

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

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**In the Matter of the  
Complaint Against**

**COMPLAINT**

**Courtney Nissenbaum,**

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**STATE OF WISCONSIN        )  
  ) ss.  
COUNTY OF MILWAUKEE    )**

Michael J. Czaplewski, being duly sworn, on oath deposes and states as a complaint against Courtney Nissenbaum as follows:

1. That the complainant is a resident of the City of West Allis, is the duly elected Alderperson for the First Aldermanic District in the City of West Allis, is the chair of the License and Health Committee, and makes this complaint at the direction of the License and Health Committee of the West Allis Common Council.
2. That the information contained in this complaint comes from the complainant's review of official records maintained by the City of West Allis, the West Allis Police Department, and the West Allis City Clerk's office, which records complainant believes to be reliable and accurate.
3. That Courtney Nissenbaum is the holder of a operator's license, License No.10-239, to sell/serve alcoholic beverages under Chapter 125, Wis. Stat., issued by the West Allis Common Council for the license period beginning July 1, 2007, and ending June 30, 2008.
4. That according to the records of the West Allis Police Department, on June 25, 2008, Officer Zachary Scott observed Nissenbaum parked in the middle of the road, in the wrong lane, in the area of South 65<sup>th</sup> Street and West Greenfield Avenue.

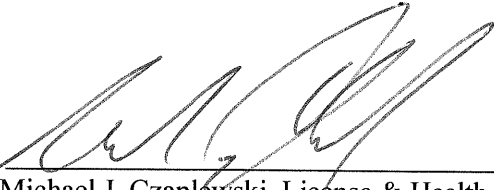
5. That upon making contact with Nissenbaum, Officer Scott observed that she had red and glassy eyes, a strong odor of intoxicants on her breath, and slurred speech.
6. That Nissenbaum told Officer Scott that she was bartending at Bugsy's Bar earlier that night and drove directly to the Spot Lite bar after her shift. She stated that she had two wines and three shots to drink within five hours while at Bugsy's and felt that she was okay to drive.
7. That Nissenbaum failed the standardized field sobriety tests, and Officer Scott arrested her for operating while intoxicated.
8. That Nissenbaum submitted a breath sample to an intoximeter within 45 minutes of driving her vehicle, and the result was a .12 blood alcohol concentration.
9. That Officer Scott issued citations to Nissenbaum for operating while intoxicated and operating a motor vehicle with a prohibited alcohol concentration.
10. That Nissenbaum did not appear at West Allis Municipal Court for her citations, and a default judgment was entered against her on July 26, 2008.
11. That as of September 12, 2008, Nissenbaum has not paid the \$726.00 forfeiture for the operating while intoxicated conviction to the West Allis Municipal Court.
12. That the West Allis City Clerk's office notified Nissenbaum by letter that the License and Health Committee ordered her appearance to its August 5, 2008 meeting.
13. That Nissenbaum failed to appear at that meeting. Nissenbaum called the Clerk's office the next day to give an excuse why she missed the meeting.
14. That the West Allis City Clerk's office notified Nissenbaum by letter that the License and Health Committee ordered her appearance to its September 2, 2008 meeting.
15. That Nissenbaum called the clerk's office on September 2 to confirm the appearance,

but failed to appear at the meeting.

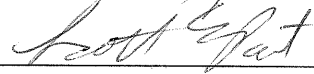
16. That Courtney Nissenbaum's conviction for operating while intoxicated and failure to appear in response to the License and Health Committee's summons are grounds for non-renewal, suspension, or revocation of her operator's license.

**WHEREFORE**, Michael J. Czaplewski, requests that Courtney Nissenbaum be summoned to appear before the License and Health Committee of the West Allis Common Council to answer this complaint and, if the material allegations of the complaint are denied, that a hearing be held to determine whether the Operator's License, License No. 10-239, of Courtney Nissenbaum should be revoked, suspended, or not renewed.

Dated at this 16 day of Sept, 2008.

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

Subscribed and sworn to before me  
this 16 day of Sept, 2008.

  
( )  
Notary Public, State of Wisconsin  
My Commission expires: 12/31/2011