

STATE OF WISCONSIN

BEFORE THE ALCOHOL  
LICENSE REVIEW COMMITTEE  
OF THE CITY OF MADISON

DANE COUNTY

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CITY OF MADISON,

Plaintiff,

COMPLAINT

vs.

Jongyeon Lee  
dba Church Key  
626 University Avenue  
Madison, WI 53715

Respondent.

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NOW COMES the City of Madison by Jennifer Zilavy, Assistant City Attorney, and alleges as follows, that:

1. The complainant, Assistant City Attorney Jennifer Zilavy, is an adult resident of the City of Madison, with a business address of 210 Martin Luther King Jr. Blvd., Madison, Wisconsin, and at all times material to this action, she has been an Assistant City Attorney for the City of Madison.
2. The respondent herein, Jongyeon Lee, is the alcohol beverage licensee doing business as Church Key, 626 University Avenue, Madison, Wisconsin, according to documents filed with the City Clerk of the City of Madison.
3. The Common Council of the City of Madison granted a Class B Combination Alcohol Beverage License to Jongyeon Lee, for the premises located at 626 University Avenue, Madison, Wisconsin, for the period July 1, 2006 through June 30, 2007. At all times alleged in this complaint, Respondent was the holder of a Class B Combination Alcohol Beverage License issued by the City of Madison.

On information and belief, the licensee, under the City of Madison Class B Combination Alcohol Beverage License for the retail sale of alcohol beverages, at the premises known as Church Key, 626 University Avenue Madison, Wisconsin, has accumulated in excess of 200 points of alcohol beverage ordinance violations rendering any issuance of a Formal Expression of Concern, within the meaning of Sec.28.10(4)(d), Madison General Ordinances, inapplicable, to wit:

THE ABOVE-NAMED COMPLAINING WITNESS BEING DULY SWORN SAYS THAT THE ABOVE-NAMED DEFENDANT, by its agent, servant or employee, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN, on the dates indicated below at Church Key, 626 University Ave., Madison, WI, DID:

As licensee under a City of Madison Class B combination license for the retail sale of fermented malt beverages and intoxicating liquors at the premises known as Church Key, 626 University Avenue, Madison, WI, by its agents, servants or employees, did:

FIRST COUNT: On January 18, 2006, did unlawfully permit an underage person unaccompanied by parent, guardian or spouse who has attained the legal drinking age to be on the premises in which alcohol beverages are sold, to wit: Angela M. Yarbrough, d/o/b [REDACTED], in violation of Madison General Ordinances, Sec. 38.04(3)(b), for which the penalty is a forfeiture of not more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees.

FACTS: On January 18, 2006, at approximately 11:21 p.m., Madison Police Officer Javier Loredo was conducting a routine bar check at the Church Key located at 626 University Avenue, Madison, Wisconsin. Officer Loredo contact a woman in the bar, later identified as Angela M. Yarbrough, d/o/b [REDACTED], and asked her for identification. Yarbrough presented Officer Loredo with a photo ID with the name of Morgan E. Anderson Reed. Officer Loredo looked at the picture on the ID and concluded that the picture did not match the facial features of Yarbrough. Officer Laredo questioned Yarbrough further about the ID and she admitted that it was a false ID. Yarbrough was issued a citation for Underage Person Intentionally Carrying an ID Not Their Own.

SECOND COUNT: On February 3, 2006, did unlawfully permit an underage person unaccompanied by parent, guardian or spouse who has attained the legal drinking age to be on the premises in which alcohol beverages are sold, to wit: Jamie Neuburg, d/o/b [REDACTED], in violation of Madison General Ordinances, Sec. 38.04(3)(b), for which the penalty is a forfeiture of not more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees.

FACTS: On February 3, 2006, at approximately 12:40 a.m., Madison Police Officer Javier K. Loredo was conducting a routine bar check at the Church Key located at 626 University Avenue, Madison, Wisconsin. Officer Loredo asked an individual who was inside the Church Key, later identified as Jamie L. Neuburg, d/o/b [REDACTED], for her identification. Neuburg provided Officer Loredo with a Wisconsin Driver's license issued to a Gina M. Maly, d/o/b [REDACTED]. Officer Loredo looked at the photo on the ID and compared it to Nueburg. Officer Loredo concluded that the photo on the driver's license that Nueburg handed him did not look like Nueburg. Nueburg admitted to Officer Loredo that the identification was false and that it was not her. Nueburg was issued a citation for Underage Person Intentionally Carrying an ID Not Their Own.

