

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

**In the Matter of the
Complaint Against**

COMPLAINT

**Cugino's Entertainment, LLC,
Dominic LaLicata, agent,**

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

Michael J. Czaplewski, being duly sworn, on oath deposes and states as a complaint against Cugino's Entertainment, LLC 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 Chairman 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 and the West Allis Police Department, which records complainant believes to be reliable and accurate.
3. That Cugino's Entertainment, LLC is the holder of "Class B" Intoxicating Liquor & Class "B" Fermented Malt Beverage License Number 11-1301, Dance Hall License Number 11-1303, and Tavern Special Entertainment License Number 11-1302, issued by the West Allis Common Council for the license period beginning July 1, 2011, and ending June 30, 2012, for the premises located at 9440 West National Avenue, West Allis, Wisconsin, and does business under the trade name "Crazy Horse."
4. That Dominic LaLicata is the agent of Cugino's Entertainment, LLC's above-

referenced licenses.

5. That on June 4, 2010, a 20-year-old woman with the initials A.S. came to the West Allis Police Department to report that Dino LaLicata had raped her at Crazy Horse.
6. That Detective Jessica Johnson's investigation revealed that A.S., along with four of her girlfriends with the initials of "L.D.," "K.H.," "A.J.," and a 17-year-old girl with the initials of "K.K.," met Dino LaLicata at Shepherd's Tavern on June 1, 2010.
7. That after they consumed several alcoholic beverages, at approximately 1:00 a.m., Dino LaLicata invited A.S. and her friends to Crazy Horse, where he served them more alcoholic beverages.
8. That the five girls waited in a room next to the main bar until the bar closed and the dancers left; that after the bar closed, a Crazy Horse employee brought them a tub of beer and Mike's Hard Lemonade on ice.
9. That while in this room, Dino Lalicata pulled K.H. down the staircase and tried kissing her; that when K.H. told him that she did not want to be with him, he told her that A.J. needed to leave because she wasn't his type and that K.K. had to leave because he didn't want his business shut down.
10. That A.S. drove around the block to pretend that she, K.H., and L.D. were going home so that A.J. would leave; that A.S. was so intoxicated that she nearly crashed into a tree; that someone picked up K.K. to take her home.
11. That after pretending to leave, A.S., K.H., and L.D. went into the main bar of Crazy Horse and received several alcoholic drinks from Dino Lalicata; that other men, who appeared to be Dino LaLicata's friends, were also present at Crazy Horse at this time.
12. That a short time later, L.D. began having sexual intercourse with one of the men in the "champagne room" of Crazy Horse.

13. That Dino LaLicata removed his clothes, pulled both K.H. and A.S. into the other “champagne room,” and tried ripping off their clothes; that A.S. and K.H. were pushing, punching, and kicking him backward to stop him.
14. That Dino LaLicata began pulling A.S.’s hair and pulled her mouth onto his penis; that when A.S. kept pushing him away, Dino LaLicata grabbed the back of K.H.’s hair and tried to force her to perform fellatio.
15. That K.H. ran out of the room to ask for help from L.D., but she refused to help. When K.H. returned to the room, she saw that Dino LaLicata had removed all of A.S.’s clothes and had her kneeling on the floor, bent over the couch.
16. That K.H. observed that A.S. was passed out and did not respond to K.H.’s trying to rouse her.
17. That Dino LaLicata placed a condom on his penis, spread A.S.’s legs, and had sexual intercourse with her.
18. That K.H. tried to use her phone for help, but it was dead. She then tried pulling A.S. away from Dino LaLicata, but could not do so.
19. That Dino LaLicata began having sex with A.S. more violently, and A.S. woke up in pain and tried pushing Dino LaLicata off of her.
20. That when Dino LaLicata finished having sex with A.S., the three women left Crazy Horse at approximately 5:00 a.m.
21. That A.S. did not recall having sex with Dino LaLicata due to her intoxication level and suffered soreness in her vaginal area the next day.
22. That, as a result of this incident, Detective Johnson issued citations to Dino LaLicata for allowing a tavern to remain open during closing hours, in violation of Wis. Stat. 125.32(3)(a), and allowing an underage person to enter and remain on premises, in violation of Wis. Stat. 125.07(3)(b).

