

A G E N D A  
LIQUOR CONTROL ADJUDICATION BOARD  
DEPARTMENT OF LIQUOR CONTROL  
COUNTY OF MAUI

DATE & TIME: THURSDAY, SEPTEMBER 3, 2009, AT 9:00 A.M.

PLACE: DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM  
DAVID K. TRASK, JR. OFFICE BUILDING  
2145 KAOHU STREET, ROOM 107  
WAILUKU, MAUI, HAWAII 96793

**I. HEARINGS BEFORE THE BOARD:**

**A. COMPLAINT AND ACCUSATION NO. 2010-03, PLEA: NO CONTEST**

**In the matter of the accusation against LAHAINA PETROLEUM, LLC dba PAIA SHELL, Retail Beer & Wine License No. 126, 68 Hana Highway, Paia, Maui, Hawaii.**

Count 1. On March 8, 2009 at approximately 1:42 p.m., LAHAINA PETROLEUM, LLC dba PAIA SHELL, a retail beer and wine licensee, did, through its employee, sell or furnish liquor to a minor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 281-78(b)(1)(A) of the Hawaii Revised Statutes and Section 08-101-60(b)(1)(A) of the Rules of the Liquor Commission, County of Maui.

**B. COMPLAINT AND ACCUSATION NO. 2010-04, PLEA: NO CONTEST**

**In the matter of the accusation against MAUI FORTUNE, INC. dba PACIFIC FISH MARKET, Retail General License No. 232, 330 Hoohana Street, Units 8-12, Kahului, Maui, Hawaii.**

Count 1. On March 29, 2009 at approximately 1:14 p.m., MAUI FORTUNE, INC. dba PACIFIC FISH MARKET, a retail general licensee, did, through its employee, sell or furnish liquor to a minor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 281-78(b)(1)(A) of the Hawaii Revised Statutes and Section 08-101-60(b)(1)(A) of the Rules of the Liquor Commission, County of Maui.

**C. COMPLAINT AND ACCUSATION NO. 2010-01, PLEA: NOT GUILTY**

**In the matter of the accusation against CANE FIRE MAUI LLC dba LULU'S SURF CLUB & GRILL LAHAINA, Dispenser General License No. 218, 1221 Honoapiilani Highway, Unit A, Lahaina, Maui, Hawaii.**

- Count 1. On November 22, 2008 between the approximate times of 12:00 midnight and 1:50 a.m., CANE FIRE MAUI LLC dba LULU'S SURF CLUB & GRILL LAHAINA, a dispenser general licensee, did, through its employee(s), sell, serve, or furnish liquor to, or allow the consumption of liquor by Becky L. Coy, who was at the time under the influence of liquor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 281-78(b)(1)(B) of the Hawaii Revised Statutes and Section 08-101-60(b)(1)(B) of the Rules of the Liquor Commission, County of Maui.
- Count 2. On November 22, 2008 between the approximate times of 12:00 midnight and 1:50 a.m., CANE FIRE MAUI LLC dba LULU'S SURF CLUB & GRILL LAHAINA, a dispenser general licensee, did, through its employee(s), fail to exercise due care, as defined in Section 08-101-5 of the Rules of the Liquor Commission, in determining whether Becky L. Coy was under the influence of liquor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, contrary to Section 08-101-60(b)(11) of the Rules of the Liquor Commission, County of Maui.
- Count 3. On November 22, 2008 between the approximate times of 12:00 midnight and 1:50 a.m., CANE FIRE MAUI LLC dba LULU'S SURF CLUB & GRILL LAHAINA, a dispenser general licensee, did, through its employee(s), knowingly permit Becky L. Coy, who was at the time under the influence of liquor, as defined in Section 281-1 of the Hawaii Revised Statutes and Section 08-101-5 of the Rules of the Liquor Commission, to be or remain in or on the licensed premises, contrary to Section 281-78(b)(5) of the Hawaii Revised Statutes and Section 08-101-60(b)(5) of the Rules of the Liquor Commission, County of Maui.

## **II. ADJOURNMENT:**

NEXT LIQUOR CONTROL ADJUDICATION BOARD MEETING WILL BE HELD ON THURSDAY, OCTOBER 1, 2009, AT 9:00 A.M. AT THE DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM, DAVID K. TRASK, JR. OFFICE BUILDING, 2145 KAOHU STREET, ROOM 107, WAILUKU, MAUI, HAWAII.

Any person desiring to attend the hearing and requiring an accommodation (i.e., large print, taped material, sign language interpreter, accessible parking, etc.) may request assistance provided such a request is received three (3) working days prior to the

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scheduled hearing. This request may be made by writing to the Director at: Department of Liquor Control, 2145 Kaohu Street, Room 105, Wailuku, Hawaii, 96793, or by calling 243-7753.