

# EXHIBIT 9

Manchester Place  
2 East Mifflin Street, Suite 800  
Madison, Wisconsin 53703-4217

Mailing Address:  
P.O. Box 2038  
Madison, Wisconsin 53701-2038

Telephone (608) 257-7181  
www.murphydesmond.com

Marinus (Rick) J.W. Petri  
Direct Line (608) 268-5574  
Facsimile (608) 257-2508  
rpetri@murphydesmond.com

**Murphy & Desmond s.c.**  
LAWYERS

6 March 2002

National W Club  
Mr. Terry Murawski  
1440 Monroe Street  
Madison, WI 53711

South Rotary Club  
Mr. Ted See  
7419 Whitacre Road  
Madison, WI 53717

Mr. Roger Gaumnitz  
[Redacted Text]  
[Redacted Text]

First Madco Inc.  
Mr. Roger Brown, Agent  
1710 Camelot Drive  
Madison, WI 53705

Grid Associates  
Mr. Bob Sieger  
73 White Oak Lane  
Madison, WI 53711

Ladies and Gentlemen:

As some of you know, I represent a number of Class B retailers, especially in the downtown area. I have done so for four years after having staffed the Alcohol License Review Committee for the previous ten years.

I have been approached by certain City officials to address continuing concerns that arise from the residents in the Regent/Randall corridor. Suffice it to say that your residential neighbors have a strained relationship with some, if not all, of you as it relates to the operation of outdoor beer gardens on Camp Randall special event occasions.

What I have specifically been asked to do is to see if there is a way to get the industry to enter into a compact or agreement with respect to uniform, voluntary restrictions that balance the needs of the residents with your interests in turning a profit.

JML, Inc.  
Ms. Elizabeth Buetow, Agent  
2300 Rugby Row  
Madison, WI 53705

Big Ten Pub  
Ms. Kelly Jordan  
919 Erin Street  
Madison, WI 53715

Regent St. Retreat  
Mr. Bruce Gerhardt  
3030 Waunona Way  
Madison, WI 53713

Josie's Three Sisters, Inc.  
Ms. JoAnne Jensen, Agent  
2830 Syene Road  
Madison, WI 53713

Buck's Madison Square Garden  
Mr. James B. Dailey  
3975 Trempeleau Tr.  
Verona, WI 53593

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Why go down this road? You all have conditional use permits and alcohol beverage licenses. The City has the power to impose additional restrictions through the use of either or both approaches. There are local elected officials who can be expected to use the residents' state of upset as a campaign issue. One has already suggested a two-hour before and after proposal meaning you cannot open more than two hours before the special event and must close two hours after the event concludes. That would put a serious strain on your bottom line.

Also, as some of you know, the University of Wisconsin as an institution is taking an increasingly activist role with respect to alcohol licensing issues. The planned expansion of Camp Randall Stadium requires the University to work closely with the City and the residents in the area. The University has heard those concerns and because it needs those residents' political support for the Camp Randall improvements, can be expected to use their clout to address the residents' concerns.

What I am proposing is a voluntary pact that provides all of you with a level playing field. There would be no change in your formal, legal conditional use permits or alcohol beverage license conditions other than perhaps lifting some restrictions (where they exist) so that the level playing field is achieved.

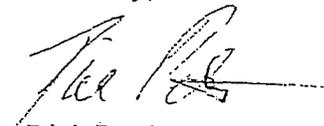
For these special events, you are all at capacity; you are not really competing. A voluntary compact can result in relative peace with the residents without affecting your bottom line.

A meeting is scheduled at the Grid Iron on Tuesday, March 12, 2002 between 2:00 and 4:00 p.m.

A draft proposal is attached for discussion purposes only.

Please make a point of being there. We can either make this work ourselves or have the City modify your conditions one by one. It is a real risk not to be underestimated.

Sincerely,



Rick Petri

RP:lcz  
220031  
Outdoor Beer Garden It  
Enc.

P.S. No one is paying me to do this, and I am not asking anyone to pay me.

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bcc: Alderperson Tim Bruer  
Alderperson Matt Sloan  
Alderperson Todd Jarrell  
Lamarr Billups, U.W. Chancellor's Office  
Sue Crowley, U.W. Health Services  
Sgt. Emil Quast, MPD

UW 1927

VOLUNTARY LICENSE CONDITIONS  
APPLICABLE TO THE OUTDOOR EATING AREA  
FOR STADIUM SPECIAL EVENTS

1. Hours of operation for University of Wisconsin and Green Bay Packer afternoon football games. The outdoor eating area shall be opened no later than 8:00 p.m. For games with a kickoff after 5:00 p.m., the outdoor eating area shall be opened no later than 10:00 p.m.
2. Fence enclosure, security guard, litter control and portable toilets. The Alcohol License Review Committee has established conditions for operation of special outdoor events that include fencing, security guards, toilet facilities, litter, etc. Licensee shall comply with those requirements.
3. Stadium Concerts. If the outdoor eating area for stadium concerts is opened, the outdoor eating area shall close no later that one hour after the start of the concert and remain closed for the evening.
4. Area.
5. Volume of Alcohol. During any one stadium special event, no more than \_\_\_\_\_ barrels of fermented malt beverage may be sold or served.
6. Food. The outdoor area must meet the definition of a restaurant as contained in section 38.02, M.G.O.
7. Staff. Staff dedicated to the sales and service of alcohol are limited to \_\_\_\_\_ at any one time. Staff to prepare, sell and serve food shall be no fewer than \_\_\_\_\_ at any one time.
8. Security Staffing.
9. Training. All outdoor-assigned employees are required to take the Safer Bar Training to be conducted by the Madison Police Department.
10. Music.
11. Doors to Inside. Noise.
12. Other Issues?