

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

DATE & TIME: JANUARY 2, 2014, 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. 2014-5, PLEA: GUILTY**

**In the matter of the accusation against PARADISE ASIAN FOODS, INC. dba PARADISE SUPERMART FAST FOOD & CATERING, Retail General License No. 239, 207 Wakea Avenue, Kahului, Maui, Hawaii.**

Count 1. On July 27, 2012 at approximately 5:35 p.m., PARADISE ASIAN FOODS, INC. dba PARADISE SUPERMART FAST FOOD & CATERING, 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. 2013-52, PLEA: NO CONTEST**

**In the matter of the accusation against DRINK ENTERPRISES, LLC dba SPANKY'S RIPTIDE, Dispenser General License No. 240, 505 Front Street, Suite 129/130, Lahaina, Maui, Hawaii.**

Count 1. On May 9, 2012 at approximately 10:32 p.m., DRINK ENTERPRISES, LLC dba SPANKY'S RIPTIDE, a dispenser general licensee, did, through its employee, fail to prepare all drinks on the top surface of the bar area in such a manner as to permit any interested customers to have a clear and unobstructed view of the bartender's operations, contrary to Section 08-101-84(d) of the Rules of the Liquor Commission, County of Maui.

Count 2. On May 9, 2012 at approximately 10:32 p.m., DRINK ENTERPRISES, LLC dba SPANKY'S RIPTIDE, a dispenser general licensee, did, through its employee, fail to serve freshly drawn draught beer to a patron, contrary to Section 08-

101-85(a) of the Rules of the Liquor Commission, County of Maui.

- Count 3. On May 9, 2012 at approximately 10:32 p.m., DRINK ENTERPRISES, LLC dba SPANKY'S RIPTIDE, a dispenser general licensee, did fail to comply with the condition that it is subject to any other laws or rules applicable to the business of the licensee, contrary to Section 08-101-40(a) of the Rules of the Liquor Commission, County of Maui. [*Patrons smoking within the premises*]
- Count 4. On May 25, 2012 at approximately 7:58 p.m., DRINK ENTERPRISES, LLC dba SPANKY'S RIPTIDE, a dispenser general licensee, did fail to comply with the condition that it is subject to any other laws or rules applicable to the business of the licensee, contrary to Section 08-101-40(a) of the Rules of the Liquor Commission, County of Maui. [*Patrons smoking within the premises*]
- Count 5. On October 9, 2012 at approximately 11:30 p.m., DRINK ENTERPRISES, LLC dba SPANKY'S RIPTIDE, a dispenser general licensee, did fail to comply with the condition that it is subject to any other laws or rules applicable to the business of the licensee, contrary to Section 08-101-40(a) of the Rules of the Liquor Commission, County of Maui. [*Patrons smoking within the premises*]
- Count 6. On December 8, 2012 at approximately 10:42 p.m., DRINK ENTERPRISES, LLC dba SPANKY'S RIPTIDE, a dispenser general licensee, did fail to comply with the condition that it is subject to any other laws or rules applicable to the business of the licensee, contrary to Section 08-101-40(a) of the Rules of the Liquor Commission, County of Maui. [*Patrons smoking within the premises*]
- Count 7. On February 8, 2013 at approximately 8:15 p.m., DRINK ENTERPRISES, LLC dba SPANKY'S RIPTIDE, a dispenser general licensee, did fail to comply with the condition that it is subject to any other laws or rules applicable to the business of the licensee, contrary to Section 08-101-40(a) of the Rules of the Liquor Commission, County of Maui. [*Patrons smoking within the premises*]

- Count 8. On March 1, 2013 at approximately 9:09 p.m., DRINK ENTERPRISES, LLC dba SPANKY'S RIPTIDE, a dispenser general licensee, did fail to comply with the condition that it is subject to any other laws or rules applicable to the business of the licensee, contrary to Section 08-101-40(a) of the Rules of the Liquor Commission, County of Maui. [*Patrons smoking within the premises*]

**C. COMPLAINT AND ACCUSATION NO. 2014-4, PLEA: NO CONTEST**

**In the matter of the accusation against RAA CORP. dba DIAMOND'S ICE BAR & GRILL, Dispenser General License No. 228, 1279 South Kihei Road, Suite 314, Kihei, Maui, Hawaii.**

- Count 1. On February 19, 2012 at approximately 12:18 a.m., RAA CORP. dba DIAMOND'S ICE BAR & GRILL, a dispenser general licensee, did fail to obtain a permit for the area designated for dancing, contrary to Section 08-101-27(a)(6) of the Rules of the Liquor Commission, County of Maui.
- Count 2. On February 19, 2012 at approximately 12:18 a.m., RAA CORP. dba DIAMOND'S ICE BAR & GRILL, a dispenser general licensee, did fail to obtain a permit to modify its approved floor plan, contrary to Section 08-101-27(a)(10) of the Rules of the Liquor Commission, County of Maui.
- Count 3. On February 19, 2012 at approximately 12:18 a.m., RAA CORP. dba DIAMOND'S ICE BAR & GRILL, a dispenser general licensee, did, through its employee(s), fail to ensure that aisles or walkways were cleared of any congestion or blockage which would prevent any person from moving freely within any aisle or walkway, contrary to Section 08-101-90(b) of the Rules of the Liquor Commission, County of Maui.
- Count 4. On February 19, 2012 at approximately 12:18 a.m., RAA CORP. dba DIAMOND'S ICE BAR & GRILL, a dispenser general licensee, did fail to ensure that dancing take place only in areas designated and approved by the director, contrary to Section 08-101-23(a) of the Rules of the Liquor Commission, County of Maui.
- Count 5. On February 19, 2012 at approximately 12:18 a.m., RAA CORP. dba DIAMOND'S ICE BAR & GRILL, a dispenser general licensee, did fail to have a non-consumption area

clearly designated and approved for dancing, contrary to Section 08-101-23(b) of the Rules of the Liquor Commission, County of Maui.

**D. COMPLAINT AND ACCUSATION NO. 2014-6, PLEA: NO CONTEST**

**In the matter of the accusation against JENANI, INC. dba A SAIGON CAFE JENNIFER'S, Dispenser General License No. 008, 1792 Main Street, Wailuku, Maui, Hawaii.**

Count 1. On July 27, 2012 at approximately 7:00 p.m., JENANI, INC. dba A SAIGON CAFE JENNIFER'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.

**E. COMPLAINT AND ACCUSATION NO. 2014-8, PLEA: NO CONTEST**

**In the matter of the accusation against MR. TUTTLE, LLC. dba GANNON'S, Restaurant General License No. 087, 100 Wailea Golf Club Drive, Wailea, Maui, Hawaii.**

Count 1. On January 10, 2013 at approximately 12:00 a.m., MR. TUTTLE, LLC. dba GANNON'S, a restaurant 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.

**II. ADJOURNMENT:**

NEXT LIQUOR CONTROL ADJUDICATION BOARD MEETING WILL BE HELD ON THURSDAY, FEBRUARY 6, 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.

If you require an auxiliary air of accommodation due to a disability, please contact the Director three working days prior to the scheduled hearing. The request may be made by writing to the Director at: Department of Liquor Control, 2145 Kaohu Street, Room 105, Wailuku, Maui, Hawaii 96793, or by calling 243-7753.