

**CITY OF APPLETON  
COMMON COUNCIL  
SAFETY AND LICENSING COMMITTEE**

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**CITY OF APPLETON**  
a Wisconsin Municipal Corporation,

vs.

**Dieters Place LLC**  
**Jonathon Kuehn, Agent**  
**830 E. Northland Avenue**  
**Appleton, WI 54911**

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**STIPULATION**

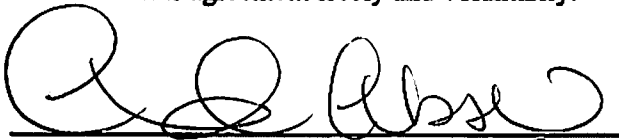
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The City of Appleton, by Assistant City Attorney, Amanda Abshire and Dieters Place also d/b/a Dieters Ale Haus by its agent Jonathon Kuehn, hereby stipulate and agree as follows:

1. That Dieters Place also d/b/a Dieters Ale Haus and Jonathon Kuehn as agent therefore, are the license holders of a "Class B" license issued pursuant to Chapter 125, Wisconsin Statutes, and City of Appleton Municipal Code in conformity therewith, for Dieters Place LLC located at 830 E. Northland Avenue, in the City of Appleton, Outagamie County, Wisconsin (also referred to as "licensed premise").
2. That the following violations of the City of Appleton Municipal Code have been committed at Dieters Place also d/b/a Dieters Ale Haus within the last twelve (12) months:
  - a. Sale of an Alcoholic Beverage to an Underage Person, violation on November 3, 2016, conviction on April 7, 2017 (80 points); and
  - b. Sale to an Intoxicated Person, violation on July 13, 2016, conviction on September 14, 2016 (80 points).
3. That Jonathon Kuehn understands and acknowledges that he has the right to a hearing prior to the City of Appleton suspending the "Class B" license issued to Dieters Place also d/b/a Dieters Ale Haus and freely and voluntarily waives that right to a hearing as consideration for this agreement.

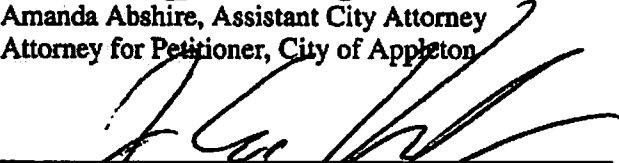
**NOW THEREFORE, based upon the foregoing it is AGREED by the parties:**

- 4. That Jonathon Kuehn does not contest that Dieters Place also d/b/a Dieters Ale Haus has accrued 160 points within a 12-month period.
- 5. That the parties hereby stipulate that the license of Dieters Place also d/b/a Dieters Ale Haus shall be suspended for a period of ten (10) days.
- 6. That the parties, after thoroughly reviewing and discussing all of the circumstances relevant to this matter with each other, believe the resolution herein is just and equitable under the circumstances and jointly recommend approval and adoption of this stipulation by the Safety and Licensing Committee and Common Council but understand that neither are necessarily bound by the stipulation recommended herein.
- 7. That the period of suspension shall be approved by the Safety and Licensing Committee and Common Council. The suspension shall begin within a 13-day period of Council action.
- 8. That Dieters Place also d/b/a Dieters Ale Haus and Jonathon Kuehn as agent therefor have had the opportunity to review and discuss this agreement with counsel or have decided to forego that opportunity and, in either case, enter this agreement freely and voluntarily.



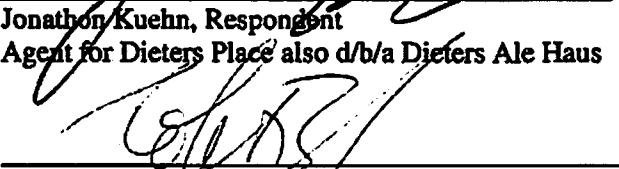
Amanda Abshire, Assistant City Attorney  
Attorney for Petitioner, City of Appleton

Date: 10-20-17



Jonathon Kuehn, Respondent  
Agent for Dieters Place also d/b/a Dieters Ale Haus

Date: 9-26-17



Robert Bellin  
Attorney for Jonathon Kuehn as agent for Dieters Place also d/b/a Dieters Ale Haus

Date: 9/26/17

**APPROVED BY APPLETON COMMON COUNCIL ON: \_\_\_\_\_**

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