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January 27, 2011

Ms. Rachel Tierney, Assistant City Attorney
City of St. Paul
Civil Division
400 City Hall, 15 West Kellogg Blvd.
St. Paul, MN 55102

RE: Liquor/Outdoor Service Area (Patio) License Application submitted by Grand American Restaurant Co. dba The Wild Onion for the premises located at 788 Grand Avenue, License #: 19990002357

Dear Ms. Tierney:

This letter is to follow up on our telephone conversation of earlier today, and to reply to your letter of January 14, 2011.

As we discussed, Grand American Restaurant Company (Grand American) selects the first of the two options presented in your letter of January 14, 2011. That is, they wish to admit the facts which are in the record which was before the City Council on July 28, 2010 when the Council made its decision to deny the patio license, but contest the decision to deny the license. It is my understanding that the matter will be forwarded to the City Council for a public hearing.

Attached is a summary of the facts and a list of the relevant documents which I prepared and presented to you earlier. Grand American has no dispute as to the facts set forth in this proposed stipulation and no objection to presentation of the identified documents to the City Council. As we discussed, if there are additional facts or documents from the record which your office would like to present to the City Council prior to the public hearing, Grand American would have no objection provided that the facts and documents are in the record which was before the City Council on July 28, 2010. Grand American will object to the introduction of any facts or documents not in the record as of that date, because our election to select option one and proceed to a public hearing before the City Council is made because we have no dispute as the facts in the record as of the date of the Council's July 28, 2010 decision.

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CITY ATTORNEY

Please let me know if you have any questions or if you would like to see if we can work out an agreed stipulation of facts and documents to present to the City Council.

Very truly yours,

GRAY, PLANT, MOOTY,
MOOTY & BENNETT, P.A.

By_____
Peter K. Beck

PKB:klz

cc: Jay Salmen
Joseph Schaefer

GP:2920952 v1