FL 33161  
305-891-0294, Ext. 24112

Please print only if necessary



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---

**From:** Michael Joseph [<mailto:mjoseph@galbutwalters.com>]  
**Sent:** Wednesday, April 12, 2017 3:01 PM  
**To:** Roman, Diana <[droman@northmiamipolice.com](mailto:droman@northmiamipolice.com)>  
**Subject:** RE: Notice to Appear

Ms. Roman,

Thank you for the clarification.

Given the released audio testimony of Chief Eugene, in which he vindicates Cmdr. Hollant of any wrong doing regarding the shooting incident, I am requesting that this IA investigation be closed by administration or be retracted by the Chief as soon as possible.

Will this request be granted?

Best,

Michael

---

**From:** Roman, Diana [<mailto:droman@northmiamipolice.com>]  
**Sent:** Wednesday, April 12, 2017 2:16 PM  
**To:** Michael Joseph  
**Subject:** RE: Notice to Appear

That is how it was initiated, yes, sir.

---

**From:** Michael Joseph [<mailto:mjoseph@galbutwalters.com>]  
**Sent:** Wednesday, April 12, 2017 2:07 PM  
**To:** Roman, Diana <[droman@northmiamipolice.com](mailto:droman@northmiamipolice.com)>  
**Subject:** RE: Notice to Appear

Ms. Roman,

Thank you.

Also, can you please confirm that Police Chief Gary Eugene is the sole complainant for this IA investigation?

---

**From:** Roman, Diana [<mailto:droman@northmiamipolice.com>]  
**Sent:** Wednesday, April 12, 2017 1:24 PM  
**To:** Michael Joseph  
**Subject:** RE: Notice to Appear

Hi Mr. Joseph,

Yes, the investigation stems solely from the July 18, 2016, police shooting incident.

The basis of the investigation is the claim of obstruction of a law enforcement investigation. Please note, even though the State Attorney's Office might clear an officer of any wrongdoing, cases are nevertheless investigated within the agency.

Once you both arrive, you will be given all the evidence obtained so far in this case for your review prior to the interview commencing.

Hope this helps.

Regards,



## Diana Román

Sergeant  
Office of Professional Compliance  
and Accreditation

North Miami Police Department  
700 NE 124 Street  
North Miami, FL 33161  
305-891-0294, Ext. 24112

Please print only if necessary



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**From:** Michael Joseph [<mailto:mjoseph@galbutwalters.com>]  
**Sent:** Wednesday, April 12, 2017 12:52 PM  
**To:** Roman, Diana <[droman@northmiamipolice.com](mailto:droman@northmiamipolice.com)>  
**Subject:** RE: Notice to Appear

Ms. Roman,

Please clarify the basis of this IA investigation?

Also, does this investigation solely stem from the 7-18-16 shooting incident in North Miami?

Best,

Michael

---

**From:** Michael Joseph [<mailto:michaeljosephpa@gmail.com>]  
**Sent:** Wednesday, April 12, 2017 12:51 PM  
**To:** Michael Joseph  
**Subject:** Fwd: Notice to Appear

----- Forwarded message -----

**From:** Roman, Diana <[droman@northmiamipolice.com](mailto:droman@northmiamipolice.com)>  
**Date:** Wed, Apr 12, 2017 at 9:03 AM  
**Subject:** Notice to Appear  
**To:** "michaeljosephpa@gmail.com" <[michaeljosephpa@gmail.com](mailto:michaeljosephpa@gmail.com)>  
**Cc:** "d39r@aol.com" <[d39r@aol.com](mailto:d39r@aol.com)>



Mr. Joseph,

Pursuant to Commander Hollant's request, you are hereby notified of the attached notice directing him to appear at NMPD's Office of Professional Compliance for an interview on April 18, 2017, at 8:00 a.m.

Regards,



**Diana Román**

Sergeant

Office of Professional Compliance

and Accreditation

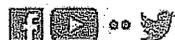
North Miami Police Department

700 NE 124 Street

North Miami, FL 33161

305-891-0294, Ext. 24112

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--

Michael Joseph, Esq.

*Associate*

**Galbut Walters & Associates**

4770 Biscayne Blvd.

Suite 1400

Miami, Florida 33137

Direct Telephone: (786) 245-2307

Fax: (305) 531-6987

[MichaelJosephpa@gmail.com](mailto:MichaelJosephpa@gmail.com)



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## Cazeau, Jeff P.H.

---

**From:** Roman, Diana  
**Sent:** Saturday, April 22, 2017 10:18 PM  
**To:** Burden, Adam; Cazeau, Jeff P.H.  
**Subject:** Fwd: Hollant IA Investigation

FYI, the SAO has not contacted me for this request. No response on my end.

