

SECOND AFFIDAVIT OF MARIE SILICIANO

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

MARIE SILICIANO, being duly sworn under oath, states the following:

1. I am an Investigator at the Office of the Minnesota Attorney General.
2. Attached as Exhibit A to this affidavit is a true and correct copy of a report by the Lakeview Police Department dated December 31, 2020.
3. Attached as Exhibit B to this affidavit is a true and correct copy of a Start Tribune Article Janet Moore and Kim Hyatt “*Judge Orders Lakeville restaurant Closed after it defies COVID-19 order*” (December 31, 2020, 7:14 p.m.) <https://www.startribune.com/judge-orders-lakeville-restaurant-closed-after-it-defies-covid-19-order/600005520/> available at <https://perma.cc/B7YM-ZGUP>.
4. At approximately 11:41 am on January 2, 2021, I visited Alibi Drinkery at 20851 Holyoke Avenue, Lakeville, MN 55044. I looked through the window facing Holyoke Avenue, but I did not enter the building. Through the window, I observed more than five people drinking inside Alibi Drinkery. Attached as Exhibit C to this affidavit is a true and correct copy of a photograph that I took through the window. Exhibit C shows at least 8 people inside Alibi Drinkery.
5. I visited the Facebook page for Alibi Drinkery, available at www.facebook.com/Alibi-Drinkery-135111020497320. Attached as Exhibit D to this affidavit is a true and correct copy of a post by Alibi Drinkery on January 3, 2021.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Executed this 4th day of January in Ramsey County, Minnesota.

Dated: Jan 4, 2021

/s/ Marie Siliciano
MARIE SILICIANO

Lakeville Police Department

9237 183rd St W Lakeville, MN 55044

(952) 985-2800

EXHIBIT A
 Filed in District Court
 State of Minnesota
 1/4/2021 2:49 PM

Case #:LA20004442

Incident #: LA20004442

Event**20851 HOLYOKE AVE LAKEVILLE, Minnesota 55044**

Description of Incident: AID OTHER JURISDICTION
Reported Date: 12/31/2020 09:33:00
Occurred Start Date: 12/31/2020 09:33:00
Solvability Factor: 5
Body Camera Video (Yes/No): No
Squad Video (Yes/No): No
Was Alcohol Involved?: Yes
Latitude: 44.647548
Longitude: -93.243158
Beat: LA49
Case Summary: Office of Minnesota Attorney General Keith Ellison directed Lakeville Police to see if Alibi Drinkery had 5 or more people eating and/or drinking inside their establishment. See narrative.
Related Case Number:
Case Status: ASSISTED/ADVISED
Disposition: CLOSED
Exceptional Clearance: NOT APPLICABLE
Confidential?: No

Person Reporting Incident Data (1)**Odette, Elizabeth R**

Country:
Work Phone: (651)-728-7208
Organization Name: Office of Minnesota Attorney General Keith Ellison
Employer Phone Number: (651)-296-3353
Address: 445 MINNESOTA ST
Suite: 1400
City: ST PAUL
State: Minnesota
Zip Code: 55101
Latitude: 44.94869699623913
Longitude: -93.09415270028893

Complainant Data (1)**Office of Minnesota Attorney General Keith Ellison**

Related Offense: ASOA ASSIST OTHER AGENCY
Address: 445 MINNESOTA ST
Suite: 1400
City: ST PAUL
State: Minnesota
Zip Code: 55101
Latitude: 44.94869699623913
Longitude: -93.09415270028893
Business Phone: (651)-296-3353

Lakeville Police Department

9237 183rd St W Lakeville, MN 55044

(952) 985-2800

EXHIBIT A
 Filed in District Court
 State of Minnesota
 1/4/2021 2:49 PM

Case #: LA20004442

Incident #: LA20004442

Location Data (1)**ALIBI DRINKERY**

Related Offense:	ASOA ASSIST OTHER AGENCY
Address:	20851 HOLYOKE AVE
City:	LAKEVILLE
State:	Minnesota
Zip Code:	55044
Latitude:	44.64755593292987
Longitude:	-93.2431657127772
Business Phone:	(952)-683-1711

Offenses (1)**ASOA ASSIST OTHER AGENCY**

2. UCR/NIBRS Code (Complete BEFORE selecting Severity Level):	999 NIBRS Non-Reportable
Reportable (Do NOT change - System Generated):	
Location Type:	Restaurant
Bias Motivation:	NONE
Attempted/Completed:	Completed
Offender Suspected of Using:	Not Applicable
Offense Status:	ASSISTED/ADVISED

Narrative (1)**MAIN REPORT 4812**

COUGHLIN, KELLI M 4812

12/31/2020

On 12-31-2020 at approximately 1100 hours, Deputy Chief Kornmann requested that I, Detective Coughlin, respond to Alibi Drinkery to see if they were open in violation of the Court Order and the Governor's Orders. Deputy Chief Kornmann had received an email in which Assistant Attorney General Elizabeth R. Odette directed Lakeville Police to observe Alibi to see whether 5 or more people are eating and/or drinking inside.

On 12-31-2020 at approximately 1110 hours, Detective Frame and I responded to Alibi Drinkery located at 20851 Holyoke Avenue. I observed more than 5 people in the establishment, but I did not see any patrons eating or drinking.

On 12-31-2020 at approximately 1408 hours, Detective Frame and I responded back to Alibi Drinkery and observed more than 5 people in the establishment eating and drinking.

Detective Frame and I utilized our Axon video capture application on our work issued iPhone to capture video evidence in a surreptitious manner in order to not cause an incident. Axon video capture shows loud noise of more than 5 people, numerous people can be seen along with food and drinks on the

Lakeville Police Department

9237 183rd St W Lakeville, MN 55044

(952) 985-2800

EXHIBIT AFiled in District Court
State of Minnesota
1/4/2021 2:49 PM

Case #:LA20004442

Incident #: LA20004442

tables. Axon video capture was uploaded.

End of report.//K.Coughlin #4812

/nb

Officer (2)

Reporting Officer:	COUGHLIN, KELLI M (4812)	12/31/2020 15:06:00
Approving Officer:	THOENY, SANDY L (4855)	12/31/2020 17:24:01





Search Facebook



19HA-CV-20-4167



EXHIBIT D

Filed in District Court
State of Minnesota

11/4/2021 2:49 PM



Alibi Drinkery

Sports bar

Call Now

Home

Photos

Menu

Reviews

More ▾

Like

Message



Alibi Drinkery

Yesterday at 10:00 · 🌐

...

Enjoy the final game of the season at Alibi.



👍❤️🔥 293

165 comments 11 shares

