

CITY OF MILWAUKEE

Form CA-43

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December 12, 2001

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Ronald D. Leonhardt
City Clerk
City Hall, Room 205

Re: Michael DeSautel "Daddios" v. City of Milwaukee
Case No. 01-CV-010580

Dear Mr. Leonhardt:

Enclosed please find a true and correct copy of the Order for Judgment of the Honorable Timothy Dugan dated November 30, 2001.

Please be advised that this matter is now returned to the Milwaukee Common Council with directions to remand the matter to the Utilities and Licenses Committee for further proceedings in light of the court's decision of November 13, 2001.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce D. Schrimpf".

BRUCE D. SCHRIMPF
Assistant City Attorney

BDS:wt:48204

Enclosure

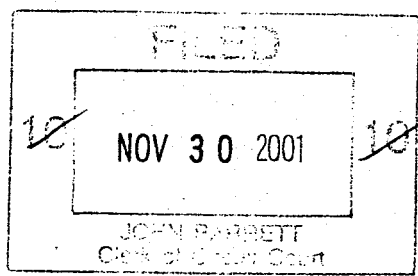
cc(w/enclosure):

Alderman Marvin Pratt
Alderman Jeffrey Pawlinski
Alderman Fredrick Gordon
Alderman Terrance Herron
Alderman Angel Sanchez
Alderman James Bohl
Alderwoman Rosa Cameron-Rollins
Leo Wagner, License Division Manager
Sergeant John Hogan

State ex rel. Michael Desautel,
As agent for Mr. Entertainment, Inc.
d/b/a Daddios,

Plaintiff,

vs.



Case No. 01cv010580

City of Milwaukee,

Defendant,

Order for Judgment

This matter came before the court on November 13, 2001 on plaintiff's motion for a temporary injunction to enjoin the City of Milwaukee from revoking his liquor or cabaret license at the subject property. The court took some limited testimony from each party and considered the documents and briefs submitted by each party. The court determined that the hearing before the Utilities and License Committee did not constitute a fair and impartial hearing. Therefore, the court concluded that the committee hearing was invalid and void and that the revocation of the licenses was also void. The court was going to temporarily enjoin the City from preventing plaintiff from operating its business until a final hearing occurred. However, the City advised the court that it was not necessary to hold a final hearing and a final judgment could be entered vacating the revocation of plaintiff's licenses.

NOW, THEREFORE, IT IS ORDERED, for the reasons stated on the record, that:

1. The action of the Milwaukee Common Council of November 6, 2001, revoking the Class "B" tavern license of plaintiff is vacated; and
2. The matter is remanded to the Milwaukee Common Council with directions to remand the matter to the Utilities and License Committee for further proceedings in light of the courts decision.

November 30, 2001

By the Court:

TIMOTHY G. DUGAN
Hon. Timothy G. Dugan
Circuit Judge Br. 10