
In Re: Matter of MEMA Enterprises LLC

**RESPONDENT MEMA ENTERPRISES LLC'S OBJECTION
TO REPORT OF THE JUDICIARY AND ADMINISTRATIVE COMMITTEE**

MEMA Enterprises LLC d/b/a Citgo on State ("Respondent") by its undersigned counsel, submits these objections to the Report of the Judiciary and Administrative Committee dated June 10, 2026 (the "Report"). The Report recommends the nonrenewal of Respondent's Combination "Class A" Liquor, Class "A" Beer, and Cigarette, Tobacco, and Electronic Vaping Device Licenses for the July 1, 2026, to June 30, 2027, license year.

Respondent objects to the Report because its findings and conclusions are unsupported by substantial evidence, materially incomplete, and based on improper inferences. Accordingly, Respondent respectfully requests that the Common Council reject the deficient portions of the Report and decline to adopt the recommendation of nonrenewal.

I. The Committee Lacked Substantial Evidence to Conclude That Respondent Provided False Information on the Renewal Application.

Respondent objects to Finding of Fact No. 8, which alleges that "[o]n the establishment's renewal applications, the agent provided false information." The Committee's conclusion that Respondent lied or knowingly made a false statement is unsupported by the record. Rather, the record reflects that Respondent stated on the

application that the pills may or may not contain Sildenafil because no conclusive composition analysis had been performed at the time. Notably, this remains true today. Absent definitive testing, neither the Committee nor Respondent actually knows the pills' composition, resulting in the Committee's conclusion being based on conjecture rather than substantial evidence.

The Report's finding relies on an unsupported inference rather than clear, convincing evidence. The record contains no proof that Respondent knowingly provided false information on the application. At most, the statement accurately reflected Respondent's uncertainty about the contents of the pills at the time. Accordingly, the Common Council should reject Finding of Fact No. 8 and strike it as a basis for nonrenewal.

II. The Common Council Should Disregard the Unsupported Statement That the Respondent's Establishment is Known Among Minors for Selling to Minors.

Respondent objects to Finding of Fact No. 5, which states that "[o]n multiple occasions, underage individuals have commented on the establishment's reputation as a location where minors can easily obtain alcohol or tobacco products."

The Committee must disregard this finding because it relies solely on unsubstantiated claims and lacks basic evidentiary foundation. While a testifying officer made this sweeping claim, neither the officer nor the Report provides any verifiable details to support it. Specifically, the record fails to establish: (i) the source or identity of any minor who allegedly made these comments, (ii) the number of minors who allegedly

believed this to be true, (iii) the dates or circumstances under which these alleged statements were obtained, and (iv) whether any of these declarants were available for cross-examination.

Further, this vague assertion regarding the establishment's "reputation" is directly contradicted by the actual evidence in the Report. The Report identifies only one isolated instance in which alcohol was sold to minors by an employee. Following the incident, the employee was terminated. Respondent's corrective action is inconsistent with any claim that Respondent tolerates, permits, or encourages the sale of age-restricted products to minors.

The Report's broad statement that the establishment is known among minors as a place where minors can easily obtain alcohol or tobacco products is therefore unsupported, impermissibly vague, and unduly prejudicial. The Common Council should reject Finding of Fact No. 5 and should not be considered as evidence supporting nonrenewal.

REQUESTED RELIEF

For the foregoing reasons, MEMA Enterprises, LLC requests that the Common Council:

1. Reject Finding of Fact No. 8 to the extent it alleges that the Respondent lied, provided false information, or knowingly made a false statement on the renewal application.

2. Affirmatively find that the Respondent accurately stated on the renewal application that the product “may or may not contain” a prescription medication because no conclusive laboratory or chemical analysis had been performed at the time of submission, nor has any such conclusive analysis been completed as of the date of this objection.

3. Disregard Finding of Fact No. 5 to the extent it asserts that the establishment is known among minors as a place where minors can easily obtain alcohol or tobacco products.

4. Find that the Report does not identify the source, number of minors, dates, circumstances, or foundation for that assertion.

5. Find that the evidence identified in the Report shows only one instance in which alcohol was sold to minors, after which the employee responsible was fired.

6. Decline to adopt the Committee’s recommendation of nonrenewal.

Dated this 11th day of June, 2026.

WEST & DUNN, LLC

Electronically signed by Sean P. Griffin

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