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JUN 08 2020

WEST ALLIS  
CITY ATTORNEY

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

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**In the Matter of the  
Complaint Against**

**Havana Lounge LLC  
d/b/a Havana Lounge and Cigar  
Brian Blocher, licensing agent.**

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STIPULATION

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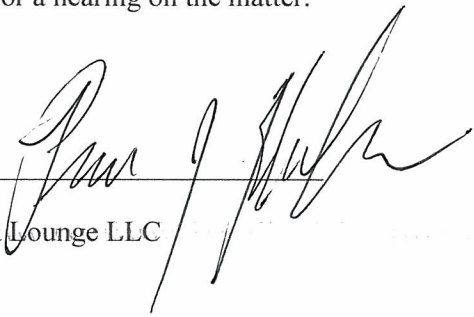
The West Allis City Attorney's Office, by Assistant City Attorney Nicholas Cerwin, and Havana Lounge LLC by its agent Brian Blocher, hereby agree and stipulate as follows:

1. That Havana Lounge LLC is the current holder of a 2019-2020 Combination Class B Liquor and Fermented Malt Beverage License under number 19-1210, issued by the West Allis Common Council for the license period beginning July 1, 2019 through June 30, 2020 for the premises located at 9505 W. Greenfield Avenue, West Allis, Wisconsin; and does business under the trade name Havana Lounge and Cigar.
2. That the City of West Allis Health Department issued a an order titled, Covid-19 Public Health Plan for Suburban Milwaukee County, hereafter "Local Health Order," which in part restricted bars from allowing food or drink to be consumed on premises and required that no seating be provided to customers from May 14 through May 21<sup>st</sup>.
3. That based on investigation by the West Allis Police Department, Havana Lounge LLC, did operate to the extent that persons were seated inside the licensed establishment with open intoxicants on at least two occasions during the pendency of and in violation of the Local Health Order.
4. That sufficient grounds exist as stated above for the imposition of sanctions or penalties set forth in Wis. Stat. § 125.12(2)(b)2.
5. That based on the above information, Brian Blocher, as licensing agent for the Havana Lounge LLC does agree to close the establishment for two days during which time no alcoholic beverages shall be served at the premises in lieu of the City proceeding with a Summons and Complaint on the matter and referring the matter to the West Allis Common Council for a hearing on the violations. Those dates of closure will be as follows:


Day 1: Sunday June 14<sup>th</sup>, 2020, at 6:00 AM to 6:00 AM on June 15<sup>th</sup>

Day 2: Sunday June 21<sup>st</sup>, 2020, at 6:00 AM to 6:00 AM on June 22<sup>nd</sup>.

6. That the allegations which form the basis of this stipulation shall not be used as grounds for any future suspension, revocation, or non-renewal proceeding, except to the extent that the facts alleged in the complaint demonstrate a pattern of conduct by Havana Lounge LLC.
7. That the West Allis Common Council must approve this stipulation prior to it becoming effective.
8. That if the West Allis Common Council does not approve this agreement, the matter will be referred to the West Allis City Attorney's Office to take actions necessary to complete the summons and complaint process and initiate a hearing on the matter.
9. That if the West Allis Common Council approves this stipulation, the City of West Allis and Havana Lounge LLC are bound by the terms of this stipulation and failure to comply with said terms will result in the matter being referred to the License and Health Committee or West Allis Common Council for a hearing on the matter.

  
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Brian Blocher  
Licensing agent for Havana Lounge LLC

6/4/20  
Date

  
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Nicholas S. Cerwin  
Assistant City Attorney  
City of West Allis

6/8/2020  
Date