Sent from my iPhone

Begin forwarded message:

**From:** Michael Joseph <[mjoseph@galbutwalters.com](mailto:mjoseph@galbutwalters.com)>  
**Date:** April 22, 2017 at 7:03:16 PM EDT  
**To:** "Roman, Diana" <[droman@northmiamipolice.com](mailto:droman@northmiamipolice.com)>  
**Cc:** 'Jose Arrojo' <[JoseArrojo@MiamiSAO.com](mailto:JoseArrojo@MiamiSAO.com)>  
**Subject:** Hollant IA Investigation

Dear Ms. Roman,

I am formally requesting that you forward any and all sworn statements made by Chief Gary Eugene in connection to the IA investigation of Cmdr. Hollant to the SAO. Please accommodate this request before COB Monday the 24<sup>th</sup>.

Regards,

Michael

Michael Joseph, Esq.  
*Associate*

**Galbut Walters & Associates**

4770 Biscayne Blvd.

Suite 1400

Miami, Florida 33137

Direct Telephone: (786) 245-2307

Fax: (786) 433-7532

[MJoseph@galbutwalters.com](mailto:MJoseph@galbutwalters.com)

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EXHIBIT D



**Cazeau, Jeff P.H.**

---

**From:** Roman, Diana  
**Sent:** Tuesday, April 25, 2017 9:49 AM  
**To:** Cazeau, Jeff P.H.; Burden, Adam  
**Subject:** FW: Hollant IA Investigation

Fyi. No answer on my end.

---

**From:** Michael Joseph [mailto:mjoseph@galbutwalters.com]  
**Sent:** Monday, April 24, 2017 4:33 PM  
**To:** Roman, Diana <droman@northmiamipolice.com>  
**Cc:** 'Jose Arrojo' <JoseArrojo@MiamiSAO.com>  
**Subject:** RE: Hollant IA Investigation

Ms. Roman,

As I mentioned, I'm concerned that the Chief may have provided you conflicting statements (possibly perjurious statements) as it relates to your IA investigation towards Cmdr. Hollant. That said, I believe the only proper action at this point is to suspend the investigation and to have the SAO review any and all statements the Chief provided you regarding this matter so as to protect the integrity and objectivity of this IA investigation.

I've briefed ASA Arrojo on my concerns, and the SAO will reach out to you for a copy of the Chief's statements for review.

Thank you in-advance for your anticipated cooperation.

Best,

Michael

---

**From:** Michael Joseph [mailto:mjoseph@galbutwalters.com]  
**Sent:** Saturday, April 22, 2017 7:03 PM  
**To:** 'Roman, Diana'  
**Cc:** 'Jose Arrojo'  
**Subject:** Hollant IA Investigation

Dear Ms. Roman,

I am formally requesting that you forward any and all sworn statements made by Chief Gary Eugene in connection to the IA investigation of Cmdr. Hollant to the SAO. Please accommodate this request before COB Monday the 24<sup>th</sup>.

Regards,

Michael

Michael Joseph, Esq.  
*Associate*

**Galbut Walters & Associates**  
4770 Biscayne Blvd.

EXHIBIT E

Suite 1400  
Miami, Florida 33137  
Direct Telephone: (786) 245-2307  
Fax: (786) 433-7532  
[MJoseph@galbutwalters.com](mailto:MJoseph@galbutwalters.com)

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## Cazeau, Jeff P.H.

---

**From:** Cazeau, Jeff P.H.  
**Sent:** Tuesday, April 25, 2017 10:37 AM  
**To:** Michael Joseph  
**Cc:** Cazeau, Jeff P.H.  
**Subject:** FW: Hollant IA Investigation

Mr. Joseph, I have informed you repeatedly that employees of this City are represented by counsel and that any communication to them should go through my office. This morning outside counsel for the City also informed you of the same rule and instructed you not to contact SGT Roman directly. Speaking to anyone at this City regarding the shooting investigation and your client's representation is a violation Rule 4-4.2 Communication with Person Represented by Counsel which states as follows:

(a) In representing a client, a lawyer must not communicate about the subject of the representation with a person the lawyer knows to be represented by another lawyer in the matter, unless the lawyer has the consent of the other lawyer. Notwithstanding the foregoing, a lawyer may, without such prior consent, communicate with another's client to meet the requirements of any court rule, statute or contract requiring notice or service of process directly on a person, in which event the communication is strictly restricted to that required by the court rule, statute or contract, and a copy must be provided to the person's lawyer.

Please refrain from speaking to my clients outside of my presence.

Regards,

---

**From:** Roman, Diana  
**Sent:** Tuesday, April 25, 2017 10:23 AM  
**To:** Cazeau, Jeff P.H.; Burden, Adam  
**Subject:** FW: Hollant IA Investigation

Fyi. No answer on my end.

