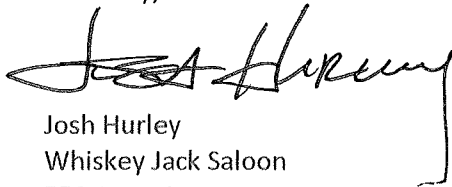


Members of the ALRC, Alder Maniaci, Capt. Gloede, and Alcohol Policy Coordinator Mark Woulf,

The documents preceding this cover letter covers a variety of information taken since the ALRC Review Meeting in June 2012. Below is an index with four different areas that represent the continued steps taken by Whiskey Jacks Saloon regarding the noise concerns. Thank you for your time in this matter.

- I. Decibel Readings
- II. Landlord Meeting
- III. Emails and Reports
- IV. Lawyer Correspondence

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hurley". The signature is stylized with a large, sweeping initial "J" and a long, horizontal stroke extending to the right.

Josh Hurley
Whiskey Jack Saloon
552 State St
Madison, WI 53703

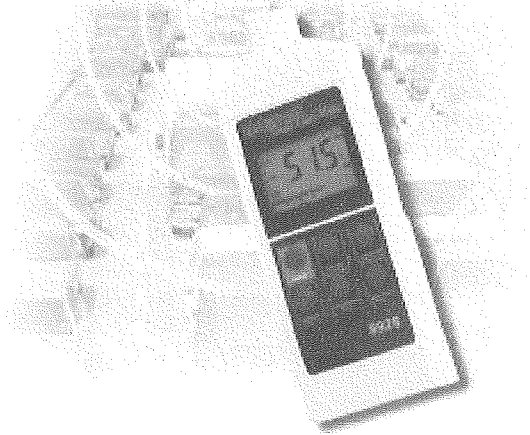


AZ 8928 Digital Sound Level Meter

- DIGITAL DISPLAY WITH ANALOG GRAPH !
- AUTO / MANUAL RANGING !
- MAX HOLD, F / S RESPONSE, A / C WEIGHTING !
- ANALOG OUTPUT !

FEATURES

- Digital display of sound level.
- Measurement frequency ranging 300 Hz to 8000 Hz.
- A & C weighting selectable.
- Quasi-Analog bar indicator : 1 dB display steps, 50dB display range, updated every 40ms.
- Auto or Manual ranging selectable.
- Fast & Slow response selectable.
- Maximum hold.
- Record Max./ Min.
- Microphone : 6mm (Dia.) electric condenser type.
- Auto power off : 20 min after non-operation.
- Low battery indicator.
- Monitor the sound levels from traffic noise, alarm systems and workplace machinery.



SPECIFICATIONS

Function	Specification
Measuring Range	A Weighting : 40 dB ~ 130 dB C Weighting : 45 dB ~ 130 dB
Accuracy at 94dB, 1kHz	± 2dB
Analog output	AC 0.707 Vrms (F/S)
Quasi-Analog Bar Indicator	1 dB display step, 30 dB display range, Updated every 50 mS
Microphone	6mm Dia. Electric condenser microphone
Operating Temp./Humidity	Temperature : 0 ~ 50 °C , Humidity : 10 ~ 90 %RH
Storage Temperature	-20 ~ 60 °C
Special Function	Auto power off(approx. 20 min.), Record: Max. hold, Data hold: Max./Min.,
Battery Use / Life	9V x 1 / 30 Hrs typical
Dimension / Weight	72 x 182 x 30 mm / 150 g
Standard Accessories	Battery 9V x 1, Manual

Importer (Exclusive agent in Korea)
Dagatronics Corporation
 263-1, Duckidong, Ilsan, Koyang, Kyungkido, Korea
 TEL: (031) 916-8005 FAX: (031) 916-8080
 E-mail: sale@buyinm.com Website: www.buyinm.com

	DJ on Dance Floor	DJ @ Front Door	DJ Upstairs	Band on Dance Floor	Band @ Front Door	Band Upstairs
Fri 2/3/12	100	97	60	105	100	62
Sat 2/4/12	101	96	62	106	101	63
Tue 2/7/12	86 house	86 house	56 house			
Wed 2/8/12	98	94	60			
Thur 2/9/12	100	96	61			
Fri 2/10/12	100	97	60	104	101	62
Sat 2/11/12	102	99	62	105	102	63
Tue 2/14/12	87 house	87 house	56 house			
Fri 2/17/12	99	95	59	102	98	60
Sat 2/18/12	98	94	59	101	97	59
Fri 2/24/12	99	95	60	100	97	59
Sat 2/25/12	100	96	60	101	97	58
Fri 3/2/12	99	93	55	99	95	56
Sat 3/3/12	99	94	56	99	95	57
Tue 3/6/12	88 House	88 House	56 House			
Wed 3/7/12	96	93	No entry			
Thur 3/8/12	98	94	No entry			
Fri 3/9/12	99	95	59	100	96	59
Sat 3/10/12	100	95	58	101	97	59
Fri 3/16/12	98	92	57	100	94	60
Sat 3/17/12	101	98	65	105	99	64
Fri 3/23/12	97	93	56	99	94	57
Sat 3/24/12	97	94	56	99	95	57
Fri 3/30/12	99	95	57	100	95	56
Sat 3/31/12	99	96	57	101	96	57
Thur 4/5/12	93	89	55			
Fri 4/6/12	98	93	57	100	96	58
Sat 4/7/12	99	95	57	101	97	58
Tue 4/10/12	90 Karaoke	85	55			
Wed 4/11/12	95	92	55			
Thurs 4/12/12	96	93	56			
Fri 4/13/12	98	94	57	101	96	59

