

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

DATE & TIME: THURSDAY, DECEMBER 5, 2013, AT 9:00 A.M.

PLACE: DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM
DAVID K. TRASK, JR. OFFICE BUILDING
2145 KAOHU STREET, ROOM 108
WAILUKU, MAUI, HAWAII 96793

I. HEARINGS BEFORE THE BOARD:

A. COMPLAINT AND ACCUSATION NO. 2013-49, PLEA: GUILTY

In the matter of the accusation against LUCE CARO LLC dba PENNE PASTA CAFE, Restaurant General License No. 354, 180 Dickenson Street, Suite 113, Lahaina, Maui, Hawaii.

Count 1. On August 23, 2012 at approximately 8:50 p.m., LUCE CARO LLC dba PENNE PASTA CAFE, a restaurant general licensee, did, through its employee, sell, serve, 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. 2013-47, PLEA: NO CONTEST

In the matter of the accusation against FS LANAI INC. dba FOUR SEASONS RESORT LĀNA'I, THE LODGE AT KOELE, Hotel License No. 067, 1 Keomuku Highway, Koele, Lanai, Hawaii.

Count 1. On August 17, 2012 at approximately 1:08 p.m., FS LANAI INC. dba FOUR SEASONS RESORT LĀNA'I, THE LODGE AT KOELE, a hotel licensee, did, through its employee, sell, serve, 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. 2013-50, PLEA: NO CONTEST

In the matter of the accusation against MUTUAL UNLIMITED, LLC dba LAHAINA GRILL, Restaurant General License No. 342, 127 Lahainaluna Road, Lahaina, Maui, Hawaii.

- Count 1. On August 23, 2012 at approximately 9:15 p.m., MUTUAL UNLIMITED, LLC dba LAHAINA GRILL, a restaurant general licensee, did, through its employee, sell, serve, 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.

D. COMPLAINT AND ACCUSATION NO. 2013-51, PLEA: NO CONTEST

In the matter of the accusation against ULI'ULI MAUI LLC dba AINA GOURMET MARKET, Retail General License No. 152, 130 Kai Malina Parkway, Kaanapali, Maui, Hawaii.

- Count 1. On February 23, 2013 at approximately 8:55 p.m., ULI'ULI MAUI LLC dba AINA GOURMET MARKET, a retail general licensee, did fail to have an on-duty employee duly approved by the director in active charge of the premises during all times that such premises was open for business, contrary to Section 08-101-70(a) of the Rules of the Liquor Commission, County of Maui.
- Count 2. On February 23, 2013 at approximately 8:55 p.m., ULI'ULI MAUI LLC dba AINA GOURMET MARKET, a retail general licensee, did fail to have its manager, who performs any type of managerial or supervisory functions in conjunction with the operation, maintenance, supervision or management of the licensed premises, directly or indirectly, meet the minimum requirements set forth by the commission to be an "employee approved by the director," contrary to Section 08-101-70(g) of the Rules of the Liquor Commission, County of Maui.

E. COMPLAINT AND ACCUSATION NO. 2013-53, PLEA: NO CONTEST

In the matter of the accusation against HAUl INC. dba HAUl'S LIFE'S A BEACH, Dispenser General License No. 022, 1913 South Kihei Road, Space E, Kihei, Maui, Hawaii.

- Count 1. On February 16, 2013 at approximately 12:50 a.m., HAUl INC. dba HAUl'S LIFE'S A BEACH, a dispenser general licensee, did permit

obscene language, songs, or entertainment, contrary to Section 08-101-23(c) of the Rules of the Liquor Commission, County of Maui.

F. COMPLAINT AND ACCUSATION NO. 2014-1, PLEA: NO CONTEST

In the matter of the accusation against FOOD PANTRY, LTD. dba LAMONTS GIFT AND SUNDRY, Retail General License No. 057, 6 Kai Ala Drive, Kaanapali, Maui, Hawaii.

- Count 1. On August 4, 2012 at approximately 7:58 p.m., FOOD PANTRY, LTD. dba LAMONTS GIFT AND SUNDRY, 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.

G. COMPLAINT AND ACCUSATION NO. 2014-2, PLEA: NO CONTEST

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 September 22, 2012 at approximately 12:40 p.m., CASANOVA, LTD. dba CASANOVA, a restaurant general licensee, did, through its employee, sell, serve, 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.

H. COMPLAINT AND ACCUSATION NO. 2014-3, PLEA: NO CONTEST

In the matter of the accusation against PAPA NICHOLAS INCORPORATED dba COLLEEN'S, Dispenser General License No. 201, 810 Haiku Road, Bldg A, Unit 101, Haiku, Maui, Hawaii.

- Count 1. On September 22, 2012 at approximately 1:38 p.m., PAPA NICHOLAS INCORPORATED dba COLLEEN'S, a dispenser general licensee, did, through its employee, sell, serve, 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.

II. ADJOURNMENT:

NEXT LIQUOR CONTROL ADJUDICATION BOARD MEETING WILL BE HELD ON THURSDAY, JANUARY 2, 2014, AT 9:00 A.M. AT THE DEPARTMENT OF LIQUOR CONTROL CONFERENCE ROOM, DAVID K. TRASK, JR. OFFICE BUILDING, 2145 KAOHU STREET, ROOM 108, 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.