

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

DATE & TIME: THURSDAY, APRIL 5, 2012, 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. 2012-18, PLEA: GUILTY

In the matter of the accusation against LANAI CITY SERVICE, INC. dba LANAI PLANTATION STORE, Retail General License No. 004, 1036 Lanai Avenue, Lanai City, Lanai, Hawaii.

Count 1. On July 16, 2011 at approximately 2:33 p.m., LANAI CITY SERVICE, INC. dba LANAI PLANTATION STORE, 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.

B. COMPLAINT AND ACCUSATION NO. 2012-15, PLEA: NO CONTEST

In the matter of the accusation against BUBBA GUMP SHRIMP CO. RESTAURANTS, INC. dba BUBBA GUMP SHRIMP CO. RESTAURANT & MARKET, Restaurant General License No. 292, 889 Front Street, Lahaina, Maui, Hawaii.

Count 1. On August 20, 2011 at approximately 9:20 p.m., BUBBA GUMP SHRIMP CO. RESTAURANTS, INC. dba BUBBA GUMP SHRIMP CO. RESTAURANT & MARKET, a restaurant 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. 2012-16, PLEA: NO CONTEST

In the matter of the accusation against HY CLASSICS, INC. dba CLUB STARLITE, Dispenser General License No. 063, 1063 Lower Main Street, #C110/C111, Wailuku, Maui, Hawaii.

- Count 1. On August 28, 2011 at approximately 11:48 p.m., HY CLASSICS, INC. dba CLUB STARLITE, a dispenser general licensee, did fail to exercise due care to ensure that no person or employee, while on duty, be permitted to consume any alcoholic beverages, contrary to Section 08-101-80(a)(1) of the Rules of the Liquor Commission, County of Maui.

D. COMPLAINT AND ACCUSATION NO. 2012-17, PLEA: NOT GUILTY

In the matter of the accusation against CASANOVA, LTD. dba CASANOVA, Restaurant General License No. 010, 1188 Makawao Avenue, Makawao, Maui, Hawaii.

- Count 1. On June 1, 2011 and June 2, 2011 between the approximate times of 10:00 p.m. and 1:00 a.m., CASANOVA, LTD. dba CASANOVA, a restaurant general licensee, did, through its employee(s), sell, serve, or furnish liquor to, or allow the consumption of liquor by Jessica Weatherholt, 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 June 1, 2011 and June 2, 2011 between the approximate times of 10:00 p.m. and 1:00 a.m., CASANOVA, LTD. dba CASANOVA, a restaurant 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 Jessica Weatherholt 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 June 1, 2011 and June 2, 2011 between the approximate times of 10:00 p.m. and 1:00 a.m., CASANOVA, LTD. dba CASANOVA, a restaurant general licensee, did, through its employee(s), knowingly permit Jessica Weatherholt, 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, MAY 3, 2012, 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 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.