

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

DATE & TIME: AUGUST 6, 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. 2015-18, PLEA: NOT GUILTY

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 June 25, 2013 and June 26, 2013 between the approximate times of 10:00 p.m. and 12:10 a.m., RAA CORP. dba DIAMOND'S ICE BAR & GRILL, a dispenser general licensee, did, through its employee(s), sell, serve, or furnish liquor to, or allow the consumption of liquor by Patron No. 1, 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 25, 2013 and June 26, 2013 between the approximate times of 10:00 p.m. and 12:10 a.m., RAA CORP. dba DIAMOND'S ICE BAR & GRILL, a dispenser general licensee, did, through its employee(s), sell, serve, or furnish liquor to, or allow the consumption of liquor by Patron No. 2, 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 June 25, 2013 and June 26, 2013 between the approximate times of 10:00 p.m. and 12:10 a.m., RAA CORP. dba DIAMOND'S ICE BAR & GRILL, 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 Patron No. 1 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 4. On June 25, 2013 and June 26, 2013 between the approximate times of 10:00 p.m. and 12:10 a.m., RAA CORP. dba DIAMOND'S ICE BAR & GRILL, 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 Patron No. 2 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 5. On June 25, 2013 and June 26, 2013 between the approximate times of 10:00 p.m. and 12:10 a.m., RAA CORP. dba DIAMOND'S ICE BAR & GRILL, a dispenser general licensee, did, through its employee(s), knowingly permit Patron No. 1, 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 6. On June 25, 2013 and June 26, 2013 between the approximate times of 10:00 p.m. and 12:10 a.m., RAA CORP. dba DIAMOND'S ICE BAR & GRILL, a dispenser general licensee, did, through its employee(s), knowingly permit Patron No. 2, 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 7. On June 25, 2013 and June 26, 2013 between the approximate times of 10:00 p.m. and 12:10 a.m., RAA CORP. dba DIAMOND'S ICE BAR & GRILL, a dispenser general licensee, did, through its employee(s), fail immediately to prevent or suppress any violent, quarrelsome, disorderly, lewd, immoral, or unlawful conduct of

Patron No. 1 on the premises, contrary to Section 281-78(b)(6) of the Hawaii Revised Statutes and Section 08-101-60(b)(6) of the Rules of the Liquor Commission, County of Maui.

Count 8. On June 25, 2013 and June 26, 2013 between the approximate times of 10:00 p.m. and 12:10 a.m., RAA CORP. dba DIAMOND'S ICE BAR & GRILL, a dispenser general licensee, did, through its employee(s), fail immediately to prevent or suppress any violent, quarrelsome, disorderly, lewd, immoral, or unlawful conduct of Patron No. 2 on the premises, contrary to Section 281-78(b)(6) of the Hawaii Revised Statutes and Section 08-101-60(b)(6) of the Rules of the Liquor Commission, County of Maui.

Count 9. From June 17, 2013 to June 30, 2013, RAA CORP. dba DIAMOND'S ICE BAR & GRILL, a dispenser general licensee, did fail to have a timesheet showing in English the legal first name of an employee, and to maintain time record entries at the time the employee reports on duty and again when the employee goes off duty, contrary to Section 08-101-70(f) of the Rules of the Liquor Commission, County of Maui.

II. ADJOURNMENT:

NEXT LIQUOR CONTROL ADJUDICATION BOARD MEETING WILL BE HELD ON SEPTEMBER 3, 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.