THIRD COUNT: On February 11, 2006, did unlawfully permit an underage person unaccompanied by parent, guardian or spouse who has attained the legal drinking age to be on the premises in which alcohol beverages are sold, to wit: Jonathan M. Swerin, [REDACTED], in violation of Madison General Ordinances, Sec. 38.04(3)(b), for which the penalty is a forfeiture of not more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees.

FACTS: On February 11, 2006, at approximately 1:35 a.m., Madison Police Officer Mark Allen was conducting a routine bar check at the Church Key located at 626 University Avenue, Madison, Wisconsin. Officer Allen noticed a white male walking rapidly through the crowd away from Officer Kraig Knutson, who was accompanying officer Allen on the bar check. Officer Allen stopped the individual, later identified as Jonathan M. Swerin, d/o/b [REDACTED], and asked him how he got in the bar. Swerin stated that he just "walked in." After further questioning Swerin admitted that he used a Wisconsin Driver's license in the name of Bryan P. Horn, to get into the Church Key. Swerin gave the Horn ID to Officer Allen. Officer Allen looked at the photo on the Horn ID and concluded that Swerin did not resemble the person pictured in the Horn ID. Swerin also admitted to drinking two drinks in the Church Key. Swerin was cited for Underage Person Possess or Consume Alcohol on Licensed Premise.

**OR No. 06-26836**

FOURTH COUNT: Unlawfully sell, vend, deal or traffic in alcohol beverages to or with an underage person not accompanied by parent, guardian or spouse who has attained the legal drinking age, to wit: Cassandra E. Clark, d/o/b [REDACTED], contrary to Section 38.04(1)(a)2. of the Madison General Ordinances and upon conviction thereof shall be subject to a forfeiture of not more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees

FIFTH COUNT; Unlawfully permit an underage person unaccompanied by parent, guardian or spouse who has attained the legal drinking age to be on the premises in which alcohol beverages are sold, to wit: Cassandra E. Clark, d/o/b [REDACTED], in violation of Madison General Ordinances, Sec. 38.04(3)(b), for which the penalty is a forfeiture of not more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees.

FACTS: On March 12, 2006, at approximately 1:10 a.m., Madison Police Officer Kraig Knutson and other Madison Police Officers were conducting a routine bar check at the Church Key bar located at 626 University Avenue, Madison, Wisconsin. Officer Knutson observed a table in the bar of several females who appeared to be under the age of 21. Officer Knutson observed one female, later identified as Cassandra E. Clark, d/o/b [REDACTED], who appeared to be nervous by the police officers' presence. Officer Knutson asked Clark for an ID and she presented a photo ID in the name of Tehmina Qadir with a d/o/b of [REDACTED]. Officer Knutson looked at the photo on the Qadir ID and noted that the photo did not look like Clark. Officer Knutson also felt that Clark looked to be about 19 or 20 years of age, not 24 years of age as indicated on the Qadir ID. Clark eventually admitted that she was not Qadir and told Officer Knutson she used the Qadir ID to get into the Church Key. Clark told Officer Knutson she had approximately 2 ½ glasses of wine to drink while in the Church Key.

**06-40135**

SIXTH COUNT: Unlawfully permit an underage person unaccompanied by parent, guardian or spouse who has attained the legal drinking age to be on the premises in which alcohol beverages are sold, to wit: Margaret C. Schultz, d/o/b [REDACTED], in violation of Madison General Ordinances, Sec. 38.04(3)(b), for which the penalty is a forfeiture of not more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees.

