



Todd Heywood &lt;heywood.reporter@gmail.com&gt;

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## one more thing

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Jen Eyer &lt;jeneyer@gmail.com&gt;

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To: Todd Heywood &lt;heywood.reporter@gmail.com&gt;

While I'm checking on these questions, there is one more thing that you might want to look into, since it seems your story is more far-reaching than just marijuana. Last week, Dana accused Pat of being anti-union because the law firm where he is a salaried employee, not even a partner, advertises union avoidance on its website.

Well, we learned over the weekend that Dana's law firm Nessel and Kessel, of which she is a partner, advertises things like successfully cross-examining young sexual assault victims and poking holes in their stories, and successfully getting PPOs revoked against men accused of sexual assault.

As someone who put herself out there as a #metoo candidate who will protect victims... it seems relevant. Especially since she already attacked Pat for his law firm's activities -- and he isn't even a partner.

Info and links:

"Criminal Sexual Conduct (CSC) cases are especially sensitive because conviction will truly be life changing. Being found guilty for sex offenses in Michigan will haunt and follow a defendant for the rest of their lives. This is an area of the law where false allegations, misrepresentations, and witness manipulation will often times affect the results of a case, especially with sexual crimes involving minors. Not only do these cases create the potential for serious jail and prison time, they also carry the burden of registering as a sex offender. As these cases are often very fact driven, a successful defense to sex offenses requires a complete cross examination and a through [sic] analysis of the physical evidence performed by experienced sex crime lawyers. Only knowledgeable defense attorneys will have the expertise to get to the bottom of these allegations, preventing charges of sex crimes from affecting a defendant's entire life." <http://nesselandkessellaw.com/not-guilty-of-criminal-sexual-conduct-second-degree/>

"Cross-examining a 12 year old girl about an alleged rape is not something you learn overnight. It is something you learn with countless hours of study and experience. Criminal Sexual Conduct cases are not cases that just any attorney can handle. It takes an experienced criminal defense attorney, who knows what buttons to push and when to push them, to successfully defend against this type of charge." <http://nesselandkessellaw.com/guilty-verdict-chris-kessel/>

Nessel's firm defended a man accused of touching his girlfriend's daughter who at the time, was five years old. The charges were first dropped but by the time the young girl was 14 she began speaking out again about being molested: "Our client was crying, his family was crying...even defense attorney Chris Kessel almost shed a tear when the jury finished reading their verdict; not guilty on charges of Criminal Sexual Conduct – Second Degree. The case had been awaiting trial for over 10 months, but it had been haunting our client for almost 10 years... In 2009 our client was approached by the Warren police department regarding an allegation made by his ex-girlfriend's daughter, that he had inappropriately touched her. The client adamantly denied that anything had happened and eventually the case was dropped. Then, in 2017, the girl – now 14 – again began telling people that our client had molested her when she was 5. This time the claims led to charges being filed against our client. He was arrested and placed on a \$200,000 bond. Thankfully his finance' was able to contact Michigan defense attorney Chris Kessel and Nessel and Kessel Law." <http://nesselandkessellaw.com/not-guilty-of-criminal-sexual-conduct-second-degree/>

In January 2016, the firm bragged about being able to get the girl to say she couldn't remember the details of being molested and eventually, getting a not guilty verdict on charges of Second Degree Criminal Misconduct: "At the preliminary exam at the 37th district court, the prosecutor had the girl go into great detail about the alleged touching. However, at the same hearing, Chris Kessel was able to get the girl to admit that she couldn't remember any of the details of the event. Then, in what would prove the most meaningful exchange in the case, the following questions and answers were placed on the record: Q: Isn't it true that you didn't have any physical contact with my

client? A: Yes. Q: And isn't it true he never touched you at all? A: Yes. Despite this testimony at the preliminary exam, the case was still bound over for trial. 8 months later the trial commenced. For 3 days a jury heard testimony about a girl who was emotionally damaged, depressed, and still effected because of what happened to her. However, at the same time, Chris Kessel used the same witnesses to show that the girl had repeatedly changed her story, told the story when it would get her out of trouble, and forced her to confront her prior testimony that our client had never actually touched her at all. The jury deliberated for a [sic] entire 25 minutes before returning their verdict of 'not guilty.'" <http://nesselandkessellaw.com/not-guilty-of-criminal-sexual-conduct-second-degree/>