---

**From:** Michael Joseph [<mailto:mjoseph@galbutwalters.com>]  
**Sent:** Tuesday, April 25, 2017 10:16 AM  
**To:** Roman, Diana <[droman@northmiamipolice.com](mailto:droman@northmiamipolice.com)>  
**Cc:** 'Jose Arrojo' <[JoseArrojo@MiamiSAO.com](mailto:JoseArrojo@MiamiSAO.com)>; [danhoward@gate.net](mailto:danhoward@gate.net)  
**Subject:** RE: Hollant IA Investigation

Dear Ms. Roman,

We had a scheduled meeting this morning to continue our review of the IA investigative material you compiled in accordance of F.S. 112.532 (d). Present at that meeting was myself, Cmdr. Hollant, and a representative from the Professional Law Enforcement Association.

Prior to the commencement of that meeting I alleged to you a violation of F.S. 112 pursuant to F.S. 112.534 (1)(a), and I requested that you cure the violation. Nonetheless you refused to cure or even attempt to cure the violation, and after I made the request that you notify the agency head or his designee of our allegation you refused that request. You subsequently concluded the meeting, and further advised us that you refuse to take Cmdr. Hollant's

statement for the IA file, and that you would move forward with your IA investigation without it, which was another clear violation of various sections within F.S. 112.532 and 112.534.

At this point, please advised on how you would like to move forward.

Regards,

Michael

---

**From:** Michael Joseph [mailto:mjoseph@galbutwalters.com]

**Sent:** Monday, April 24, 2017 4:33 PM

**To:** 'Roman, Diana'

**Cc:** 'Jose Arrojo'

**Subject:** RE: Hollant IA Investigation

Ms. Roman,

As I mentioned, I'm concerned that the Chief may have provided you conflicting statements (possibly perjurious statements) as it relates to your IA investigation towards Cmdr. Hollant. That said, I believe the only proper action at this point is to suspend the investigation and to have the SAO review any and all statements the Chief provided you regarding this matter so as to protect the integrity and objectivity of this IA investigation.

I've briefed ASA Arrojo on my concerns, and the SAO will reach out to you for a copy of the Chief's statements for review.

Thank you in-advance for your anticipated cooperation.

Best,

Michael

---

**From:** Michael Joseph [mailto:mjoseph@galbutwalters.com]

**Sent:** Saturday, April 22, 2017 7:03 PM

**To:** 'Roman, Diana'

**Cc:** 'Jose Arrojo'

**Subject:** Hollant IA Investigation

Dear Ms. Roman,

I am formally requesting that you forward any and all sworn statements made by Chief Gary Eugene in connection to the IA investigation of Cmdr. Hollant to the SAO. Please accommodate this request before COB Monday the 24<sup>th</sup>.

