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STATE OF WISCONSIN

BEFORE THE CITY OF MADISON

DANE COUNTY

ALCOHOL LICENSING REVIEW COMMITTEE

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CITY OF MADISON

210 Martin Luther King Jr. Blvd. #401

Madison WI 53703

Complainant,

v.

**STIPULATION  
OF THE PARTIES**

RILEY'S/ BADGER LIQUOR, LLC # 18443  
d/b/a Badger Liquor  
Jongyeon Lee, Agent

RILEY'S/ BADGER LIQUOR, LLC # 18448  
d/b/a Badger Tasting Room

BRICKHOUSE BBQ, LLC # 18441  
d/b/a Brickhouse BBQ

CHURCH KEY/FOOD MARKET/THE VINEYARD, LLC # 18444  
d/b/a Church Key

CHURCH KEY/FOODMARKET/THE VINEYARD, LLC # 18445  
d/b/a Food Market

CHURCH KEY/FOODMARKET/THE VINEYARD, LLC # 18446  
d/b/a The Vineyard

RILEY'S/BADGER LIQUOR, LLC # 18440  
d/b/a Riley's Wines of the World

SAMBA LLC  
d/b/a Samba Brazilian Grill, # 18439

Respondents.

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A Complaint for Non-renewal was filed with the Alcohol License Review Committee ["ALRC"] by Assistant City Attorney Jennifer Zilavy on behalf of the City of Madison. Since

filing the Complaint, Jennifer Zilavy from the Office of The City Attorney, and David Geier, attorney for Respondent LLCs, have met to discuss the Complaint and the issues associated with the Respondent LLCs. Attorney Zilavy has agreed to withdraw the City's request for Non-renewal of Respondent LLCs' various alcohol beverage licenses based upon the following terms and conditions, all of which will be included on the alcohol beverage licenses as conditions, with the exception of paragraphs 8 and 9:

1. Jongyeon Lee shall surrender the Class "A" Beer alcohol beverage license for the Food Market, 626 University Avenue, Madison, WI.
2. Jongyeon Lee shall surrender the "Class B" Combination alcohol beverage license for the Badger Tasting Room, 402 State Street, Madison, WI.
3. Hyungirl Lee shall not have any involvement in the day-to-day operation and management of any of the named Respondent LLCs and shall not be named as an agent or representative of any of the named Respondent LLCs in any capacity.
4. Jongyeon Lee shall keep a full-time accountant on staff at all times and shall allow the accountant to maintain Respondent LLCs' business records.
5. Jongyeon Lee shall not be an agent for any of the Respondent LLCs.
6. Jongyeon Lee shall not be involved in the day-to-day management or operation of any of Respondent LLCs. As managing member of the LLCs, she shall employ, on behalf of the LLCs, one or more individuals as business managers (collectively "Business Manager"). The job description of the Business Manager is that he or she will have final determination in day-to-day management and operation of the Respondent LLCs, including but not limited to, hiring, firing or disciplining employees, negotiating with vendors or establishing work place rules or

regulations. Jongyeon Lee shall have the right to discuss issues with the Business Manager and shall have the right to establish budgets for Respondent LLCs. In the event that the Business Manager is terminated or resigns, Jongyeon Lee shall promptly, on behalf of Respondent LLCs, hire a new Business Manager with the same job description and duties as set forth in this paragraph. Currently, it is contemplated that two persons will act as co-Business Managers, one on operations/management and the other financial. These two individuals will act in these capacities for all of Respondent LLCs. Nothing in this provision prohibits Respondent LLCs from hiring respective Business Manager at a later date. Any Business Manager shall have the right to consult with Jongyeon Lee and seek her advice, provided that the Business Manager shall have the final determination as set forth above.

7. Jongyeon Lee shall have agents in place for each Respondent LLC by June 30, 2010.
8. Jongyeon Lee shall plead "no contest" to Municipal Court Case No. 10MOR2948, City of Madison vs. The Vineyard, LLC, 23 counts of Selling to Underage, and shall pay a forfeiture in the amount of seven thousand two hundred ninety six dollars (\$7,296)
9. The alcohol beverage license for The Vineyard shall be suspended for 60 (sixty) days as follows: September 1 through September 30, 2010, reopening on October 1, 2010; and March 1 through March 30, 2011, reopening on March 31, 2011.
10. The Vineyard staff shall utilize an ID scanner on all individuals who appear to be under the age of 40. The Vineyard staff shall monitor data on the scanner and

provide said data to police upon request. If The Vineyard staff notices data on the scanner indicates frequent buyers with out of State ID's, The Vineyard staff shall report such information to the Madison Police Department Central District and provide the data on such to the Madison Police Department Central District.

11. The Vineyard staff shall utilize a black light to assist in detecting false ID's.
12. The Vineyard staff shall have all staff attend responsible beverage server training and when new staff are hired, shall have new staff attend such training.
13. The Vineyard staff shall confiscate all suspect false ID's and turn them over to the Madison Police Department Central District every two (2) weeks.
14. The Vineyard shall affix a non-permanent identification label or tag, approved by the Madison Police department, on all kegs. Such label or tag shall include The Vineyard's name, address and telephone number. The Vineyard staff shall at the time of keg sale, require a valid photographic identification from the purchaser and complete an identification form which must contain the purchaser's name, address, date of birth, driver's license number, detailed description of purchase and date of sale and the address where the keg will be consumed. The Vineyard staff shall also require the purchaser to sign a statement declaring that: (1) The purchaser is of legal age to purchase or consume alcoholic beverages; (2) the purchaser will not allow any person under the age of twenty-one (21) to consume the beverage; and (3) The purchaser will wnot remove, obliterate or otherwise tamper with the identification label or tag affixed to the keg. These records shall be maintained for one year and shall be open to inspection by the Madison Police Department during normal business hours.

15. The alcohol beverage license for Riley's Wines Of The World shall be suspended for ten (10) days as follows: January 23, 2011 through February 1, 2011, reopening on February 2, 2011.
16. The alcohol beverage license for the Church Key shall be suspended for fifteen (15) days as follows: February 15, 2011 through March 1, 2011, reopening on March 2, 2011.
17. The alcohol beverage license for Badger Liquor shall be suspended for ten (10) days as follows: February 1, 2011 through February 10, 2011, reopening on February 11, 2011.

The parties hereby agree to all terms and conditions stated in this Stipulation.

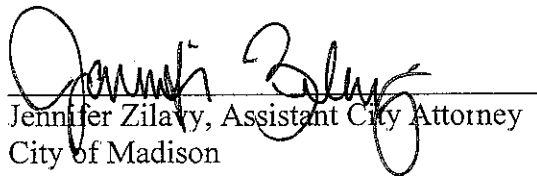
Dated this 8<sup>th</sup> day of June, 2010



Jongyeon Lee  
Owner and Managing Member of  
Respondent LLCs



David Geier  
Attorney for Respondent LLCs



Jennifer Zilavy, Assistant City Attorney  
City of Madison