

**WEST ALLIS COMMON COUNCIL
LICENSE AND HEALTH COMMITTEE
CITY OF WEST ALLIS**

**In the Matter of the
Complaint Against**

**FINDINGS OF FACT, CONCLUSION OF
LAW, AND RECOMMENDATION**

**D's Too, Inc.,
Pauline Ziegler, agent,**

STATE OF WISCONSIN)
) ss.
COUNTY OF MILWAUKEE)

Upon deliberation and consideration of the complaint presented at the License and Health meeting held on February 5, 2013, the Committee finds:

FINDINGS OF FACT:

1. That D's Too, Inc., by registered agent, Pauline Ziegler, was properly served a copy of the summons and complaint, pursuant to Wis. Stat. § 125.12(2)(ar);
2. That Pauline Ziegler failed to appear to contest the complaint and, thus, the allegations in the complaint are considered to be true;
3. That the conduct of Pauline Ziegler and D's Too, Inc. described in the complaint substantially relates to the alcohol beverage licensed activity contrary to Wis. Stat. § 125.04(5)(c);
4. That in particular, D's Too, Inc's failure to hold a valid seller's permit and closure of its tavern for more than 30 consecutive days is contrary to Wis. Stat. § 125.04(5)(c).

CONCLUSION OF LAW:

1. That the foregoing constitutes a sufficient basis to not renew the Class "B" Fermented Malt Beverage License of D's Too, Inc.

RECOMMENDATION:

Therefore, the License and Health Committee recommends to the Common Council of the City of West Allis that the Class "B" Fermented Malt Beverage License of D's Too, Inc. be revoked and not renewed.

Dated at this 8 day of FEBRUARY, 2013.

By: 

Michael J. Czaplewski
License & Health Committee
West Allis Common Council