FACTS: On April 13, 2006, at approximately 11:30 p.m., Madison Police Officer Anthony Fiore was conducting a routine bar check at the Church Key located at 626 University Avenue, Madison, Wisconsin. Officer Fiore observed a female inside the tavern who appeared to be under the age of 21. This female, later identified as Margaret C. Schultz, d.o.b. [REDACTED], appeared to Officer Fiore to be attempting to move away from him as he made his way through the bar. Schultz identified herself with an Illinois photo identification card and told Officer Fiore that she knew one of the bouncers at the Church Key and they let her in. Schultz denied having any other photo identification cards on her person.

**06-121077**

SEVENTH COUNT: Unlawfully permit an underage person unaccompanied by parent, guardian or spouse who has attained the legal drinking age to be on the premises in which alcohol beverages are sold, to wit: Thomas V. Boyd, d/o/b [REDACTED], in violation of Madison General Ordinances, Sec. 38.04(3)(b), for which the penalty is a forfeiture of not more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees.

EIGHTH COUNT: Unlawfully sell, vend, deal or traffic in alcohol beverages to or with an underage person not accompanied by parent, guardian or spouse who has attained the legal drinking age, to wit: Thomas V. Boyd, d/o/b [REDACTED], contrary to Section 38.04(1)(a)2. of the Madison General Ordinances and upon conviction thereof shall be subject to a forfeiture of not

more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees

FACTS: On October 6, 2006, at approximately 12:35 a.m., Madison Police Officer Carrie Hemming was conducting a routine bar check at the Church Key bar located at 626 University Avenue, Madison, Wisconsin. Officer Hemming observed an individual inside the tavern who appeared to be under the age of 21 carrying a glass bottle of beer. Officer Hemming contacted the individual, later identified as Thomas V. Boyd, d/o/b [REDACTED]. Thomas Boyd gave Officer Hemming an expired Texas photo driver's license in the name of Phillip Boyd, showing that he was 23 years of age. Thomas Boyd also gave Officer Hemming two other photo ID's with the name Phillip Boyd on them. Officer Hemming did not believe that the individual in the ID's with the name Phillip Boyd looked like the individual who was standing in front of her. Upon further questioning by Officer Hemming, Thomas Boyd admitted that he was not Phillip Boyd, that he was in fact Thomas Boyd with a d/o/b of [REDACTED].

06-37024

NINETH COUNT: Unlawfully permit an underage person unaccompanied by parent, guardian or spouse who has attained the legal drinking age to be on the premises in which alcohol beverages are sold, to wit: Rebecca Englebert, d/o/b [REDACTED], in violation of Madison General Ordinances, Sec. 38.04(3)(b), for which the penalty is a forfeiture of not more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees.

TENTH COUNT: Unlawfully sell, vend, deal or traffic in alcohol beverages to or with an underage person not accompanied by parent, guardian or spouse who has attained the legal drinking age, to wit: Rebecca Englebert, d/o/b [REDACTED], in contrary to Section 38.04(1)(a)2. of the Madison General Ordinances and upon conviction thereof shall be subject to a forfeiture of not more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees

FACTS: On April 7, 2006, at approximately 1:45 a.m., Madison Police Officer Ryan Orvis and other Madison Police Officers were conducting a routine bar check at the Church Key bar located at 626 University Avenue, Madison, Wisconsin. Officer Orvis observed a group of females who appeared to be under the age of 21. Officer Orvis contacted one of the females, later identified as Rebecca Englebert, d.o.b. [REDACTED]. Englebert gave Officer Orvis a Wisconsin photo driver's license with the name of Amanda Swaney on it and stated that she used that ID to get into the Church Key. Swaney's ID indicated a birth date of legal drinking age. Officer Orvis noted that the photo on Swaney's ID did not look like Englebert and Englebert eventually admitted that it was Swaney's ID was not hers. Englebert told Officer Orvis that she had a couple of alcoholic drinks while in the Church Key.

06-79183

ELEVENTH COUNT: Unlawfully permit an underage person unaccompanied by parent, guardian or spouse who has attained the legal drinking age to be on the premises in which

alcohol beverages are sold, to wit: Laura E. Marx, d/o/b [REDACTED], in violation of Madison General Ordinances, Sec. 38.04(3)(b)., for which the penalty is a forfeiture of not more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees.