	DJ on Dance Floor	DJ @ Front Door	DJ Upstairs	Band on Dance Floor	Band @ Front Door	Band Upstairs
Sat 4/14/12	99	95	58	101	97	59
Fri 4/20/12	97	94	57	99	95	57
Sat 4/21/12	98	95	57	100	96	58
Fri 4/27/12	99	95	58	102	97	60
Sat 4/28/12	99	95	58	100	95	58
Fri 5/4/12	99	95	57	101	96	58
Sat 5/5/12	100	96	57	102	96	60
Fri 5/11/12	97	93	56	100	95	57
Sat 5/12/12	98	93	56	100	95	57
Fri 5/18/12	96	93	56	99	94	56
Sat 5/19/12	96	92	56	98	94	56
Tue 5/22/12	91 Karaoke	86	55			
Wed 5/23/12	94	89	56			
Thur 5/24/12	95	91	56			
Fri 5/25/12	97	93	57	99	94	57
Sat 5/26/12	97	93	57	99	94	57
Sun 5/27/12	96	92	56			
Fri 6/1/12	97	93	56	99	93	57
Sat 6/2/12	97	93	56	99	93	56
*****	*****	Meeting	With	ALRC	*****	*****
Tue 6/5/12	90 Karaoke	84	No entry			
Wed 6/6/12	93	85	No entry			
Thur 6/7/12	95	89	No entry			
Fri 6/8/12	97	93	No entry	101	95	No entry
Sat 6/9/12	97	92	No entry	100	95	No entry
Wed 6/13/12	92	87	No entry			
Thurs 6/14/12	96	91	No entry			
Fri 6/15/12	98	95	No entry	102	96	No entry
Sat 6/16/12	99	95	No entry	101	96	No entry
Fri 6/22/12	98	95	No entry	102	97	No entry
Sat 6/23/12	98	95	No entry	100	96	No entry

Fri 6/29/12	99	96	No entry	102	98	No entry
Sat 6/30/12						No entry
Tue 7/3/12	94 Bull	90	No entry			No entry
Wed 7/4/12	92 Karaoke	88	No entry			No entry
Thur 7/5/12	93	89	No entry			No entry
Fri 7/6/12	97	92	No entry	99	94	No entry
Sat 7/7/12	98	94	No entry	100	95	No entry
Fri 7/13/12	99	95	No entry	101	96	No entry
Sat 7/14/12	100	97	No entry	103	97	No entry
Wed 7/18/12	91	87	No entry			
Thur 7/19/12	96	92	No entry			
Fri 7/20/12	99	95	No entry	102	96	No entry
Sat 7/21/12	100	96	No entry	103	98	No entry
Tue 7/24/12	91 Karaoke	86	No entry			
Wed 7/25/12	92	88	No entry			
Thur 7/26/12	95	92	No entry			
Fri 7/27/12	99	96	No entry	99	97	No entry
Sat 7/28/12	100	96	No entry	100	98	No entry
Wed 8/01/12	91	88	No entry			
Thur 8/02/12	93	89	No entry			
Fri 8/03/12	96	92	No entry	97	94	No entry
Sat 8/04/12	97	92	No entry	98	94	No entry
Tues 8/07/12	90 Karaoke	85	No entry			
Wed 8/08/12	90	84	No entry			
Thur 8/09/12	92	86	No entry	NO Band	No Band	No entry
Fri 8/10/12	101	97	No entry	NO Band	No Band	No entry
Sat 8/11/12	97	93	No entry			
			No entry			
Wed 8/15/12	92	87	No entry			
Thur 8/16/12	94	89	No entry			
Fri 8/17/12	98	93	No entry	100	95	No entry
Sat 8/18/12	99	94	No entry	100	95	No entry
Tues 8/21/12	91 Karaoke	85	No entry			
Wed 8/22/12	92	85	No entry			
Thurs 8/23/12	93	86	No entry			
Fri 8/24/12	98	93	No entry	99	94	No entry
Sat 8/25/12	98	94	No entry	98	94	No entry
Tues 8/28/12	89 Karaoke	83	No entry			

