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February 18, 2026

Alcohol License Review Committee  
210 Martin Luther King Jr. Blvd., Rm 105  
Madison, WI 53703

Attorney Jennifer Zilavy  
City Attorney's Office  
210 MLK, Jr. Blvd. #401  
Madison, WI 53703

RE: Fusions Hearing

Dear Review Committee,

I have the privilege of representing Mr. McRoberts and Fusion, and am looking forward to our appearance before your committee. Unfortunately, it is not possible to proceed as scheduled.

In the first days of January, I awoke nauseous, had to crawl to the bathroom where I vomited for literally hours. I could not go to the hospital immediately, because I could not walk or drive. When I did make it to the E.R., I learned that I have vestibular neuritis.<sup>1</sup>

I was prescribed various medications and sent home. Although I felt foggy, I tried to work, but every time I looked at a screen, I became ill within a few minutes. My daughter learned about motion sickness glasses (blue filtering) so I spent \$45.00 on them. However, nothing prevented the "cybersickness."<sup>2</sup>

During the rest of January, I became ill after just a few minutes, of looking at a phone, computer, or television. Over the weeks, I could look at devices longer; however, until just a few days ago, twenty minutes would guarantee nausea.

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<sup>1</sup> <https://www.benchmarkpt.com/blog/vestibular-neuritis-causes-symptoms-and-treatment/>

<sup>2</sup> <https://www.healthline.com/health/cybersickness#treatment>

I know that I have a responsibility to this body and Mr. McRoberts; however, until recently I thought I could just work through the brain fog that I felt. I did not understand the cognitive effects of Vestibular Dysfunction includes memory loss as well as brain fog.<sup>3</sup>; Unfortunately, I learned in the last few days that I made and attended an appointment with a police officer to view evidence, and then the next day, called the prosecutor to setup an appointment with the same officer for the same purpose. The problem is that I do not know what I do not remember.

Without the use of a computer, and with little understanding of my condition, I tried to do what I always do –work through it. It simply was not possible to do. The inability to prepare has had a negative impact on Mr. McRoberts' case because I have not requested at least two critically important pieces of evidence:

- (1) There was a video recorder in Fusions that would show that:
  - (a) prior to the arrival of the police, the box that the mushrooms were found in was not in plain view.
  - (b) the video will NOT show anything to indicate Mr. McRoberts knew that the mushrooms were stored anywhere on the premises of Fusions.
  - (c) the video may well show who did store them there.

(2) Finger prints on the container that the mushrooms were found in which will not be Mr. McRoberts' fingerprints.

The good news, atleast from my perspective, is that I have been improving every day. The fog that I was always aware of is almost gone. As for my memory, I am hoping that too is returning to normal. I can compensate for memory issues by making notes, lists, and summaries on my laptop, which I can now look at for a couple hours at a time.

I would respectfully request that this matter be adjourned for approximately 30 days, to ensure that I am able to obtain the evidence necessary for Mr. McRoberts to have a fair hearing. Although I plan to return to the hospital tomorrow morning, I expect that I will have filed motions to obtain the evidence necessary before I go to sleep tomorrow.

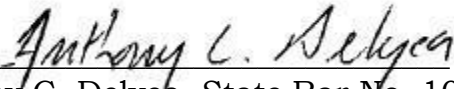
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<sup>3</sup> <https://www.naplesbraincenter.com/understanding-how-vestibular-dysfunction-impacts-cognitive-and-emotional-health/>

Although my foggy mind has not thought of a motion that I should file in this matter, I would ask that I be given another opportunity to file pretrial motions prior to the future date.

Please accept my sincere apologies for the inconvenience that this request may cause. I truly had no idea how impaired I was. Impairment combined with the inability to use my case management software is why I am writing this this letter at 12:30 a.m., days if not weeks later than it should have been written.

Submitted this 18th day of February, 2026.



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