

# CRUMP LAW FIRM, LLC

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CITY OF MILWAUKEE  
13 APR -3 PM 12:04  
CITY CLERK'S OFFICE

Date: April 3, 2013

To: All Members of the Milwaukee Common Council

From: Attorney Lafayette L. Crump, Attorney for Lawrence M. Wigen / Larry's Fiesta

Re: Renewal Applications of the Class "B" Tavern and Public Entertainment Premises Licenses of Lawrence M. Wigen for the premises located at 5219 West Hampton Avenue ("Larry's Fiesta) in the City and County of Milwaukee, Wisconsin

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Council Members,

Please review and consider the Comments and Objections to the Findings of Fact of the Licenses Committee listed below.

1. With respect to Finding of Fact 5(D):

a. Please note the following chronology of events, which is supported by the Findings of Fact:

- i. On December 3, 2012, a search warrant was obtained for the premises. At this point, neither the Owner of the bar (Lawrence Wigen) nor the licensed Manager (Antonio Hopgood), were made aware that an ongoing investigation was underway regarding employee Leonard Givens.
- ii. The investigation revealed that Leonard Givens, acting alone, hid drugs in a bag above a heating duct in the basement of the bar.
- iii. Givens was appropriately arrested.
- iv. When the bar Owner and the Manager learned of Givens' illegal activities, he was fired.
- v. An Officer spoke to Mr. Wigen on December 9, 2012, regarding Mr. Givens. Mr. Wigen was unsure of the exact relationship Givens had with the bar Manager. The Officer's report mistakenly identified Mr. Givens as a part Owner, and mistakenly identified Nathan Fraction, who works with the Manager, as "Nathan Given."

2. With respect to Finding of Fact 5(E):

- a. While the Finding of Fact states that a "Notice of Public Nuisance" (or "Drug Letter") was mailed to Mr. Wigen by District 7 on December 13, 2012, the envelope is postmarked December 19, 2012 (see attached). Mr. Wigen received the letter a day or two later.
- b. The letter stated that Mr. Wigen "must take IMMEDIATE action to abate the nuisance [drug] activity at this property" and to "contact PO Lisa Saffold at 414-935-7314."

- c. By the time Mr. Wigen received the letter (over two weeks after the warrant was issued), he had already taken action to abate nuisance activity on the property. As Leonard Givens, the sole perpetrator of any drug activity on the property, had already been fired from the bar, and not allowed back on the premises, the requirement for abating the nuisance activity had been satisfied.
- d. Nonetheless, Mr. Wigen and I conducted a thorough investigation of the bar, the Manager, and other employees to ensure that there was no additional activity taking place on site. This investigation was conducted to be compliant with the law, ensure public safety, protect Mr. Wigen's investment and provide a clear picture of our findings to the Police.
- e. Following this internal investigation, I reached out to Officer Saffold, calling her at 414-935-7314, on January 2, 2013.
- f. Officer Saffold did not answer her phone, but her voicemail picked up.
- g. I left a detailed message indicating that the perpetrator had been caught by the police, fired from the bar, and barred from the premises. I further indicated that we had conducted a thorough internal investigation, and had no reason to believe there was any other activity taking place at the bar. I left my phone number and email address for the Officer to contact me if she had additional questions.
- h. To this date, neither I, nor Mr. Wigen, have received any follow up calls or letters from the Police related to concern regarding drug or nuisance activity at the property.
- i. We considered the matter of the Nuisance Letter resolved because:
  - i. The police had arrested the sole perpetrator.
  - ii. The police conducted a thorough search, locating the drugs that were hidden by the perpetrator.
  - iii. We complied with the Officer's request that we respond to the letter by calling her.
  - iv. We further complied with the directive to ensure that no additional nuisance activity was taking place at the property.
  - v. We never heard from the Police again.

3. With respect to other Findings of Fact:

- a. Captain Regina Howard of MPD District 7 acknowledged that "She and her department were not aware [of] any specific drug incidents at the tavern." (Finding 5(G)).
- b. There was no evidence presented that connected heroin use at a McDonald's three blocks from Larry's Fiesta with Mr. Wigen's establishment.
- c. There was no evidence presented that demonstrates that any trash outside of the bar is connected with the bar. Nonetheless, the bar Owner and Manager routinely clean up trash outside of the bar.
- d. There was no evidence presented that confirms that any gunshots heard in the area were clearly emanating from the bar itself.
- e. All parties have acknowledged that the one individual investigated by the Police, Leonard Givens, never had any ownership in the bar, despite an earlier mistaken impression.

4. Regarding the citation for collusion, on January 30, 2013, I went to Milwaukee Municipal Court, on Mr. Wigen's behalf, regarding Citation Number 6145749-1, prepared to present evidence regarding Mr. Hopgood having a legitimate Bar Manager's license (see attached License), and running the bar on Mr. Wigen's behalf.
5. The Court had no record of any Citation being filed, and the clerk indicated that there was no matter before the Court to address.
6. A copy of the "No Record of Citation" document provided by the Court on January 30, 2013 is attached.
7. Mr. Wigen, had hoped to sell the property to Mr. Hopgood, and that Mr. Hopgood would in turn seek his own licenses.
8. Mr. Wigen understands the necessity of monitoring and mentoring Mr. Hopgood and his associates to prepare them for ownership of the property.
9. Mr. Wigen testified that would be an active participant in the management and monitoring of his establishment, and will honor this testimony through action.