Wed 8/29/12	90	84	No entry			
Thurs 8/30/12	92	87	No entry			
Fri 8/31/12	97	91	No entry	98	92	No entry
Sat 9/01/12	98	91	No entry	99	92	No entry
Sun 9/02/12	97	91	No entry			
Tues 9/04/12	89 Karaoke	82	No entry			
Wed 9/05/12	92	89	No entry			
Thurs 9/06/12	93	89	No entry			
Fri 9/07/12	97	93	No entry	98	93	No entry
Sat 9/08/12	97	94	No entry	98	94	No entry
Wed 9/12/12	93	90	No entry			
Thurs 9/13/12	94	90	No entry			
Fri 9/14/12	96	93	No entry	98	94	No entry
Sat 9/15/12	96	93	No entry	98	95	No entry
Tues 9/18/12	89 Karaoke	84	No entry			
Wed 9/19/12	92	90	No entry			
Thurs 9/20/12	93	88	No entry			
Fri 9/21/12	95	92	No entry	98	95	No entry
Sat 9/22/12	95	93	No entry	97	94	No entry
Wed 9/26/12	91	88	No entry			
Thurs 9/27/12	96	93	No entry			
Fri 9/28/12	99	96	No entry	NO Band	NO Band	No entry
Sat 9/29/12	98	96	No entry	NO Band	NO Band	No entry
Wed 10/03/12	92	89	No entry			
Thurs 10/04/12	92	88	No entry			
Fri 10/05/12	97	94	No entry	99	95	No entry
Sat 10/06/12	97	95	51	98	96	55
Tues 10/09/12	92 Karaoke	89	No entry			
Wed 10/10/12	93	90	No entry			
Thurs 10/11/12	94	91	No entry			
Fri 10/12/12	97	93	No entry	99	95	No entry
Sat 10/13/12	97	94	No entry	99	95	No entry
Wed 10/17/12	90	87	No entry			
Thurs 10/18/12	93	90	No entry			
Fri 10/19/12	97	93	No entry	101	98	No entry
Sat 10/20/12	98	95	No entry	99	96	No entry
			No entry			No entry
Thurs 10/25/12	93	90	No entry			No entry
Fri 10/26/12	103 Freak	99 Fest	89 OUTSIDE	105 Freak	100 Fest	89 STATE ST

Sat 10/27/12	102 Freak	99 Fest	92 OUTSIDE	105 Freak	101 Fest	92 STATE ST
Sun 10/28/12	93 Hall	89 contest	No entry			No entry
Thurs 11/01/12	92	88	No entry	94	90	No entry
Fri 11/02/12	93	88	No entry	94	90	No entry
Sat 11/03/12	94	90	No entry	95	91	No entry
Wed 11/07/12	93	89	No entry			No entry
Thurs 11/08/12	92	87	No entry			No entry
Fri 11/09/12	95	92	No entry	97	94	No entry
Sat 11/10/12	94	91	No entry	97	94	No entry
Tues 11/13/12	89	85	No entry			No entry
Wed 11/14/12	92	87	No entry			No entry
Thurs 11/15/12	92	85	No entry			No entry
Fri 11/16/12	97	94	No entry	98	95	No entry
Sat 11/17/12	96	94	No entry	98	96	No entry
Wed 11/21/12	88	85	No entry			No entry
Thurs 11/22/12	Thanks-	Giving	No DJ	Thanks-	Giving	No Band
Fri 11/23/12	92	88	No entry	94	90	No entry
Sat 11/24/12	93	89	No entry	95	90	No entry

Transcript From August 21, 2012 Meeting

Persons Present: Gus Paras, Mary Paras, Vic Villacrez, Josh Hurley, and Alex Aderman

VIC- Maybe you can explain to Gus how this whole thing we talked about is going to work?

JOSH- Which part?

VIC- The text/email to the DJ booth.

JOSH- Yep. Basically it is set up to where someone can text or email into. It goes right into the computer up there (pointing at the DJ booth) and pops up on the screen text message, email, it pops up.

VIC- Email works as well?

JOSH- Yep.

VIC- Ok. What is the email and what is the text?

JOSH- I will have to look because it is in my email right now so I will pull it up when we are done with the meeting. I will give it to you.

VIC- Ok. So is it your text number?

JOSH- Nope.

VIC- It will be a different phone?

JOSH- Directly into that (pointing at the DJ booth). Basically, you can set up text messaging through the internet. It gives you a phone number. It's a 608 phone number so it goes straight into there and keeps records of everything.

VIC- So that is set up now?

JOSH- Yep. Set up and tested on Sunday night.

