

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

DATE & TIME: MARCH 5, 2015, 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. 2015-10, PLEA: GUILTY

In the matter of the accusation against KEANU KAI MAUI LLC dba LULU'S SURF CLUB & GRILL LAHAINA, Dispenser General License No. 298, 1221 Honoapiilani Highway, Unit A-1, Lahaina, Maui, Hawaii.

- Count 1. On February 16, 2013 and February 17, 2013 between the approximate times of 11:30 p.m. and 1:17 a.m., KEANU KAI 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 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 February 16, 2013 and February 17, 2013 between the approximate times of 11:30 p.m. and 1:17 a.m., KEANU KAI 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 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 February 16, 2013 and February 17, 2013 between the approximate times of 11:30 p.m. and 1:17 a.m., KEANU KAI MAUI LLC dba LULU'S SURF CLUB & GRILL LAHAINA, 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.

B. COMPLAINT AND ACCUSATION NO. 2015-12, PLEA: GUILTY

In the matter of the accusation against KEANU KAI MAUI LLC dba LULU'S SURF CLUB & GRILL LAHAINA, Dispenser General License No. 298, 1221 Honoapiilani Highway, Unit A-1, Lahaina, Maui, Hawaii.

- Count 1. On June 30, 2013 between the approximate times of 12:00 midnight and 1:35 a.m., KEANU KAI 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 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 June 30, 2013 between the approximate times of 12:00 midnight and 1:35 a.m., KEANU KAI 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 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 June 30, 2013 between the approximate times of 12:00 midnight and 1:35 a.m., KEANU KAI MAUI LLC dba LULU'S SURF CLUB & GRILL LAHAINA, 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.
- Count 4. On June 30, 2013 between the approximate times of 1:04 a.m. and 1:35 a.m., KEANU KAI MAUI LLC dba LULU'S SURF CLUB & GRILL LAHAINA, 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.

C. COMPLAINT AND ACCUSATION NO. 2015-6, PLEA: NO CONTEST

In the matter of the accusation against KEANU KAI MAUI LLC dba LULU'S SURF CLUB & GRILL LAHAINA, Dispenser General License No. 298, 1221 Honoapiilani Highway, Unit A-1, Lahaina, Maui, Hawaii.

- Count 1. On July 6, 2013 and July 7, 2013 between the approximate times of 11:00 p.m. and 1:30 a.m., KEANU KAI 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 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.

D. COMPLAINT AND ACCUSATION NO. 2015-13, PLEA: NO CONTEST

In the matter of the accusation against TAKAMIYA MARKET, INC. dba TAKAMIYA MARKET, Retail Beer & Wine License No. 045, 359 North Market Street, Wailuku, Maui, Hawaii.

- Count 1. On July 11, 2013 at approximately 3:08 p.m., TAKAMIYA MARKET, INC. dba TAKAMIYA MARKET, 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.

II. ADMINISTRATIVE AFFAIRS:

- A. Resolution Honoring Marilyn Chapman
- B. Resolution Honoring Linda Fernandez
- C. Election of Liquor Control Adjudication Board Chairperson and Vice Chairperson for the period April 2015 through March 2016

III. ADJOURNMENT:

NEXT LIQUOR CONTROL ADJUDICATION BOARD MEETING WILL BE HELD ON APRIL 2, 2015, 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.