PPOs:

"In a hearing at Third Circuit Court in the City of Detroit, attorney Chris Kessel was able to convince a judge to terminate a PPO in place against his client. The PPO (Personal Protection Order) was ordered ex parte, meaning at the time the PPO was ordered the client had no chance to contest the allegations. The Petitioner claimed that the PPO was necessary because the Respondent (our client) had sexually assaulted her. Standing alone, the allegations certainly warranted the issuance of the PPO, however, the allegations would have to stand up to cross examination by attorney Chris Kessel. Chris Kessel, after discussing the matter with his client, immediately filed a motion to terminate the PPO." <http://nesselandkessellaw.com/chris-kessel-ppo-attorney-convinces-judge-to-terminate-ppo/>

"Because Chris Kessel had walked the Petitioner into admitting that she had never had a prior problem with the Client, nor had she since the alleged assault, there was no basis to show that there was any harassment behavior that had taken place, or would likely take place in the future. And with that, the PPO was terminated." "Upon her ruling, the judge commented that even if she had believed the Petitioner's story, she would still have to deny the issuance of the PPO. The judge went on to say that a PPO is put in place to prevent harassing behavior that has taken place and may continue to take place, not to simply protect the 'alleged' victim of a crime. Because Chris Kessel had walked the Petitioner into admitting that she had never had a prior problem with the Client, nor had she since the alleged assault, there was no basis to show that there was any harassment behavior that had taken place, or would likely take place in the future. And with that, the PPO was terminated." <http://nesselandkessellaw.com/chris-kessel-ppo-attorney-convinces-judge-to-terminate-ppo/>

At Nessel and Kessel Law, we have extensive experience defending our client against the ordering of a PPO. Our approach includes getting a detailed history of the relationship between the petitioner and respondent as well as speaking with any necessary witnesses or other parties with crucial information. We will also gather phone records, emails, and any other documents that will help prove that you have not been engaged in any of the prohibited activities as outlined by the law. At the hearing, the court will allow both sides to present their case, which includes allowing the attorneys to question the parties. Depending on the facts and their presentation, the court will also engage in its own cross-examination of the parties involved. The court's questions will almost certainly be aimed at issues raised by the questioning of the lawyers. Often times a petitioner will want a PPO issued simply because they are mad at someone, because they don't want the respondent to have access to mutual children, or because there is a pending divorce and they want to use the legal system to their advantage. Whatever the reason, it's important to remember that a PPO is a court order, the violation of which can result in jail time. A PPO may seem 'routine', but it is an incredibly serious matter that can interfere with school, work, and other activities. If you have been served with a PPO, you need experienced attorneys who can show the court that the petitioner's allegations are false. Contact Nessel and Kessel Law today for a free consultation." <http://nesselandkessellaw.com/chris-kessel-ppo-attorney-convinces-judge-to-terminate-ppo/>

Assault

"The Nessel and Kessel Approach: At Nessel and Kessel Law, we have decades of experience dealing with assault charges. Because we are top criminal defense attorneys, when a client retains Nessel and Kessel Law we immediately begin to develop a comprehensive strategy for success. Sometimes success means convincing the prosecutor to dismiss the charges completely, or have them greatly reduced. Other times it means a motion to suppress evidence to have the case dismissed by a judge, or fully preparing for trial and securing a not guilty verdict. Robbery and Assault charges are often fueled by emotional and hostile witnesses. More often than not, a verdict will hang solely on the testimony of a complaining witness. The means that you need an attorney who is skilled in the art of cross examination, who can force a witness to admit things that may contradict earlier statements, police reports, hospital records, and other witnesses." <http://nesselandkessellaw.com/armed-robbery-charges-dismissed-3/>

4/11/2018

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