

**WEST ALLIS COMMON COUNCIL
SAFETY AND DEVELOPMENT COMMITTEE
CITY OF WEST ALLIS**

**In the Matter of the
Complaint Against**

SUMMONS

**Tong & Michael Sherman,
8039 West Crawford Avenue,
Milwaukee, Wisconsin 53220**

STATE OF WISCONSIN)
) SS.
COUNTY OF MILWAUKEE)

THE WEST ALLIS COMMON COUNCIL TO TONG & MICHAEL SHERMAN:

You are hereby notified that a sworn complaint, a copy of which is attached, has been duly made and filed, requesting a hearing on the revocation of your special use permit, pursuant to the provisions of West Allis Revised Municipal Ordinance 12.16(13).

NOW THEREFORE, you, Tong & Michael Sherman, are hereby summoned to appear before the Safety and Development Committee of the West Allis Common Council in Room 118 of the West Allis City Hall, 7525 West Greenfield Avenue, West Allis, Wisconsin, on December 1, 2009, at 7:00 p.m., or as soon thereafter as this matter can be heard, to admit or deny the allegations in the complaint. You may be represented by counsel on this date.

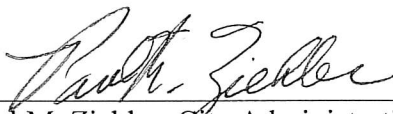
In the case of your failure to appear as required by this summons, the allegations in the complaint against you shall be taken as true and, if the Safety and Development Committee of the West Allis Common Council finds the allegations sufficient, a recommendation that your license(s) be suspended or revoked will be made to the full Common Council. The Common Council may then vote to suspend, revoke, or not renew your license(s).

You are further notified that if you appear as required by this summons and contest the allegations in the complaint, a hearing will be scheduled at a later date before the Safety and Development Committee, at which time you may be represented by counsel, cross examine the witnesses who testify adversely against you, and present witnesses in your own behalf. A written transcript of said hearing shall be made and you may obtain a copy of the transcript of this proceeding at your expense.

Dated at West Allis, Wisconsin, this 24th day of November, 2009.

WEST ALLIS COMMON COUNCIL

By:



Paul M. Ziehler, City Administrative Officer,
Clerk/Treasurer

“\$60 tip. I do really good.” The citizen declined. Nevertheless, the female masseuse continued to place her hands near his genitals on several occasions, with the price lowering to \$50, \$40, and \$30. The male continued to decline the offers and eventually left the business.

5. That on or about June 4, 2009, a female citizen contacted the West Allis Police Department to report an unusual occurrence at Beijing Massage. The female citizen stated that she called Beijing Massage and requested a massage. The female employee who answered the phone told the female citizen that a massage cost \$100 and scheduled a massage for 6:00 p.m. that same day. When the female citizen arrived at Beijing Massage for her appointment, an employee told her that she would have to come back the next day at 6:00 p.m. for the massage. The female citizen’s husband called Beijing Massage the next day, and an employee told him that he could receive a 30-minute massage for \$30 or a 60-minute massage for \$70 and that he could come in any time that he wanted. Another male called the business on the same day, and an employee told him that he could receive a 30-minute massage for \$30 and that he could come in any time that he wanted.
6. That on July 21, 2009, West Allis Police Detective Steven Beyer, in an undercover capacity, entered Beijing Massage to investigate prostitution complaints. Upon arrival, Beyer prepaid \$45.00 for a foot massage. A female masseuse, later identified as “Lucy,” gave Beyer a foot massage. After the massage, she placed her hand on the front of his pants, rubbed his genital area with her hand, and cupped her hand in the form of a “C” while making an up and down motion with her hand (which Beyer knew to mean manual stimulation of the penis). Beyer asked “Lucy” the price, and she told him \$60. When Beyer asked if that meant she would “jack him off” (a slang term that Beyer knew to mean manual stimulation of the penis) for \$60, she nodded

