

WHITCOMB LAW

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June 10, 2013

The Honorable Common Council
of the City of Milwaukee
Room 205, City Hall
200 E. Wells Street
Milwaukee, WI 53202

Re: Renewal of Class "B" Tavern, and Public Entertainment Premises Licenses
Licensee: The Chalk House MKE, LLC
Premises: 1137 N. Old World 3rd St
Trade Name: The Loaded Slate

Honorable Members of the Common Council:

Please be informed that this office represents the above-referenced license renewal applicant. This communication is submitted as an addendum to the applicant's written objections to the May 31, 2013, report of the Licenses Committee (hereinafter "Committee"), recommending to suspend the licenses for a period of ten days. The applicant requests that these written objections be considered at the Common Council meeting of Tuesday, June 11, 2013, at which time the Committee's recommendations regarding the license renewals will be considered. The recommendation of the Committee was based upon minor incidents contained in a report of the Milwaukee Police Department, and concerns of the local alderperson.

The ten-day suspension of the licenses for these reasons is severe and excessive punishment--especially considering the tavern employs twenty-five people and is scheduled to host a number of private functions and a charity event during this suspension.*

* Attached hereto are letters from a number of employees regarding how this suspension will affect them and the difficulties in spotting the growing number of sophisticated false identification cards.

The licensee has ran a successful restaurant and tavern for the past two years, as evidenced by its renewal last year, at which time it had no items on its police report and zero objections, and the current year's police report, which had comparatively few incidents with respect to other establishments in the area. The police report does not support a suspension. Adhering to the Committee's policy of progressive discipline, a warning letter is the appropriate punishment.

The underpinnings of the Committee's recommendation was based upon three incidents in the police report citing that underage patrons were observed in the tavern. Of these three incidents, **only a total five individuals** received a citation from the Milwaukee Police for being underage.

Recently, many downtown entertainment venues have seen an influx of incredibly accurate and sophisticated false identification cards obtained on the internet from foreign counterfeiters. A simple Google search of "fake ids" will result in an overwhelming number of websites offering identification cards that are extremely well made. Even the Milwaukee Police have a hard time spotting these cards solely on appearance. Since the time of these incidents, the licensee has adopted new policies, developed with the assistance of the Milwaukee Police, and instituted new training to stop underage patrons from using these false identification cards. One may assume that since the Milwaukee Police did not issue a citation to the licensee for the presence of underage patrons, the officers felt that the tavern did deserve a citation for failing to spot these extremely accurate and sophisticated false identification cards.

The licensee hereby respectfully requests the following relief:

1. Vote not to accept the recommendation of the Licenses Committee and grant renewal of the licenses with a written warning; or
2. In the alternative, vote to return this matter to the Licenses Committee to conduct a full and fair hearing with the benefit of counsel.

Thank you for your consideration.

Sincerely,



Michael J. Whitcomb

c: The Chalk House MKE, LLC

My name is Kara Gucciardo and I am an employee of the Loaded Slate Bar and Restaurant. Earlier this week our manager brought to all of our attention that our liquor license will possibly be suspended for 10 days due to under age customers in our establishment. Working every weekend and commuting to work with our bouncers and other co workers, I know that we all care a lot about the responsibility of keeping under agers out of our bar. Fake ID's can be very hard to spot with the many different ways someone can acquire one.

All of the employees were also informed that The Loaded Slate has never been ticketed for underage drinking in the past. Being a student with this as my only source of income throughout summer, a 10 day suspension would really affect my finances which allow me to get by day to day. Instead of such a harsh punishment, I am kindly requesting that we get issued a warning. If a warning is issued we would be able to practice checking identification with more caution right away, which is the number one thing that anyone's night out starts with. I appreciate your time and consideration.

Sincerely,

Kara Gucciardo

Michael J. Whitcomb

From: schaferm@uwm.edu
Sent: Saturday, June 08, 2013 3:15 PM
To: mjwhitcomb@lawmke.com; rjbauma@milwaukee.gov; jowcza@milwaukee.gov
Subject: The Loaded Slate Bar and Restaurant suspension

Hello,
My name is Madeline Schafer and I am currently employed by The Loaded Slate. I am a full time student and am paying for my education as well as all of my living expenses. It is my understanding that our liquor license is being suspended for 10 days due to underage people coming in with fake IDs.
Because of the way fake IDs are made it is extremely difficult for us to spot them and take them away. As to my knowledge The Loaded Slate has never been given a ticket because of the underage people, so I believe a 10 day suspension would be extremely unwarranted and some sort of warning ticket or something along those lines would be more appropriate.

Thank you for your time,
Madeline Schafer

Michael J. Whitcomb

From: Stephanie Bostrom <bostromstephanie@yahoo.com>
Sent: Saturday, June 08, 2013 2:57 PM
To: mjwhitcomb@lawmke.com
Subject: Liquor license suspension

Hello,

My name is Stephanie Bostrom, I am employed at the Loaded Slate Bar and Restaurant located at 1137 N Old World 3rd St. My boss informed me that our Liquor License is to be suspended for 10 days due to under-agers having been found at our establishment. As I'm sure you are well aware, fake-id's are very difficult to spot and in a City that has several Universities and Colleges, there are many under the age of 21 that visit drinking establishments in our City.

It is my understanding that Loaded Slate has not been ticketed for underage drinking in the past, so it seems as if a suspension of the license is pretty severe. I respectfully request you consider issuing a warning for this offense. As a College Student that lives in this Beautiful City year-round, I can not afford to miss 10 days of work.

Thank You for your consideration
Stephanie Bostrom

Michael J. Whitcomb

From: Josh Cherry <jbcherry24@gmail.com>
Sent: Saturday, June 08, 2013 2:46 PM
To: mjwhitcomb@lawmke.com; Jeromemellon@gmail.com; rjbauma@milwaukee.gov;
jowcza@milwaukee.gov
Subject: Loaded Slate Milwaukee

To The Common Council:

My name is Josh Cherry and I am an employee for the Loaded Slate Milwaukee Restaurant and Bar and news was recently brought to me about that fact that we may have our liquor license suspended for 10 days. I understand that we had some underage incidents but the owners took responsibility for that and had all of us staff members go over a pamphlet that shows us how to check for fake ID's more thoroughly to avoid future incidents. We have been confiscating more fake ID's ever since we went over this pamphlet information. As for myself, and I know the rest of the staff will have a very hard time financially if we are shut down for 10 days. I know we all understand the severity of this situation and would be greatly appreciative if you would give us a warning instead of 10-day suspension. It would significantly affect us all as the majority of the people working here are still in school UWM, MATC, Marquette, and MSOE and we are living paycheck to paycheck.

Thank you for your time and considerations.

Sincerely,

Josh Cherry