VIC- So, let's test it.

JOSH- Like I said I will wait till we are done than we can go test it. I'm actually recording this entire conversation so I can go back and write my notes with it.

VIC- Ok.

VIC- Hey Mary.

MARY- Are we waiting for someone else?

JOSH- Nope.

VIC- Nope.

VIC- So they got the new line, or is it a line, or is it kind of?

JOSH- Everything is through the internet. They can text or email. There is an email address and phone number. It's just like if you get text messages, you can go online, go to Sprint.com, if you have Sprint, you can put in your phone number and text from via there, same exact thing.

VIC- Can it go from a land line to this?

JOSH- You can't text from a land line.

VIC- Can it go from a computer to this?

JOSH- Correct.

VIC- Can it go from a cell phone to this?

JOSH- Correct.

ALEX- With texting ability.

VIC- Alright, so (interrupted)...

GUS- You are starting to leave my manager out because he does not have a cell phone. He only has a business phone, leave him out.

VIC- Well, he can email through the computer in the office.

GUS- He knows how to do that?

VIC- Yeah. If we get the email.

JOSH- Yeah, like I said afterwards I would give you both of them.

VIC- So what happens when you guys get one of these messages? What is your plan as to how you are going to respond to that?

JOSH- We will continue to do our readings that we have done and monitor that. If we get a thing that says it's extremely loud, it's this, we have our decibel reader and can go put it right here (pointing at stage).

VIC- Yeah, but are you going to turn it down?

JOSH- Am I going to turn it down?

VIC- Yeah. That's kind of the whole plan is to provide you some feedback.

JOSH- Right.

VIC- As to when the noise, and pounding, and vibrations are too loud.

JOSH- Like last Tuesday?

VIC- Umm, I'm not really sure what last Tuesday was?

JOSH- You emailed me saying that Jeff said the walls on Tuesday night were vibrating. We didn't even have our subs plugged in. There was nothing. There were 10 people in the bar.

VIC- Well, I also got calls on Friday.

JOSH- But do you see what I am saying. We are going to track them.

VIC- I mean is this going to be for nothing?

JOSH- No. We are going to track them and that way we can find out from our readings that we have taken from the times that we haven't gotten any complaints to the times that we get complaints. If these readings are the same, the volume is not going up and down. It's staying the same. The readings don't lie. That's all I am saying.

GUS- Ok, Victor let start here because I think I be played like a yo-yo and these guys think they are gods. It means if my guys call you and say you are loud, you are gonna say F**K YOU, I'm just keeping records. Is that what you are trying to tell me?

JOSH- I'm not going to have this conversation if you are going to cuss. If you are going to swear at me Gus, if you swear at me this conversation is over.

GUS- This is not swear.

JOSH- If you swear at me, I'm not swearing, we are trying to figure something out, but if you swear at me this conversation is over.

GUS- Hold on, what do you think is swearing? I did not swear on you. I said how is that gonna work? The people upstairs are human beings and they get up 2 o'clock in the morning and they have to or 1 o'clock in the morning or 12 o'clock in the morning and they go to find a phone, because they don't have it, email you, but doesn't matter because you are not going to do anything about it because you told me that. Didn't you say that?

JOSH- I don't believe I said that. When did I say that?

GUS- Well, you said you were not going to do anything about it.

JOSH- I did not say that.

GUS- You said you are going to collect the information, you just say that.

JOSH- Right. Because then we can figure out like if, hey our readings (interrupted)...

GUS- I have pages with every night how you play your music. Does that help you? We have complaints before. You didn't do anything about it and you find a little girl who comes to city hall and saved your ass that day and now.

JOSH- You were the ones that called her.

GUS- I did not.

JOSH- Well, I believe she showed up to the meeting (interrupted)...

GUS- You called her and she came for you.

JOSH- Not to that first meeting. I didn't call her.

GUS- I didn't call her for first meeting.

JOSH- Well your guy right here did (pointing at Vic).

VIC- I didn't call her.

JOSH- I didn't call her. How did she know about the meeting?

VIC- I did not call her.

JOSH- Ok, so you didn't call her (addressing Gus) and you didn't call her (addressing Vic), so if I call her, because she told me that you (pointing to Vic) called her.

VIC- She's wrong.

JOSH- Ok, so she is lying? So are you calling the Alder a liar?

VIC- No she is not lying. I talked to her. I did not call her.

JOSH- So you told her we were having that meeting?

VIC- I told her we were having that meeting. Yes I did.

GUS- I did not know.

JOSH- Ok. Well I didn't know about it either.

VIC- I asked her if she knew about it and she said no, where is it?

GUS- But the point is in the liquor license meeting to me, she looked like, if I didn't know who she was a lawyer. How much she get paid? That's how she came up. And if you look to have someone like this back you up every time.

