

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. 10 (if required by ordinance)

| Applicant's Wisconsin Seller's Permit Number: | |
|--|-----------|
| Federal Employer Identification Number (FEIN): | |
| LICENSE REQUESTED | |
| TYPE | FEE |
| <input type="checkbox"/> Class A beer | \$ |
| <input checked="" type="checkbox"/> Class B beer | \$ |
| <input type="checkbox"/> Wholesale beer | \$ |
| <input type="checkbox"/> Class C wine | \$ |
| <input type="checkbox"/> Class A liquor | \$ |
| <input checked="" type="checkbox"/> Class B liquor | \$ |
| <input type="checkbox"/> Reserve Class B liquor | \$ |
| Publication fee | \$ |
| TOTAL FEE | \$ |

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): Bernie & Tony's Station Club, LLC Back Door, LLC

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 | Member | Thomas Caputo | 1831 Capital Ave | Madison, WI 53705 |
| Vice President/Member | Member | Patricia A. Caputo | 1831 Capital Ave, | Madison, WI 53705 |
| Secretary/Member | | | | |
| Treasurer/Member | | | | |
| Agent | | Thomas Caputo | 1831 Capital Ave, | Madison, WI 53705 |
| Directors/Managers | | | | |

3. Trade Name Bernie & Tony's Back Door Business Phone Number _____
 4. Address of Premises 4265-67 W. Beltline Highway Post Office & Zip Code Madison, WI 53711

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 employee 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 2009 of registration
 (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)

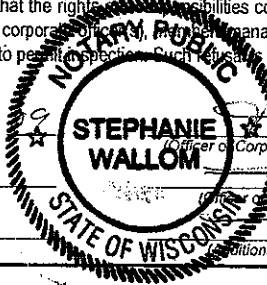
9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 1st Floor of 4265 W. Beltline Hwy. building

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? N/A
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), partner(s), 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 11th day of September, 2009
Stephanie Wallon
 (Clerk/Notary Public)
Stephanie Wallon
 (Corporation/Member/Manager of Limited Liability Company/Partner)
 My commission expires 3/7/2010
 (Additional Partner(s)/Member/Manager of Limited Liability Company if Any)



TO BE COMPLETED BY CLERK

| | | | |
|---|--------------------------------|---------------------------------|-----------------------------------|
| Date received and filed with municipal clerk <u>9/29/09</u> | Date reported to council/board | Date provisional license issued | Signature of Clerk / Deputy Clerk |
| Date license granted | Date license issued | License number issued | |

City of Madison Supplemental Class B License Application

| | | |
|--|---|---|
| <input type="checkbox"/> Seller's Permit Number <small>DON'T HAVE</small> <input type="checkbox"/> Federal Employer Identification Number <small>DON'T HAVE</small> <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 type="checkbox"/> Background Investigation Form(s) <small>need partner</small> <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 <small>DON Members own</small> <input checked="" type="checkbox"/> Sample Menu <small>NOT yet</small> <input checked="" type="checkbox"/> Business Plan <small>NOT yet</small> * Corporation/LLC only |
|--|---|---|

1. Name of Applicant/Partner/Corporation/LLC Back Door Bernie & Tony's Italian Club, LLC
2. Address of Licensed Premise 4265 W. Beltline Highway, Madison, WI
3. Telephone Number: (608) 271-4110 4. Anticipated opening date: January 1, 2010
5. Mailing address if not opening immediately 1502 Greenway Cross, #5, Madison, WI 53713
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: Authentic Sicilian cuisine, classical piano music, with accompanying vocalists.

9. Do you plan to have live entertainment? No Yes—What kind? Classic piano music

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.**

(45) table seats and (25) bar seats w/capacity of 150. Bar will be 500 sq. ft. of the 1,500 sq. ft. (1st) floor. 800 sq. ft. on (2nd) floor is a (2) bedroom apartment, entire property is comprised of (2) lots, patio

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. (3) parking stalls in front of garages in left lot, (20) stalls in right lot, (10) stalls public stalls on Danbury Street to be monitored by owner/management,

13. Describe your management experience, staffing levels, duties and employee training. 2 1/2 years managing and operating Ken's Bar on Butler St., 1 year developing and managing Redhead Piano lounge

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.

