

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning _____ 20 _____ ;
ending _____ 20 _____ ;

TO THE GOVERNING BODY of the: Town of } Madison
 Village of }
 City of }

County of Dane Aldermanic Dist. No. 4 (if required by ordinance)

- 1 The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above

2 Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Triple B, LLC dba The Nitty Gritty

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person

Title	Name	Home Address	Post Office & Zip Code
President/Member	<u>Member Lee Pier</u>	<u>4422 Hiawatha Dr.</u>	<u>Madison, WI 53711</u>
Vice President/Member	<u>Member Eric Suennicht</u>	<u>5566 Bantry Lane</u>	<u>Fitchburg, WI 53711</u>
Secretary/Member			
Treasurer/Member			
Agent	<u>Eric Suennicht</u>	<u>5566 Bantry Lane</u>	<u>Fitchburg, WI 53711</u>
Directors/Managers			

3 Trade Name The Nitty Gritty Business Phone Number 608-251-2521
4 Address of Premises 223 North Frances Street Post Office & Zip Code Madison WI 53703

- 5 Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
- 6 Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
- 7 Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
- 8 (a) Corporate/limited liability company applicants only: Insert state WI and date 12/29/09 of registration Yes No
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

- 9 Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records (Alcohol beverages may be sold and stored only on the premises described) 9281 square foot multiple level bar including a kitchen, 3 dining areas, 1 stage
- 10 Legal description (omit if street address is given above): _____
- 11 (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
(b) If yes, under what name was license issued? Martha Shapiro's Nitty Gritty, LLC
- 12 Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
- 13 Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] Yes No
- 14 Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another (Individual applicants and each member of a partnership applicant must sign; corporate officer(s) members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license

SUBSCRIBED AND SWORN TO BEFORE ME
this 16 day of NOV, 20 09
[Signature]
(Clerk/Notary Public)

[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)
[Signature]
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK			
Date received and filed with municipal clerk	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
<u>11-16-09</u>	<u>12-16-09</u>		
Date license granted	Date license issued	License number issued	
	<u>88441</u>		

8c - Both Eric Suemnicht and Lee Prier are 25% stockholders in
Birthday Bars, Inc. dba The Nifty Gritty at 1021 N. Cannon
Road Middleton, WI 53562

City of Madison Supplemental Class B License Application

<input checked="" type="checkbox"/> Seller's Permit Number <input checked="" type="checkbox"/> Federal Employer Identification Number <input checked="" type="checkbox"/> Notarized Original Application Form <input checked="" type="checkbox"/> Notarized Supplemental Form	<input checked="" type="checkbox"/> Description of Licensed Premise <input checked="" type="checkbox"/> *Notarized Appointment of Agent <input checked="" type="checkbox"/> Background Investigation Form(s) <input checked="" type="checkbox"/> Notarized Transfer of Ownership <input checked="" type="checkbox"/> *Articles of Incorporation	<input checked="" type="checkbox"/> Floor Plans <input type="checkbox"/> Lease <input type="checkbox"/> Sample Menu <input type="checkbox"/> Business Plan * Corporation/LLC only
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1. Name of Applicant/Partner/Corporation/LLC Triple B, LLC dba The Nitty Gritty
 2. Address of Licensed Premise 223 North Frances Street Madison WI 53703
 3. Telephone Number: 608-251-2521 4. Anticipated opening date: 12/31/07
 5. Mailing address if not opening immediately _____

6. Have you contacted the Alderperson, Police Department District Captain, Alcohol Policy Coordinator, and the neighborhood association representative for the area in which you intend to locate? Yes No
 7. Are there any special conditions desired by the neighborhood? Yes No

Explain _____

8. Business Description, including hours of operation: restaurant and bar serving casual American fare 7 days a week - food Monday thru Saturday 11am to midnight and Sunday - noon to 11pm bar - Monday thru Saturday 11am to 2am (Mon-Thu) and 2:30am (Fri & Sat) and midnight on Sunday (open all night)
 9. Do you plan to have live entertainment? No Yes—What kind? _____