JOSH- I did not ask her to back me up.

ALEX- She is our city Alder.

JOSH- She is our Alder person. I did not ask her to back us up.

GUS- I think there is something more that that involved because why is a city Alderman than she is going to care about the people up there because they cannot sleep at night.

ALEX- She does. She walked in and the first thing she said is I immediately retract pulling their license. We've been cooperating with everything you've asked us to do.

JOSH- That she asked us to do. Everything that has been asked of us by everybody we have done.

GUS- I don't give a care what she says and who she is. I'm telling you, I'm the landlord. You play your music too loud, the bass is keeping the people awake. You done anything about that?

JOSH- Yes. Yes we have.

GUS- What did you do? How come I have pages like this?

JOSH- We have done everything that we said we were going to do since that meeting that was called, we have done it.

GUS- I have pages.

ALEX- As a landlord, what have you done to deter (interrupted)...

GUS- I don't have to do anything.

ALEX- You don't have to do anything to improve your building?

GUS- I sent you a registered letter. Number one I don't recognize you as a human being. You are nobody to me (directed at Alex). He is the guy (directed at Josh) I deal with. You are nobody to me. If you work for him let him take you in. Your nothing to me. Number two than I will just have my lawyer keep sending you registered letters because if you guys need better communication I'm going to have my lawyer send letter. And I'm going to tell you one thing, I'm going to fight to death if the music doesn't turn down and I'm going to come in here and have all my people alarmed... you find a phone, you buy a phone, and register down there a complaint and when the complaint comes here you told me when we start renovation we are not going to do anything about it. Just collect information. If you are only going to collect information I am done. I don't have any more to say. I'm done. If Victor has something more to say more power to him.

VIC- Well, I asked Josh what was gonna happen after there was a registered complaint and you said you were gonna monitor.

JOSH- 100 percent. That is what we are going to do.

VIC- Yeah, but are you going to turn it down? Will you respond by turning down the bass?

MARY- Is there a decibel level you can see where you don't get complaints and a decibel level where you do see complaints? How does that work?

JOSH- Well, right after the city council meeting we didn't hear a peep until the end of June and we have done decibel readings every single night. They have not changed. Then all of a sudden they come back. And then all of a sudden we don't get one. But they never change.

VIC- It's not the decibel reading.

JOSH- Yes it is, it really is.

VIC- No it's not, it's the bass and vibration. You can have like an elephant that can be heard for miles because you can't hear it, but it's the vibration. You know there are different levels of sound? And certain levels of sound don't carry.

ALEX- Are you talking about residence levels, which are direct sound.

JOSH- I'm just saying do you know that? Yes or no?

VIC- Do you?

JOSH- Huh, this is what I was told. Decibel readings are noise. So if there is something going on we are going to know about it.

VIC- Ok, Josh we are investigating this with the building inspection right now.

JOSH- Ok that's fine. When Clint went upstairs to do a reading he put it right on the floor.

VIC- That's not going to pick up no major decibel.

JOSH- It would jump. If there was anything vibrating would it not go like this (hands showing an up and down motion).

VIC- Yeah, but is that going to pick up a decibel?

JOSH- Yeah.

VIC- I don't know.

JOSH- You need to buy a decibel reader, and good one and try it.

MARY- Are those the subs up there (pointing at hanging speakers).

JOSH- The subs are underneath here (pointing under stage). We have insulated underneath here as well.

VIC- We will get the city building inspection down here and see what they think.

GUS- To get a 3rd opinion.

JOSH- I'm all for that.

GUS- Anything else.

VIC- Well, we will still gonna be taking you up on this offer, you know, just get us the numbers. An email.

JOSH- They have already been emailed. He's got it.

VIC- Who does.

JOSH- Vic. I mean Gus. Gus has the email we sent over for soundproofing.

MARY- Did you send it to gusandmary@aol.com

JOSH- Yep. It was sent over from Korey. It was sent over before the meeting.

MARY- Has it been awhile?

JOSH- Yep. It was sent over before the meeting. If you can't find it I can pull it up and email it to you.

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WHAT'S NEW INBOX (24) Compose Message

CONTRACTS SMS from (608) 658-... Delete Reply Forward Spam Print

- 3 Bureau CREDIT REPORT
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- Sent
- Spam
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- Folders
- Online Contacts
- Facebook Friends
- Applications
- All My Purchases
- Attach Large Files
- Attachments
- Automatic Organizer
- Calendar
- Notepad
- Photos
- Unsubscriber

SMS from (608) 658-6588 Hide Details
FROM: (608) 658-6588
TO: WhiskeyJacksDJs@yahoo.com
Friday, September 28, 2012 7:29 AM

I got two calls last night about the base being too loud. U need to turn it down this weekend
Sent using SMS-to-email. Reply to this email to text the sender back and save on SMS fees.
<https://www.google.com/voice/>

Reply to (608) 658-6588 Send

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3 Bureau CREDIT REPORT

SMS from (608) 658-6588

Hide Details

FROM: (608) 658-6588

Saturday, October 20, 2012 2:09 AM

TO: WhiskeyJacksDJs@yahoo.com

Drafts

Sent

Spam

Trash

Folders

Online Contacts

Facebook Friends

Applications

All My Purchases

Attach Large Files

Attachments

Automatic Organizer

Calendar

Notepad

Photos

Unsubscriber

I got two complaints tonight, turn it down!