Regards,

Michael

Michael Joseph, Esq.  
*Associate*

**Galbut Walters & Associates**  
4770 Biscayne Blvd.  
Suite 1400

Miami, Florida 33137

Direct Telephone: (786) 245-2307

Fax: (786) 433-7532

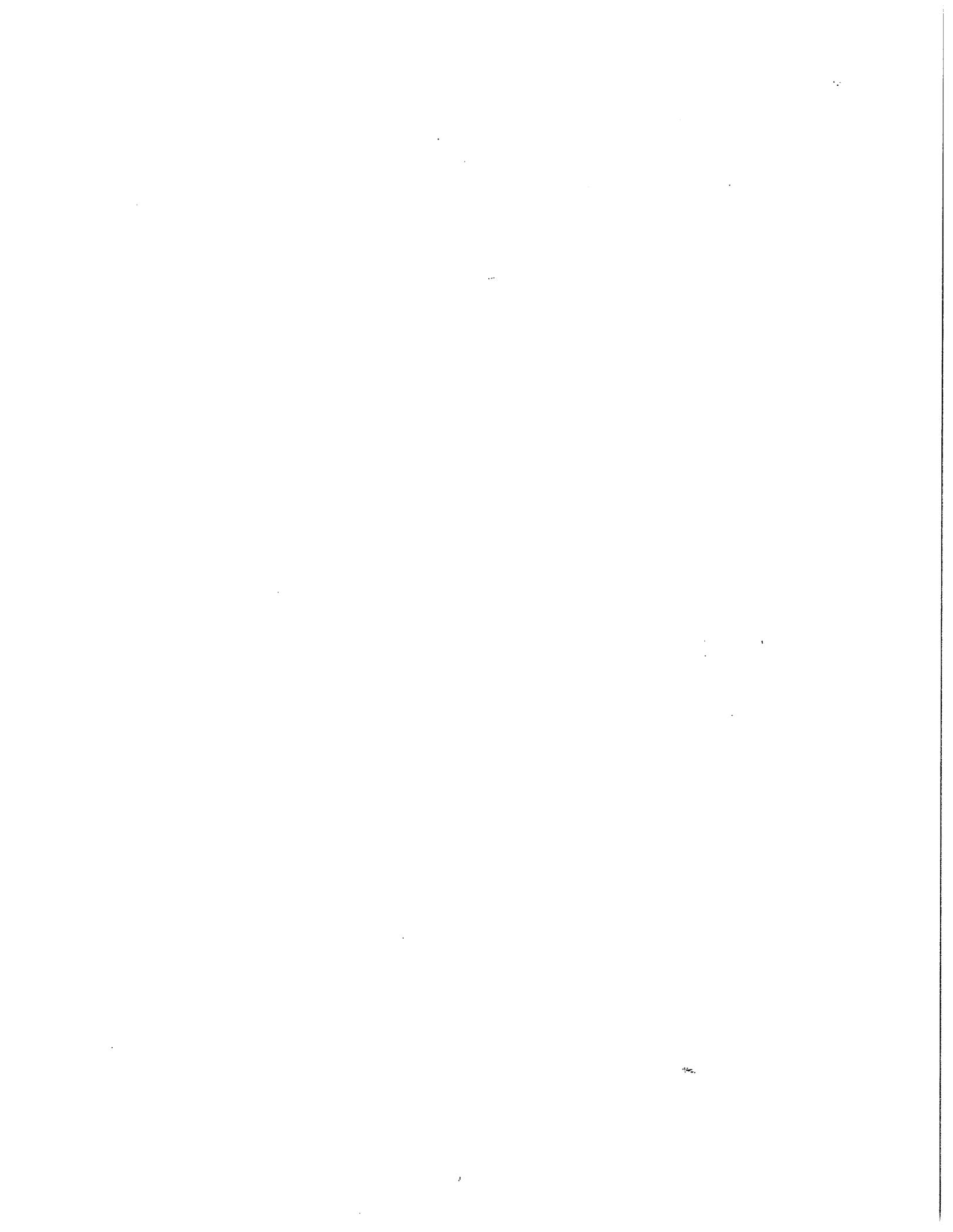
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**Cazeau, Jeff P.H.**

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**From:** Cazeau, Jeff P.H.  
**Sent:** Tuesday, April 25, 2017 3:43 PM  
**To:** Michael Joseph  
**Cc:** Cazeau, Jeff P.H.  
**Subject:** RE: Hollant IA Investigation  
**Attachments:** DOC042517.pdf

Mr. Joseph, Attached are the two previous instances where I asked you not to contact any employees of the City directly regarding this matter. Rule 4-4.2 is pretty straight forward. I'm not going to engage in any further back and forth conversations with you on the matter.

Regards,

---

**From:** Michael Joseph [mailto:mjoseph@galbutwalters.com]  
**Sent:** Tuesday, April 25, 2017 1:40 PM  
**To:** Cazeau, Jeff P.H.  
**Cc:** 'Jose Arrojo'  
**Subject:** RE: Hollant IA Investigation

Jeff,

At what point did you advise me that you represented Ms. Roman in her capacity as the IA investigator, or that you were even a party to the IA investigation? Also your outside counsel (Alison Smith) never informed me not to contact Ms. Roman directly regarding issues of procedure in the IA investigation into Cmdr Hollant.

To be clear, could you clarify why your involvement at this point would not be considered a conflict of interest as detailed from the same Rules your quoting? This is first time I am finding out that your office actively participates in IA investigations, or is this just a onetime thing given the fact the subject of the investigation is Cmdr. Hollant? Please elaborate?

Best,

Michael

---

**From:** Cazeau, Jeff P.H. [mailto:jcazeau@northmiamifl.gov]  
**Sent:** Tuesday, April 25, 2017 10:37 AM  
**To:** Michael Joseph  
**Cc:** Cazeau, Jeff P.H.  
**Subject:** FW: Hollant IA Investigation

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Please refrain from speaking to my clients outside of my presence.

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**Cc:** 'Jose Arrojo' <[JoseArrojo@MiamiSAO.com](mailto:JoseArrojo@MiamiSAO.com)>; [danhoward@gate.net](mailto:danhoward@gate.net)  
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Regards,

Michael

Michael Joseph, Esq.  
*Associate*

**Galbut Walters & Associates**  
4770 Biscayne Blvd.  
Suite 1400  
Miami, Florida 33137  
Direct Telephone: (786) 245-2307  
Fax: (786) 433-7532  
[MJoseph@galbutwalters.com](mailto:MJoseph@galbutwalters.com)

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