TWELFTH COUNT: Unlawfully sell, vend, deal or traffic in alcohol beverages to or with an underage person not accompanied by parent, guardian or spouse who has attained the legal drinking age, to wit: Laura E. Marx, d/o/b [REDACTED], contrary to Section 38.04(1)(a)2. of the Madison General Ordinances and upon conviction thereof shall be subject to a forfeiture of not more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees

FACTS: On July 7, 2006, at approximately 11:39 p.m., Madison Police officer Kraig Knutson and other Madison Police Officers were conducting a routine bar check at the Church Key bar located at 626 University Avenue, Madison, Wisconsin. Officer Knutson contacted a white female who appeared to be under the age of 21. This female, later identified as Laura E. Marx, d/o/b 11/20/1985, handed Officer Knutson a Wisconsin photo driver's license with the name of Brittany E. Kegley, d/o/b [REDACTED]. Officer Knutson noted that the photo on Kegley's ID did not look like Marx and he also noted that the physical descriptors on Kegley's ID were quite different from Marx's physical description. Marx eventually admitted that Kegley's ID was not hers and that she used it to get into the Church Key. Marx told Officer Knutson that she had a Long Island Ice Tea to drink while in the Church Key.

06-85280

THIRTEENTH COUNT: Unlawfully permit an underage person unaccompanied by parent, guardian or spouse who has attained the legal drinking age to be on the premises in which alcohol beverages are sold, to wit: Anne M. Klongerbo, d/o/b [REDACTED], in violation of Madison General Ordinances, Sec. 38.04(3)(b)., for which the penalty is a forfeiture of not more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees.

FOURTEENTH COUNT: Unlawfully sell, vend, deal or traffic in alcohol beverages to or with an underage person not accompanied by parent, guardian or spouse who has attained the legal drinking age, to wit: Anne M. Klongerbo, d/o/b [REDACTED], contrary to Section 38.04(1)(a)2. of the Madison General Ordinances and upon conviction thereof shall be subject to a forfeiture of not more than Five Hundred Dollars (\$500) plus 26% statutory penalty surcharge, \$18 jail and crime lab surcharge, plus court costs and fees

FACTS: On July 21, 2006, at approximately 12:07 a.m., Madison Police Officer Kraig Knutson and other Madison Police Officers were conducting a routine bar check at the Church Key bar located at 626 University Avenue, Madison, Wisconsin. Officer Knutson noticed two females who appeared to be under the age of 21 and who appeared to be nervous upon seeing the police officers. Officer Knutson contacted one of the females later identified as Anne M. Klongerbo, d/o/b [REDACTED]. Klongerbo handed Officer Knutson a Wisconsin photo driver's license in the name of Melinda Andrzejewski with a d/o/b of [REDACTED]. Officer Knutson noted that

Klongerbo did not look like the photo on the Andrzejewski ID. Klongerbo eventually admitted she was not Andrzejewski and said she used that ID to get into the Church Key. Klongerbo stated that she was drinking a vodka cranberry while in the Church Key.

NOW, THEREFORE , for the above stated reasons, the Complainant demands that the Common Council of the City of Madison suspend the combination Class B license to sell fermented malt beverages and intoxicating liquors issued to Jongyeon Lee, dba Church Key, 626 University Avenue, Madison, WI, pursuant to Sec. 38.10(1)(a), Madison General Ordinances.

STATE OF WISCONSIN) )  
  ) ss.  
COUNTY OF DANE   )

City of Madison Assistant City Attorney, Jennifer Zilavy, being duly sworn on oath, states that she has read the foregoing Complaint against Jongyeon Lee, dba Church Key, and that the statements are believed to be true of her own knowledge, except those which are stated upon information and belief, and as to such matters, she believes them to be true as they are based upon reports by Madison Police Officers filed pursuant to their official duties.

\_\_\_\_\_  
Jennifer Zilavy  
Assistant City Attorney

Subscribed and sworn to before me  
this \_\_\_\_ day of June 2007.

\_\_\_\_\_  
Notary Public, Dane County, Wis.  
My Commission expires: \_\_\_\_\_