

LOMMEN ABDO

MN / WI / NY

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OCT 24 2016
CITY ATTORNEY

October 21, 2016

VIA FACSIMILE (651.298.5619) AND U.S. MAIL

Ms. Therese Skarda
Assistant City Attorney
City of St. Paul
400 City Hall
15 West Kellogg Blvd.
St. Paul, MN 55102

Re: Midway Enterprises, LTD d/b/a Hot Rods Bar & Grill
1553 University Avenue West, St. Paul, MN 55104
License ID #: 0016294
Our File No. 43948

Dear Ms. Skarda:

Please be advised that I have been retained by Midway Enterprises, LTD d/b/a Hot Rods Bar & Grill in regards to a Notice of Violation dated October 14, 2016.

Please be further advised that while my client is willing to admit to the facts alleged in your Notice, it contests the penalty and hereby requests a public hearing before the St. Paul City Council. Specifically, please note that my client is willing to pay the \$500.00 matrix penalty but objects to the license conditions outlined in the license condition affidavit.

As you are likely aware, my client has been in business at this location for over 48 years and has an excellent track record of compliance with applicable laws. It is my understanding that the employee on duty on the date of the incident outlined in the Notice was terminated shortly after the incident occurred and approximately one (1) week prior to my client's receipt of the Notice. Further, my client believes that there are less burdensome alternatives to ensure that the violation will not reoccur and, based upon its reputation, my client will ask the City Council to consider those alternatives instead of implementing the conditions outlined in the affidavit.



LOMMEN ABDO, P.A.

Ms. Therese Skarda

October 21, 2016

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Please advise as to the hearing date, and please feel free to contact me to discuss any questions or comments regarding this matter.

Very truly yours,



Jeffrey C. O'Brien

cc: Dean Bigaouette, Midway Enterprises, LTD d/b/a Hot Rods Bar & Grill

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JCO/vid