10. Detailed written description of building, including overall dimensions, seating arrangements, capacity, bar size and all areas where alcohol beverages are to be sold and stored **The licensed premise described below shall not be expanded or changed without the approval of the Common Council.**

9281 square-foot bar and restaurant with multiple level seating and bar areas and two sets of restrooms, downstairs bar room - 50 seats plus 13 bar stools, 130 seats in downstairs restaurant 18 seats on outdoor patio, 108 seats and 8 bar stools at upstairs bar and restaurant area, total capacity of 402 (same as the current operation) downstairs bar is 10.25' x 15.67' x 16.25' upstairs L shaped service bar is 10.25' x 9'

11. Are any living quarters directly or indirectly accessible and under control of the applicant? Yes No
 Please note that alcohol may be sold and stored only on the licensed premise, not in living quarters.

12. Describe existing parking and how parking lot is to be monitored. there are 2 parking spots in back of the building that are on video surveillance and right by the dumpster area which is frequently used by the staff

13. Describe your management experience, staffing levels, duties and employee training
Lee Pier and Eric Suernicht have a combined management experience of 21 years at The Nitty Gritty. We have cooked bartended, served, cleaned and done everything related to the daily operation of the business

14. Identify the registered agent for your Corporation or LLC This is your corporation's agent for service of process, notice or demand required or permitted by law to be served on the corporation.
Eric Suernicht 5566 Bentry Lane Fitchburg WI 53711
 Name Address

15. Utilizing your market research, who would you project your target market to be?

Keeping with the birthday theme everyone that celebrates a birthday is our target along with anyone going to the events at the Kohl Center (Same as current)

16. What age range would you hope to attract to your establishment? all ages - students, families, sports fans etc. (Same as current operation)

17. Describe how you plan to advertise/promote your business What products will you be advertising?

we advertise food and drink using print ads, TV and web marketing (Same as current operation)

18. Are you operating under a lease or franchise agreement? Yes (attach a copy) No

19. Owner of building where establishment is located: Marsh Shapiro

Address of Owner: 205 Princeton Avenue Madison WI 53726 Phone Number 608-233-7290

20. Private organizations (clubs): Do your membership policies contain any requirement of "Invidious" (likely to give offense) discrimination in regard to race, creed, color, or national origin? Yes No

21. List the Directors of your Corporation/LLC

Lee Pier 4142 Hiamatha Drive Madison WI 53711

Eric Suemnicht 5566 Bantry Lane Fitchburg WI 53711

22. List the Stockholders of your Corporation/LLC

Lee Pier 4142 Hiamatha Drive Madison WI 53711 50%

Eric Suemnicht 5566 Bantry Lane Fitchburg WI 53711 50%

23. What type of establishment are you? (Check all that apply) Tavern Nightclub Restaurant

Other Please Explain

24. What type of food will you be serving, if any? casual, full-service American cuisine

Breakfast Lunch Dinner (Same as current operation)

25. Please submit a sample menu with your application, if possible. What might eventually be included on your operational menu when you open? Appetizers Salads Soups Sandwiches Entrees

Desserts Pizza Full Dinners (Same as current operation)

26. During what hours of your operation do you plan to serve food? Monday thru Saturday 11am -> midnight Sunday noon -> 11pm (Same as current operation)