Sent using SMS-to-email. Reply to this email to text the sender back and save on SMS fees. https://www.google.com/voice/

Reply to (608) 658-6588

Send

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WHAT'S NEW INBOX (24) CONTACTS Your Bass is too loud Compose Message Delete Reply Forward Spam Print

3 Bureau CREDIT REPORT

- Drafts Sent Spam Trash Folders Online Contacts Facebook Friends Applications All My Purchases Attach Large Files Attachments Automatic Organizer Calendar Notepad Photos Unsubscriber

Your Bass is too loud

FROM: Brent Holman TO: whiskeyjacksdjs@yahoo.com

Hide Details Saturday, November 17, 2012 9:48 PM

You have sealed your fate you little fuck.

Reply to Brent Holman Send

AdChoices CYBER MONDAY 1600 Thread Count Egyptian Comfort 4 pc BedSheet Retail: \$129 Price: \$29 Save: 78% Google Android 4.0 Tablet Retail: \$200 Price: \$69 Save: 66% UGG Australian Style Classic Boots Retail: \$199 Price: \$24 Save: 88% Designer Handbags Retail: \$200 Price: \$35 Save: 83% SAVE UP TO 98% Limit One Per Day view deals nomorerack

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OBAMA WON

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Saturday, November 17, 2012 11:07 PM

FROM: Brent Holman TO: whiskeyjacksdjs@yahoo.com

I'll crush you like a bug

Reply to Brent Holman Send

AdChoices

CYBER MONDAY 1600 Thread Count Egyptian Comfort 4 pc BedSheet Retail: \$129 Price: \$29 Save: 78% Google Android 4.0 Tablet Retail: \$200 Price: \$69 Save: 66% UGG Australian Style Classic Boots Retail: \$139 Price: \$24 Save: 83% Designer Handbags Retail: \$200 Price: \$35 Save: 83% SAVE UP TO 98% Limit One Per Day view deals nomorerack

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- Automatic Organizer
- Calendar
- Notepad
- Photos
- Unsubscriber

Your an asshole

Hide Details

FROM: Brent Holman
TO: whiskeyjacksdjs@yahoo.com

Monday, October 29, 2012 1:16 AM

Turn down the volume on that microphone or you will be wearing it internally.
While your at it turn down the bass

Reply to Brent Holman [Send]

AdChoices

CYBER MONDAY

1600 Thread Count
Egyptian Comfort 4 pc BedSheet
Retail: \$129
Price: \$29
Save: 78%

Google Android 4.0 Tablet
Retail: \$200
Price: \$69
Save: 66%

UGG Australian Style Classic Boots
Retail: \$139
Price: \$24
Save: 83%

Designer Handbags
Retail: \$200
Price: \$35
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SAVE UP TO 98%
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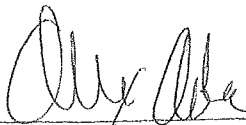
INCIDENT REPORT

DATE: 11/24/12

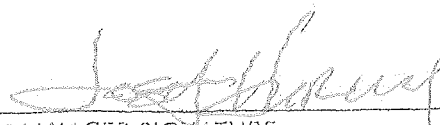
NAME: Alex Adelman

CAMERA: _____

INCIDENT DETAILS: The gentleman from the
back right corner of the second floor, Brent
I believe, stopped down tonight to hang out
and have a few beers. He walked up to
the corner of the bar and asked me if
I could give him a beer. I then took money
out of my wallet to purchase a Schlitz
for him. He thanked me and that was the
last I saw of him ~~the~~ tonight.



EMPLOYEE SIGNATURE



MANAGER SIGNATURE

INCIDENT REPORT


DATE: 11/6/12

NAME: Alex Adelman

CAMERA: _____

INCIDENT DETAILS: I ran into Art tonight, one of the tenants from upstairs, and asked him how things were going, specifically with the volume levels of the music. He said they had crept up a little bit, but weren't out of control. I explained that we are monitoring noise levels as best we could and that we also have installed a direct text/email line to the DJ booth to field any complaints from the tenants upstairs. At that point he explained he was uninformed of this addition to the DJ system. I told him I ~~can~~ can get him the number so if there are issues he will be able to contact us immediately. He then explained that he really wasn't having any issue with the music, but his main concern was about how loud the disposal of trash was at the end of the night. He stated that ~~we~~ he would rather have us address that issue and not worry too much about the sound. We now plan on bringing the trash cans inside at the end of the night to lessen the noise.