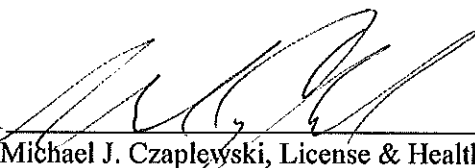
23. That on September 6, 2011, LaLicata was convicted of allowing an underage person to enter and remain on premises in West Allis Municipal Court.
24. That on March 6, 2011, West Allis police officers responded to Crazy Horse after another officer observed a disturbance outside the bar.
25. That investigation revealed that five men – Kenneth Johnson, Michael Downing, William Johnson, Kyle Phillips and Justin Phillips – were inside Crazy Horse until security guards asked them to leave; that while outside, three unknown men attacked Justin Phillips by punching him; that Kenneth Johnson, Downing, and Kyle Phillips tried to defend Justin Phillips from the three men; that Kenneth Johnson suffered pain and an abrasion to his head; that Downing had a bloody mouth and a loose tooth; that Kyle Phillips suffered a bloody mouth as a result of this incident.
26. That William Johnson told police that security from Crazy Horse watched the altercation, and that after the altercation was over, the security guards walked with the three unknown males eastbound on West National Avenue.
27. That West Allis police interviewed Robert Wellen, a security guard at Crazy Horse, who stated that he came outside the club and observed the altercation between the men.
28. That no one from Crazy Horse called the police to report the incident.
29. That on November 18, 2011, at approximately 2:15 a.m., Eli Martinez came to the West Allis Police Department to report that he was assaulted at Crazy Horse.
30. That an investigation revealed that earlier that morning, William Brown punched Martinez in the face several times while inside Crazy Horse and created a disturbance, which led to an argument, overturned tables, and broken glasses.
31. That Martinez stated that after Brown assaulted him, he was not assisted by any Crazy Horse employees; that when he asked security employees if the police were

going to be called, they told him to leave the bar through the back door.


- 32. That bar employees, Jason Steel and Brian Malec, admitted to West Allis police officers that after they broke up the altercation between Martinez and Brown, they did not call the police because they felt the incident was minor.
- 33. That Detective Nicholas Pye issued a disorderly conduct citation to William Brown as a result of this incident.
- 34. That Cugino's Entertainment, LLC, has violated the provisions of Chapter 125, Wis. Stats.; keeps or maintains a disorderly or riotous, indecent or improper house; and has violated sections 9.02(12)(b), 9.02(12)(c) and 9.02(12)(d) of the West Allis Revised Municipal Code.

WHEREFORE, Michael J. Czaplewski requests that Cugino's Entertainment, LLC 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 "Class B" Intoxicating Liquor, Class "B" Fermented Malt Beverage License, Dance Hall License, and Tavern Special Entertainment License should be revoked, suspended, or not renewed.

Dated this 21 day of Feb, 2012.

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

Subscribed and sworn to before me
 this 21 day of Feb, 2012.


 (_____)
 Notary Public, State of Wisconsin
 My Commission expires: perm.

IN THE MATTER OF THE COMPLAINT AGAINST CUGINO'S ENTERTAINMENT, LLC: CITY OF WEST ALLIS v. CUGINO'S ENTERTAINMENT, LLC

State of Wisconsin)

: ss

AFFIDAVIT OF SERVICE

Milwaukee County)

Lori Belli, under oath, says:

1. That affiant is a citizen and resident of the State of Wisconsin, over 18 years old, and is not a party nor in any manner interested in this proceeding.
2. That on February 24, 2012, at 7:04 o'clock p.m., at 9440 W National Ave., affiant served a copy of this **Summons and Complaint** on the Defendant, Cugino's Entertainment, LLC, by personally delivering to and leaving a copy of same with:

a) The Agent, Dominic LaLicata.

b) Jason M. Steel, a person in charge of the office at 9440 West National Avenue. The person was informed of the contents of the summons.

L Belli

(Signature of person serving papers)

Subscribed and sworn to before me
this 24 day of Feb, 2012.

[Signature]
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Notary Public, State of Wisconsin

My Commission: 1-12-16