27. What hours, if any, will food service not be available? Monday thru Saturday midnight until close of the bar service Sunday 11pm → midnight
28. Indicate any other product/service offered We sell t-shirts hats and other restaurant and birthday themed merchandise
29. Will your establishment have a kitchen manager? Yes No
30. Will you have a kitchen support staff? Yes No
31. How many wait staff do you anticipate will be employed at your establishment? 45-50
During what hours do you anticipate they will be on duty? 11am to 2am / 2:30am (M → Sa)
Noon → Midnight (Sunday)
32. Do you plan to have hosts or hostesses seating customers? Yes No
33. Do your plans call for a full-service bar? Yes No
If yes, how many bar stools do you anticipate having at your bar? 13 downstairs / 8 upstairs
How many bartenders do you anticipate you would have working at one time on a busy night? 6 downstairs and 3 upstairs before Kohl Center events
34. Will there be a kitchen facility separate from the bar? Yes No
35. Will there be a separate and specific area for eating only? Yes No
If yes, what will be the seating capacity for that area? 130 downstairs / 108 upstairs
36. What type of cooking equipment will you have? Stove Oven Fryers Grill Microwave
37. Will you have a walk-in cooler and/or freezer dedicated solely to the storage of food products? Yes No
38. What percentage of your overall payroll do you anticipate will be devoted to food operation salaries?
31%
39. If your business plan includes an advertising budget, what percentage of your advertising budget do you anticipate will be related to food? 95%
What percentage of your advertising budget do you anticipate will be drink related? 5%
40. Are you currently, or do you plan to become, a member of the Madison—Dane County Tavern League or the Tavern League of Wisconsin? Yes No
41. Are you currently, or do you plan to become, a member of the Wisconsin Restaurant Association or the National Restaurant Association? Yes No

42. What is your estimated capacity? 402

43. Pursuant to Chapter 23 of the Madison General Ordinances, all restaurants and taverns serving alcohol beverages shall substantiate their gross receipts for food and alcohol beverage sales broken down by percentage. For new establishments, the percentage will be an estimate.

Gross Receipts from Alcoholic Beverages	46 %
Gross Receipts from Food and Non-Alcoholic Beverages	53 %
Gross Receipts from Other	1 %
Total Gross Receipts	100%

44. Do you have written records to document the percentages shown? Yes No
You may be required to submit documentation verifying the percentages you've indicated.

Read carefully before signing: Under penalty provided by law, the applicant states that the above information has been truthfully completed to the best of the knowledge of the signer. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted will not be assigned to another. Any lack of access to any portion of a licensed premise during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Subscribed and Sworn to before me:

this 16 day of NOV, 2009

[Signature]
(Clerk/Notary Public)

My commission expires 5-6-2012

[Signature]
(Officer of Corporation/Member of LLC/Partner/Individual)

Appointment of New Liquor/Beer Agent

To be completed by Corporate Officer or Member of LLC

I, Eric Suemnicht, officer/member for Triple B
(Corporation/LLC), doing business as Nitty Gritty, authorize and appoint
Eric Suemnicht (Name) as the liquor/beer agent for the premise
located at 223 N. Frances St.

Subscribed and sworn to before me this

16 Day of NOV, 20 09

[Signature]
Notary Public, Dane County, Wisconsin

My Commission Expires 5-6-2012

[Signature]
Signature of Officer/Member

To be completed by appointed Liquor/Beer Agent

I, Eric Suemnicht, appointed liquor/beer agent for
Triple B, LLC (name of Corporation or LLC), being first duly sworn
say I have vested in me, by properly authorized and executed written delegation, full authority
and control of the premise described in the license of such corporation or limited liability
company, and I am involved in the actual conduct of the business as an employee, or have a
direct financial interest in the business of the licensee, therein relating to the intoxicating
liquor/fermented malt beverage. The interest I have in the business is 50 %.

Subscribed and sworn to before me this

16 Day of NOV, 20 09

[Signature]
Notary Public, Dane County, Wisconsin

My Commission Expires 5-6-2012

[Signature]
Signature of Agent

The appointed Liquor/Beer Agent must complete the other side of this form.

Transfer of Ownership

(letter to surrender previous license)

*To be filed with the City Clerk at the time a new application is submitted
for a change of ownership for any liquor and/or beer establishment*

The class B beer / class B liquor license for the premise located at
Class of License
223 North Frances Street Madison WI 53703 will be relinquished upon the
Street Address
approval of the application and the issuance of the same type of license for the same
premises to Triple B, LLC dba The Nitty Gritty
License Applicant

There have been no convictions for violations during the current license year, nor are
there any pending violations against the present licensee except as follows:

Maell S [Signature]
Signature of Present License Holder

11-09-09
Date