- her head affirmatively. Beyer declined the offer and left the business.
7. On July 29, 2009, West Allis Police Detective Troy Maas, in an undercover capacity, entered Beijing Massage to investigate prostitution complaints. Upon arrival, Maas prepaid \$45.00 for a foot massage, and a female masseuse, later identified as Yuping Xu, led him to a room and directed him to remove his shorts. During his foot massage, Xu tapped on Maas's genital area with her hand and stated "give good massage for \$60?" Maas asked, "You would jerk me off for \$60? ("jerk off" is a slang term that Maas knew to mean manual stimulation of the penis)" Xu smiled and laughed. Maas replied that \$60 was a great deal of money for a "hand job," so Xu stated the price was \$50. Maas declined the offer and left the business.
 8. On October 23, 2009, West Allis Police Corporal Todd Kurtz, in an undercover capacity, entered Beijing Massage to investigate prostitution. Upon arrival, Kurtz prepaid \$45 for a foot massage. A female employee, Yan Ling Liu, massaged Kurtz's feet, and during the massage, pointed to his genital area and asked him, "Do you want me to rub here for \$60?" When Kurtz responded that he had a girlfriend, Liu told him that he shouldn't worry because she would clean him up with a warm towel. Kurtz declined the offer and left the business.
 9. That on October 28, 2009, West Allis police officers executed a search warrant at Beijing Massage. Officers arrested Liu and Xu for prostitution. Officers also determined that "Lucy" no longer resided in the United States.
 10. That offering to perform a sex act in exchange for money is a violation of Wisconsin Statute § 944.30.
 11. That the Milwaukee County District Attorney's Office will review the charges against Xu and Liu in early December.
 12. That the operation of the business owned by Michael and Tong Sherman, d/b/a

Beijing Massage, is detrimental and endangers the public health, safety, morals, comfort or general welfare, contrary to West Allis Revised Municipal Ordinance 12.16(8)(a) and 12.16(13), and is grounds for revocation of the business's special use permit.

WHEREFORE, John Stibal, requests that Beijing Massage be summoned to appear before the Safety and Development Committee of the West Allis Common Council to answer this complaint and, if the material allegations of the complaint are denied, that a hearing be held to determine whether the Special Use Permit of Beijing Massage should be revoked.

Dated at this 24th day of Nov., 2009.

By: John Stibal
John Stibal, Director of Development
West Allis Common Council

Subscribed and sworn to before me
this 24th day of November, 2009.

Jenna Merten
(Jenna Merten)
Notary Public, State of Wisconsin
My Commission expires is permanent.

IN THE MATTER OF THE COMPLAINT AGAINST JEFFREY FARRINGTON: CITY OF WEST ALLIS v. TONG AND MICHAEL SHERMAN

State of Wisconsin)

: ss

AFFIDAVIT OF SERVICE

Milwaukee County)

officer Brian Bezu (WAPD)

, under oath, says:

1. That affiant is a citizen and resident of the State of Wisconsin, over 18 years old, and is not a party nor in any manner interested in this proceeding.
2. That on 11/26/09, 2009, at 1100 o'clock 9 .m., at 3367 S. 100th st #26, affiant served a copy of this **Summons and Complaint** on the Defendant, Jeffrey Farrington, by personally delivering to and leaving a copy of same with:

a) The Defendant, Michael Sherman

b) _____, a competent member of Michael Sherman's family at least 14 years of age, at the defendant's usual place of abode. The family member was informed of the contents of the summons.

c) Tong Sherman, a competent adult who resides in the defendant's place of abode. The adult was informed of the contents of the summons.

Pto BB #148

(Signature of person serving papers)

Subscribed and sworn to before me
this 30th day of November, 2009.

Jenna Mertes
(Jenna Mertes)
Notary Public, State of Wisconsin
My Commission: OF 1515 Permanent

IN THE MATTER OF THE COMPLAINT AGAINST JEFFREY FARRINGTON: CITY OF WEST ALLIS v. TONG AND MICHAEL SHERMAN

State of Wisconsin)

: ss

AFFIDAVIT OF SERVICE

Milwaukee County)

Officer Brian Bege (WAPD)

, under oath, says:

1. That affiant is a citizen and resident of the State of Wisconsin, over 18 years old, and is not a party nor in any manner interested in this proceeding.
2. That on 11/26/09, 2009, at 1100 o'clock a.m., at 3367 S. 100th St #26, affiant served a copy of this **Summons and Complaint** on the Defendant, Jeffrey Farrington, by personally delivering to and leaving a copy of same with:

a) The Defendant, Tong Sherman

b) _____, a competent member of Tong Sherman's family at least 14 years of age, at the defendant's usual place of abode. The family member was informed of the contents of the summons.

c) _____, a competent adult who resides in the defendant's place of abode. The adult was informed of the contents of the summons.

Pto- B Bege #148

(Signature of person serving papers)

Subscribed and sworn to before me this 30th day of November, 2009.

Jenna Merten
(Jenna Merten)
Notary Public, State of Wisconsin
My Commission: is permanent