Thomas Caputo, 1502 Greenway Cross, #5, Madison, WI 53713

Name

Address

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

30-55 year old age group

16. What age range would you hope to attract to your establishment? 30-55 year olds

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

Newspaper, online, events promotions

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

19. Owner of building where establishment is located: Capital Development LLC
Address of Owner: 1502 Greenway Cross #5, Madison, WI 53713 Phone Number (608) 271-4110

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

Thomas Caputo 1831 Capital Ave., Madison, WI 53705
Name Address

Patricia A. Caputo 1831 Capital Ave., Madison, WI 53705
Name Address

Name

Address

22. List the Stockholders of your Corporation/LLC

Name Address % of Ownership

Name Address % of Ownership

Name Address % of Ownership

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

Other Please Explain. N/A

24. What type of food will you be serving, if any? Sicilian cuisine

Breakfast Lunch Dinner

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

26. During what hours of your operation do you plan to serve food? 4:00 P.M. - 10:00 P.M.

27. What hours, if any, will food service not be available? 10:00 P.M. - 2:00 A.M.
28. Indicate any other product/service offered. Deli meats, cheeses, salads, gift products and like nesses,
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? Three (3)
During what hours do you anticipate they will be on duty? 4:00 P.M. - 10:00 P.M.
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? 25
How many bartenders do you anticipate you would have working at one time on a busy night? 1 1/2
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? 45
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?
65%
39. If your business plan includes an advertising budget, what percentage of your advertising budget do you anticipate will be related to food? 70%
What percentage of your advertising budget do you anticipate will be drink related? 30%
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? 100

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.

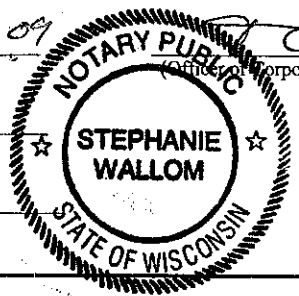
| | |
|--|-------------|
| Gross Receipts from Alcoholic Beverages | 30.30 % |
| Gross Receipts from Food and Non-Alcoholic Beverages | 65 % |
| Gross Receipts from Other | 5 % |
| Total Gross Receipts | 100% |

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 11 day of September, 2009
[Signature]
(Clerk/Notary Public)



My commission expires 3/1/2010

Appointment of New Liquor/Beer Agent

To be completed by Corporate Officer or Member of LLC

I, Thomas Caputo, officer/member for Bernie & Tony's Back Door
(Corporation/LLC), doing business as Bernie & Tony's Back Door authorize and appoint
Thomas Caputo (Name) as the liquor/beer agent for the premise
located at 4265 W. Beltline Hwy.

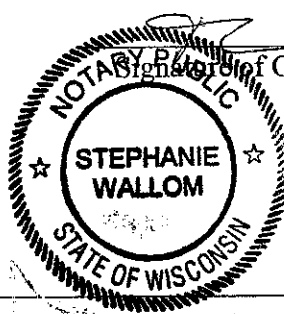
Subscribed and sworn to before me this

11 Day of September, 20 09

Stephanie Wallom

Notary Public, Dane County, Wisconsin

My Commission Expires 3/7/2010



[Signature]
Signature of Officer/Member

To be completed by appointed Liquor/Beer Agent

I, Thomas Caputo, appointed liquor/beer agent for
Bernie & Tony's Back Door, 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 %.

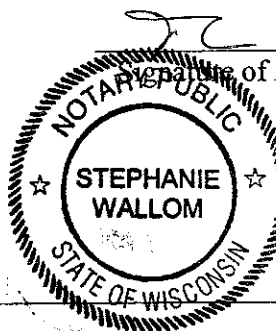
Subscribed and sworn to before me this

11 Day of September, 20 09

Stephanie Wallom

Notary Public, Dane County, Wisconsin

My Commission Expires 3/7/2010



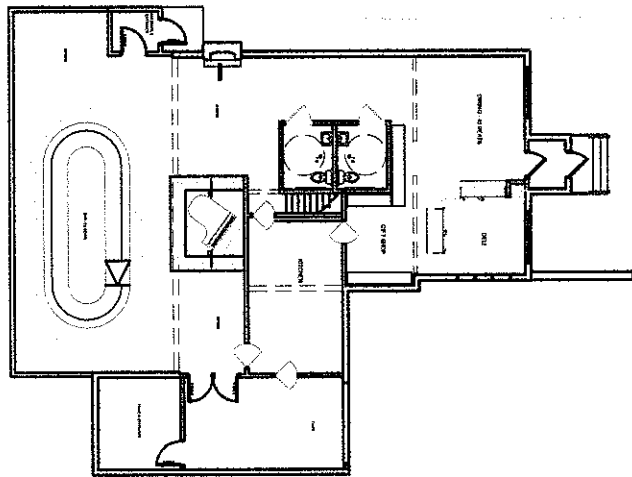
[Signature]
Signature of Agent

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

WEST BELTLINE FRONTAGE ROAD

1/2" = 1'-0"

PARKING - 25 STALLS



WILLIAMSON STREET

PROPOSED SITE PLAN

1/16" = 1'-0"



05/01/09

A1

PROJ. NO. 01406

AN ADDITION FOR:
4265 WEST BELTLINE HIGHWAY
MADISON, WISCONSIN 53711

PROJECT INFORMATION:
OWNER: _____
TELEPHONE: _____
CONTRACTOR: _____
TELEPHONE: _____



Bernie & Tony's Back Door, LLC

BUSINESS PLAN

**Thomas and Patricia Caputo
1831 Capital Avenue
Madison, WI 53705
(608) 271-4110**

CONCEPT:

Bernie & Tony's Back Door will be a restaurant and lounge, serving authentic Sicilian food. The lounge shall also serve as a piano and wine bar. It will be a very popular eating establishment and piano bar.

