

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

DATE & TIME: MARCH 6, 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. 2014-11, PLEA: NO CONTEST

In the matter of the accusation against MARGARET, INC. dba NACHOS GRANDE, Dispenser General License No. 330, 3350 Lower Honoapiilani Road, 502 & 503, Honokowai, Maui, Hawaii.

Count 1. On April 14, 2013 at approximately 12:20 a.m., MARGARET, INC. dba NACHOS GRANDE, a dispenser general licensee, did allow the consumption of liquor in the food and beverage preparation area, contrary to Section 08-101-99(a)(1) of the Rules of the Liquor Commission, County of Maui.

Count 2. On April 14, 2013 at approximately 12:20 a.m., MARGARET, INC. dba NACHOS GRANDE, 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.

B. COMPLAINT AND ACCUSATION NO. 2014-14, PLEA: NO CONTEST

In the matter of the accusation against KBHL, LLC dba KAAANAPALI BEACH HOTEL, Hotel License No. 404, 2525 Kaanapali Parkway, Kaanapali, Maui, Hawaii.

Count 1. On December 9, 2012 between the approximate times of 10:00 a.m. and 2:00 p.m., KBHL, LLC dba KAAANAPALI BEACH HOTEL, a hotel licensee, did, through its employee(s), sell, serve, or furnish liquor to, or allow the consumption of liquor by a patron, 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 3. On December 9, 2012 between the approximate times of 10:00 a.m. and 2:00 p.m., KBHL, LLC dba KAA NAPALI BEACH HOTEL, a hotel licensee, did, through its employee(s), knowingly permit a patron, 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.

C. COMPLAINT AND ACCUSATION NO. 2014-15, PLEA: NO CONTEST

In the matter of the accusation against HANZAWA GROUP LLC dba HANZAWA'S VARIETY STORE, Retail General License No. 336, 1833 Kaupakalua Road, Haiku, Maui, Hawaii.

- Count 1. On July 11, 2013 at approximately 5:04 p.m., HANZAWA GROUP LLC dba HANZAWA'S VARIETY 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.

D. COMPLAINT AND ACCUSATION NO. 2014-16, PLEA: NO CONTEST

In the matter of the accusation against RODEO GENERAL STORE SOUTH INC. dba RODEO GENERAL STORE SOUTH, Retail General License No. 161, 1847 South Kihei Road, Apt. 1, Kihei, Maui, Hawaii.

- Count 1. On July 12, 2013 at approximately 3:55 p.m., RODEO GENERAL STORE SOUTH INC. dba RODEO GENERAL STORE SOUTH, 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.

E. COMPLAINT AND ACCUSATION NO. 2014-17, PLEA: NO CONTEST

In the matter of the accusation against F & K CORPORATION dba SOUP NUTZ & JAVA JAZZ, Dispenser General License No. 123, 3350 Lower Honoapiilani Road, Space 203 & 204, Honokowai, Maui, Hawaii.

Count 1. On July 19, 2013 at approximately 8:15 p.m., F & K CORPORATION dba SOUP NUTZ & JAVA JAZZ, 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.

F. COMPLAINT AND ACCUSATION NO. 2014-18, PLEA: NO CONTEST

In the matter of the accusation against HAOLEPINOS OF MAUI, INC. dba 7 POOLS LOUNGE, Dispenser General License No. 106, 331 Hookahi Street, Wailuku, Maui, Hawaii.

Count 1. On July 19, 2013 at approximately 11:20 p.m., HAOLEPINOS OF MAUI, INC. dba 7 POOLS LOUNGE, 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.

G. COMPLAINT AND ACCUSATION NO. 2014-19, PLEA: NO CONTEST

In the matter of the accusation against O & Y, INC. dba SANDY'S LOUNGE, Dispenser General License No. 362, 270 Waiehu Beach Road, #105, Wailuku, Maui, Hawaii.

Count 1. On August 30, 2013 and August 31, 2013 between the approximate times of 11:00 p.m. and 1:24 a.m., O & Y, INC. dba SANDY'S LOUNGE, a dispenser general licensee, did, through its employee(s), sell, serve, or furnish liquor to, or allow the consumption of liquor by a patron, 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 August 30, 2013 and August 31, 2013 between the approximate times of 11:00 p.m. and 1:24 a.m., O & Y, INC. dba SANDY'S LOUNGE, 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 a patron 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 August 30, 2013 and August 31, 2013 between the approximate times of 11:00 p.m. and 1:24 a.m., O & Y, INC. dba SANDY'S LOUNGE, a dispenser general licensee, did, through its employee(s), knowingly permit a patron, 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. ADMINISTRATIVE AFFAIRS:

- A.** Resolution Honoring William 'Bill' Kinaka
- B.** Election of Liquor Control Adjudication Board Chairperson and Vice Chairperson for the period April 2014 through March 2015

III. ADJOURNMENT:

NEXT LIQUOR CONTROL ADJUDICATION BOARD MEETING WILL BE HELD ON APRIL 3, 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 aid or 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.