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#### FINAL COMMENTS

Mr. Wigen, as well as his manager, Antonio Hopgood, take the safety of bar patrons and the neighborhood very seriously. The finding of drugs hidden in the basement of the bar, and Leonard Givens' other clandestine activities came as a shock to both of them. Immediate steps were taken several months ago to ensure that nothing like this would ever happen again.

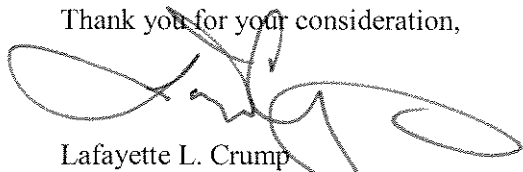
The lack of Police contact with the bar, Mr. Wigen and Mr. Hopgood since the arrest of Leonard Givens in December affirms the fact that the Police have no reason to believe that either individual was responsible for the actions of Leonard Givens.

One rogue individual acting alone, with no ownership in the bar, is responsible for the contraband found at the property. While this could have happened anywhere, Mr. Wigen and Mr. Hopgood will ensure that it never happens again at Larry's Fiesta.

While we believe that the 60 day suspension recommended by the Licenses Committee is unwarranted, and would prefer and request immediate renewal, we fully recognize and appreciate the concerns of the Committee members, the entire Council and the community at large.

We humbly and respectfully request a renewal of the licenses, and request that any suspension begin as of the date of the expiration of the previous licenses, March 23, 2013.

Thank you for your consideration,



Lafayette L. Crump  
Attorney for Lawrence M. Wigen / Larry's Fiesta



BE A FORCE

Milwaukee Police Department  
P.O. Box 531  
Milwaukee, WI 53201-0531

IN REPLY REFER TO: \_\_\_\_\_

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Laurence Wigen  
4745 N. 53rd Street  
Milwaukee, WI 53210

MILWAUKEE WI 531  
20 DEC 2012 PM 4  
FROM THE USPS



ZIP 53235  
011011625026

5321001445

146583

CLASS B MANAGER'S LICENSE



*Jan R. Ogden*

CITY CLERK  
[www.milwaukee.gov/license](http://www.milwaukee.gov/license)

BMGR - 0196298  
EFF DATE: 05/22/2012 EXP DATE: 06/30/2013

ANTONIO T HOPGOOD

License Cross Reference:  
LARRY'S FIESTA (EMPLOYER) BTAVN-0199678

City Hall - Room 105 - 200 East Wells Street - Milwaukee, WI 53202-3570 - Phone (414) 286-2238 - Fax (414) 286-3057  
Email: [license@milwaukee.gov](mailto:license@milwaukee.gov) - Website: [www.milwaukee.gov/license](http://www.milwaukee.gov/license)

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*Jan R. Ogden*  
CITY CLERK

LICENSE REQUIRED TO BE DISPLAYED OR CARRIED

EXPIRATION DATE: 06/30/2013  
LIC. NO: BMGR 0196298  
LICENSE: CLASS B MANAGER'S LICENSE

ANTONIO T HOPGOOD  
H123-0188-3164-05

Milwaukee Municipal Court  
951 N James Lovell St  
Milwaukee, WI 53233-1449  
Phone: (414) 286-3800  
Fax: (414) 286-3615



CITY OF MILWAUKEE  
**MUNICIPAL COURT**

**Phillip M. Chavez, Presiding Judge**  
Branch 3

**Valarie A. Hill, Judge**  
Branch 1

**Derek C. Mosley, Judge**  
Branch 2

**Sheldyn M. Himle**  
Chief Court Administrator

**Jane E. Tabaska**  
Assistant Court Administrator

January 30, 2013

LAWRENCE WIGEN

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**No Record of Citation**

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RE: Citation Number(s): 6457491

Court Date: January 30, 2013

The Milwaukee Municipal Court has no record of the citation(s) listed above as having been filed with the Court as of January 30, 2013.

It is important for you to understand that the City Attorney's Office has (by law) two years from the date of offense within which to file the citation with the Court.

**[Wisconsin Statutes Chapter 893.93 Miscellaneous actions<sup>1</sup> ]**

Should the citation be filed with the Court at a later date, the Milwaukee Police Department will mail a notice to you that will advise you of your hearing date and location. This notice will be mailed to the address that appears on the citation.

Please retain this document for your records.

Sheldyn M. Himle  
Chief Court Administrator

SMH: PYW

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<sup>1</sup> (2) The following actions shall be commenced within 2 years after the cause of action accrues or be barred:

(b) An action to recover a forfeiture of penalty imposed by any bylaw, ordinance or regulation of any town, county, city, or village or of any corporation or limited liability company organized under the laws of this state, when no other limitation is prescribed by law.