PRINCIPALS

Thomas Caputo, has over 40 years of business experience. He has owned an accounting and tax firm, a loan office, various consulting businesses, and a sizable portfolio of real estate investments.

For two years in 2003 through 2005, he owned and operated Ken's Bar, commonly referred to as the "Old Ken's Bar." He was state certified for food and beverage preparation. He personally operated the sandwich end of the business, management, and booking of bands. This music lounge was famous for their weekly bluegrass Cork 'n Bottle String Band. It was also famous for special music bands that would not fit in other music lounges in Madison. Ken's Bar was the place to book for an eclectic band or solo act from anywhere in the United States. Also enjoyed at the location were many artists from Austin, Texas, a city famous for its varied music clubs.

Mr. Caputo is an accomplished writer, producing novels, business books, and biographies.

ACCOUNTING AND LEGAL

Accounting will be performed by P.C. Business Services Owner and Manager Patricia A. Caputo. She has 40 years of experience in accounting write-up and compilation. She will furnish a monthly profit and loss statement and a balance sheet. She will also be responsible for preparing all payroll with the data submitted by the Operations Manager. This arrangement provides accounting oversight in that two people will generate weekly payroll, thus protecting the corporation from the risk of embezzlement by overpaying existing employees or paying for the creation a false one.

The position responsible for ensuring additional oversight for accounting operations is one of the most important outside positions. The president shall oversee this operation and ensure that the accounting is compiled as accurately as possible and on a timely basis.

Legal counsel will be provided by Attorney Richard A. Westley of Westley Law Offices S.C. in Madison, Wisconsin. Thomas Caputo is familiar with his counsel as he has served as his legal advisor for over 30 years.

Emphasizing the importance of using proper professionals and monitoring their performance ensures that the company has proper controls and balances. The accountant will safeguard against embezzlement and confirm compliance with tax regulations. She will formally reconcile the operating bank accounts each month, even though the operating manager may choose to also do the same.

Many food and bar operators place their inventory at risk by failing to make timely physical inventories. Since missing inventory is always a potential problem for this type of business, a Member will be required to prepare and submit a formal inventory of the bar, food, supplies, and equipment. Efforts will be made to track the inventory and verify the reporting so that the managers can determine if any inventory is missing, too many free drinks are given out, or some other fraud is occurring.

Potential fraudulent activity can be quite cunning, but will nevertheless not go unaccounted for. For example, a manager could raise the amount of purchase with a beer distributor, and the distributor and he or she share the amount of the overcharge. Proactive measures will be taken to prevent and discover theft and collusion by employees or customers.

Sicilian cuisine

All meats are broiled on a natural charcoal grill.

Plates

Italian Sausage plate - 2 sausages served on spaghetti, with your choice of sauce (from our 4 select sauces of Caputo's homemade, Vito's, DiSalvo's, or garlic butter), and lemon.

Sampler Plate - A sampler of Caputo's novelties consisting of half Italian Beef and Italian link, clams, pizza, pasta.

Sicilian Ribs - marinated in garlic sauce with lemon, oregano, rosemary

Sicilian Steak - Small Sicilian breaded sirloin steak char grilled to perfection

Pasta Dishes

Mostaccioli with sausage

Pasta Shells and Meatballs

Spaghetti with garlic butter

Pizza

Sicilian thin, regular or olive oil

Sandwiches

Calzone – Juicy, pocket pizza

Italian Beef - Thinly sliced beef with double serving of mozzarella cheese served with beef au jus

Italian Sausage - Italian Sausage served on Italian bread with green peppers, fried onions, and garlic sauce

Sicilian Reuben - grilled corned beef with mozzarella and asiago cheeses, and garlic sauce served on Italian bread

Sides

Baked Clams - charred with Sicilian breading

Caputo's Pasta Salad

Sicilian Salad

Sicilian Lentil and light bean soup

Italian Wedding Soup - consists of green vegetables and meatballs and/or sausage in a clear chicken-based broth.

Wines

Featuring choice wine selections from Sicily, Italy, and California.

Sicilian Corvo White wine - Produced primarily from Ingolia grapes from carefully selected vines in the finest microclimates of the region. The wine is vinified according to the best modern techniques soft pressing and long, cool fermentation. The resulting wine is delicate, dry, slightly fruity and elegant, with a pale straw color highlighted by brilliant green reflections.

Chianti - From the Chianti region of Tuscany, Italy. Only wines from this region can properly be called Chianti, although some other areas are using the name on their labels. Chianti was first identified as a type in the 13th century. Its primary red grapes are Sangiovese and Canaiolo, while the main whites are Trebbiano and Malvasia.

California Pinot Noir