EMPLOYEE SIGNATURE


MANAGER SIGNATURE

HAUS, ROMAN, and BANKS, LLP

ATTORNEYS AT LAW

WILLIAM HAUS
LAURI ROMAN
MICHAEL E. BANKS

148 EAST WILSON STREET
MADISON, WISCONSIN 53703-3992

EST. 1974
TEL: (608) 257-0420
FAX: (608) 257-1383
EMAIL: HRB@HRBLLP.COM

October 23, 2012

Via Certified Mail, Return Receipt Requested (7006-2150-0005-0691-9357)
and E-Mail (koreyb@premiercompaniesmn.com; tom_dequattro@yahoo.com)

State Street Pub, LLC d/b/a Whiskey River

552 State Street

Madison, WI 53703

Via Federal Express (8692-9489-9652)

Mr. Jeff O'Brien

Mr. Greg Miller

US Bank Plaza South

220 South 6th St., Suite 1700

Minneapolis, MN 55402

Re: Lease between 552 State Street, LLC as landlord ("Landlord") and State Street Pub, LLC d/b/a Whiskey River as tenant ("Whiskey River") for the space located at 552 State Street, Madison, Wisconsin (the "Lease").

Gentlemen,

As you are aware, this firm represents 552 State Street, LLC (the "Landlord") in connection with the above referenced Lease. Over the past 18 months, we have received numerous complaints about the noise levels generated by the Whiskey River, and our requests to Whiskey River management to reduce the volume and bass during the later evening hours have been ignored. The unresolved noise complaints have resulted in tenants on the second floor above the Whiskey River vacating the apartments (approximately half the apartments are currently vacant), and we are receiving similar complaints from those living in apartments on the third floor above the Whiskey River. In addition, the maintenance man who lives in the apartments above Whiskey River has given notice that he can no longer tolerate the level of noise generated by the Whiskey River (particularly the bass volume and resonance), and that he is therefore resigning his employment and terminating his tenancy.

Section Five D. of the Lease prohibits the Whiskey River from causing or allowing any nuisance in or about the Property, and the noise levels generated by the Whiskey River, particularly in

State Street Pub, LLC d/b/a Whiskey River

October 23, 2012

Section Twelve of the Lease, please be advised that if this nuisance is not abated within thirty equitable relief to cause abatement of the nuisance, eviction (with or without termination of the

to promulgate "rules and regulations relating to the use of the Premises or any part thereof, and

the Landlord hereby adopts the following rules and regulations relating to use of the Premises by

at 552-558 State Street, Madison, Wisconsin when the doors and windows of

b. Recorded music that is played without the use of any bass speakers.

2. No live or recorded music other than Background Music may be played during the following hours:

- | | |
|------------------------------|------------------|
| a. Monday through Sunday | 12:01 am-10:00am |
| b. Sunday through Wednesday | 10:00pm-Midnight |
| c. Thursday through Saturday | 11:00pm-Midnight |

For the sake of clarity, the above schedule prohibits the playing of live or recorded music, other than Background Music, before 10:00 am on any day of the week; after 10:00 pm on Sunday through Wednesday evenings; and after 11:00 pm on Thursday through Saturday evenings.

3. No live or recorded music may ever be played at volume or bass levels that are a nuisance to other tenants of 552-558 State Street, Madison, Wisconsin.

State Street Pub LLC d/b/a Whiskey River

Jeff O'Brien

October 23, 2012

Page 3

The above rules will be enforced as part of the Lease, and your failure to adhere to these rules will constitute a default under the Lease. Notwithstanding the foregoing, we are willing to entertain reasonable alternatives to the rules stated above, however, unless an alternative is accepted by the Landlord, the rules stated herein will remain effective. It is our sincere desire to preserve Whiskey River's tenancy in the building, however, we cannot do so at the expense of losing the remaining tenants.

If you wish to discuss this matter, please feel free to contact me.

Very truly yours,

HAUS, ROMAN and BANKS, LLP



Michael E. Banks

MEB/th

cc: 552 State Street, LLC

Jeffrey C. O'Brien
Attorney at Law
jobrien@lommen.com
612.336.9317
Minnesota Office

Mr. Michael E. Banks, Esq.
Haus, Roman and Banks, LLP
148 East Wilson Street
Madison, WI 53703-3992

Re: State Street Pub, LLC d/b/a Whiskey River

Dear Mr. Banks:

Please be advised that our firm represents State Street Pub, LLC d/b/a Whiskey River. Please note my correct address listed within this correspondence. I am in receipt of your correspondence dated October 23, 2012 in regards to certain issues regarding the Lease with your client, 552 State Street, LLC (the "Lease"). In consultation with my client's local counsel in Madison, David Schwartz and Troy Mayne of DeWitt Ross & Stevens, we have prepared this response.

