

EXHIBIT 14

CITY OF MILWAUKEE

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December 20, 1995

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David R. Reimer, Chief of Staff
Mayor's Office
City Hall, Room 201

Re: Prices for 40 Ounce Beer

Dear Mr. Reimer:

Under cover of a memorandum dated December 14, 1995, your office forwarded a communication from Alderman Paul Henningsen to customers of beer licensees on the near westside relative to an apparent agreement between certain businesses and associations to set the price of 40 ounce containers of beer at \$1.99 each, 32 ounce bottles of beer to \$1.59 each, and 22 ounce bottles of beer at \$1.49 each. The businesses and associations apparently involved in this agreement are the Bell Store at 1341 West State Street, Dany's Foods at 712 North 17th Street, Foodliner at 2626 West Vliet Street, Grand Food Market at 2701 West Wisconsin Avenue, Kampus Food at 1414 West Wells Street, Kasses Food Market at 2131 West Wells Street, L and A Foods and 2631 West Vliet Street, Marquette Food Mart at 1633 West Wells Street, Midtown Discount Food at 801 North 27th Street, Midtown II at 3420 West Wells Street, Milwaukee Super Food at 966 North 27th Street, Milwaukee Supermarket at 2903 West Clybourn, Nasser Food Market at 2930 West St. Paul Avenue, Open Pantry at 2336 West Wisconsin Avenue, Pick and Choose at 1904 West State Street, Smile's Liquor & Food Mart at 3447 West Wells Street, State Beer and Liquor Mart at 2539 West State Street, WAT III at 2812 West Clybourn Street, the Wells Street Food at 2043 West Wells Street and the Associations of Avenue West, West End, and 27th Street Business as well as the Weed & Seed Initiative.

Mr. David R. Reimer

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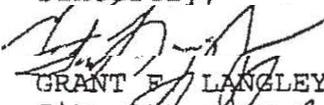
December 201, 1995

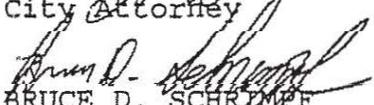
Under the provisions of Chapter 133 of the Wisconsin Statutes, we have serious concerns regarding this apparent effort to restrict the sale of beer in 40, 32 and 22 ounce containers. However, we believe that specific advice regarding the legality of any of the actions taken pursuant to the agreement reflected in the documents which you have provided our office should be made by the individual attorneys who can represent the individual members of this combination. We note that sec. 133.17, Wis. Stats., lays the responsibility upon the Department of Justice or the District Attorney for ". . . institut[ing], manag[ing], control[ing] and direct[ing] . . . all prosecutions for violations [of chapter 133]".

In aid of getting in touch with the attorneys for the individual members that have signed on to the agreement, we have contacted some of the attorneys in the community who typically represent these organizations regarding our concern as to the legality of the practice.

We understand that the ends which are sought by the Avenues West Association, the West End Community Association, the Weed and Seed Initiative, and the 27th Street Business Association are to stop the deleterious effects which they believe are brought to a neighborhood by the sale of beer in 22, 32 and 40 ounce containers. However, we doubt seriously that the effort as reflected in Alderman Henningsen's memorandum of November 30, 1995 is the appropriate medium for solving the problem. We believe that a more appropriate solution is either to amend Chapter 125 of the Wisconsin Statutes to prohibit the sale of beer in such containers or, in the alternative, to amend Chapter 133 of the Wisconsin Statutes to specifically allow the combination of community associations and beer retailers so as to take action to restrict their sale by specific pricing practices.

Sincerely,


GRANT E. LANGLEY
City Attorney


BRUCE D. SCHREMPF
Assistant City Attorney

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