



July 9, 2026

Christopher J. Heinze
Libby Law Office, P.A.
855 Rice Street, Suite 100
St. Paul, MN 55117

Delivered via Email

Re: Notice of Violation and Request for Imposition of Conditions—Richard A Defoe Entertainment INC d/b/a Wilebski's Blues Saloon, located at 1638 Rice St.

Dear Mr. Heinze:

This is in response to your letter dated June 5, 2026. This letter addresses concerns raised by your client, Richard A Defoe Entertainment INC d/b/a Wilebski's Blues Saloon ("Licensee"), located at 1638 Rice Street ("Licensed Premises"), after the Department of Safety and Inspections ("Department") identified violations of the Licensee's Liquor On Sale 181-290 Seats, Liquor On Sale – Sunday, Liquor On Sale – 2AM Closing, and Entertainment (B) licenses (License ID #0096027) ("License"). The violations were identified in a Notice of Violation packet, which explained the Department's recommendation for adverse action, specifically a \$500 matrix penalty and amended license conditions.

I understand from your response on June 5 that the Licensee agrees to some, but not all, of the amended conditions. The Licensee agrees to the amended conditions now numbered 1, 3, 4, 5, 9, 10, 11. The remaining suggested amended conditions (2, 6, 7, 8, 12, 13, 14) are all opposed in some respect by the Licensee. Assuming that is correct, the Department has only considered your concerns regarding those challenged conditions. The Department has identified a few amendments to conditions 2, 7, and 8 that it would be willing to make in response to your concerns, and those are provided below. However, the Department otherwise has determined that all amended conditions proposed are reasonable.

Amended Condition 2

The majority of this condition remains the same, but the last sentence was added after the events that took place at the Licensed Premises on or around October 5, 2025, and triggered this adverse action. The proposed language allows an employee to use their reasonable judgment. The reasonableness requirement can be added to the last sentence of the amended condition more explicitly if your client prefers:

License holder or security shall immediately notify police by calling "911" of any individuals observed by staff and reasonably believed to be engaging in unlawful or suspected unlawful behavior, including loitering, and all incidents involving physical altercation between any parties within the premises and associated parking lots.



If your concern is related to loitering, the Department is willing to include a definition of loitering in the condition:

The Licensee, employee, or security personnel would reasonably conclude that a person is loitering if the person is repeatedly attempting to engage passersby in conversation, attempting to stop motor vehicles, acting in a furtive manner or acting suspiciously, or can be seen giving or receiving small items, bags, or money to or from more than one person over any length of time.

Amended Condition 7

This condition was attached to the license before this adverse action and the Department's amendment to the condition makes it clearer. The Department has reviewed and made it even simpler:

Security personnel shall be assigned to each entrance when the number of patrons reaches 100 or more starting at 9:00 p.m. every day, and security personnel shall remain until all patrons have left the licensed premises, which includes the parking lots. When all patrons have left the building, the security personnel may assist in parking lots. ~~Regardless of whether security is required,~~ License holder shall enforce a no picture identification/no entrance policy at all times security staff are required. Customers re-entering establishment for any reason shall be subjected to the same security measures as customers entering the establishment for the first time. If security staff are required, security staff are in addition to bartenders, servers and cooks.

Amended Condition 8

The Department has suggested changes to the proposed condition in response to your concerns:

Litter must be removed daily from the establishment property and all associated parking lots owned by and/or under the contractual or other agreed-upon control of the license holder for use of its employees and customers daily. Bottles will not be dumped outside between the hours of 10 p.m. and 8 a.m.

Please let me know how your client would like to proceed. The Department believes that the amended conditions are reasonable in light of the events that occurred and the violations that were discovered at the Licensed Premises on or around October 5, 2025. If your client would like to challenge these amended conditions, the path forward is through the Court of Administrative Hearings. Therefore, your client can either



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agree to the amended conditions or can challenge them in the Court of Administrative Hearings. The Department respectfully requests a decision no later than July 31, 2026. Feel free to reach out with questions.

Sincerely,

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