My client is concerned as to your client's allegations made within your letter as it appears that a bad faith attempt is being made to significantly disrupt its business to the point that it could no longer quietly possess the Premises per Article Five, Section (F) of the Lease, and my client is prepared to take legal action if necessary to protect its rights pursuant to the Lease and will bring a counterclaim in the event that your client opts to escalate this matter through an eviction action.

The allegations raised in your correspondence were quite surprising to my client, particularly in light of the numerous efforts made on its part to abate any noise issues. As you may be aware, my client has involved not only your client and the other tenants in the Premises, but also the City Council and the Madison Police to be certain that the music played on the Premises did not exceed reasonable volumes. They purchased a decibel meter and constantly monitor it to ensure that the noise from the music is within acceptable limits. They have also set up a system – which they have explained to Mr. Paras' property manager – that allows people to text or email to my client if they have an issue with the noise level, which system allows my client to immediately check the decibel level within the Premises to determine whether it exceeds acceptable limits. In meetings with the City Council, my client was praised for its noise abatement efforts. All of these efforts have come at a cost to my client's business, and any further required adjustments will only further negatively affect the profitability of its business.

It is my understanding that much of the noise issues your client complains of can be attributed to your client's own actions. In particular, during the July 2010 remodeling process, your client instructed my client to remove a hard ceiling which, absent his insistence to do so, my client would have retained. This change likely removed any sort of "buffer" region between the first floor ceiling and the second floor. Your client cannot now curtail my client's business when the alleged noise issues were created and/or exacerbated in large part due to your client's ordered changes to the Premises, especially when your client knew at the outset of this relationship that my client's business plan included live music and a DJ. In addition to this knowledge, your

my client's business plan included live music and a DJ. In addition to this knowledge, your client previously held the same type of cabaret/entertainment license for the very same Premises, used the Premises for live music and a DJ and assisted my client in obtaining the same type of license from the City before its opening.

It is my further understanding that my client has offered to pay one-half of the cost to soundproof the Premises – a solution which would resolve the issue in a manner that does not adversely impact my client's business - but your client has refused to cooperate with any such efforts and/or contribute any of the cost of such work.

With regard to your client's proposed rules, we find them to be unreasonable and invalid under Article Five, Section (H) of the Lease. As you know, Article Five, Section (H) does not give your client carte blanche to enact whatever rules and regulations it sees fit in regards to the property. Rather, all such "rules and regulations relating to the use of the Premises or any part thereof" must be reasonable; given that my client expressly agreed to carry a liquor-only liquor license (and has no kitchen in which to prepare food), to promulgate rules that limit the playing of music in a bar on State Street in Madison would unreasonably interfere with my client's business. My client has invested considerable time and money in this business and your client's rules will have an immediate adverse impact on the business which will result in economic damage to my client. As such, we demand that your client rescind the rules outlined in your October 23, 2012 correspondence immediately and refrain from any attempt(s) to enforce such invalid rules.

Please also be advised that my client is concerned, based on prior comments made by Mr. Paras in City Council hearings that he was going to shut the entire building down and evict all tenants solely to remove my client, that your client may be seeking to implement these new rules as a means of forcing my client to vacate the Premises. If that is the case, I would strongly urge you to counsel your client that promulgating onerous rules and regulations in violation of the Lease for the purpose of forcing its tenant out of the Premises will only lead to costly and time consuming litigation with my client, as my client has invested significant sums into this business and will take whatever legal remedies it has available to prevent your client from negatively impacting my client's business and its future profitability.

As to your suggestion that we submit a "reasonable alternative" to your client's proposed rules, my client again suggests that your client accept its offer to split the cost of soundproofing the Premises so as to allow it to peaceably operate its business and to provide an extra measure of protection to your additional tenants. I have enclosed the quotes for such a system that my client has already obtained and I look forward to discussing this alternative with you further. It is my client's position that this alternative is the only reasonable means of resolving this issue in a way that balances the interests of your client's remaining tenants with my client's business interests. Please note, however, that any soundproofing improvements would be voluntary on my client's part and are not required under the Lease, the Rules and Regulations and/or any applicable law.

I look forward to hearing from you.

Very truly yours,

L. OMMEN, ABDO, COLE, KING & STAGEBERG, P.A.

By

Jeffrey C. O'Brien

cc: State Street Pub, LLC
Trent Johnson, Esq.
David Schwartz, Esq.
Troy Mayne, Esq.