

LIQUOR CONTROL ADJUDICATION BOARD
DEPARTMENT OF LIQUOR CONTROL
COUNTY OF MAUI, STATE OF HAWAII

TRANSCRIPT OF PROCEEDINGS
REGULAR MEETING

Held at the Department of Liquor Control Conference Room, David K. Trask, Jr. Office Building, 2145 Kaohu Street, Room 108, Wailuku, Maui, Hawaii, commencing at 9:07 a.m., on Thursday, January 4, 2018.

Reported by: Tonya McDade, CSR, RPR, CRR, CRC
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1 BOARD MEMBERS PRESENT:

2 Donald Fujii, Chairperson

3 Wayne Pagan, Vice-Chairperson

4 Candace Ariaga, Member

5 Zachary Helm, Member

6 Gwen Ueoka, Member

7 Bruce U`u, Member (In, 9:09 a.m.)

8 Jason Williams, Member (Out, 10:15 a.m.)

9 STAFF PRESENT:

10 Edward Kushi, Jr., First Deputy Corporation Counsel

11 Peter Hanano, Deputy Prosecuting Attorney

12 Glenn Mukai, Director

13 Bill Pacheco, Liquor Control Officer IV

14 Karilee Yoshizawa, Liquor Control Officer IV

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(Thursday, January 4, 2018, 9:07 a.m.)

CHAIR FUJII: (Gavel.) Good morning. The meeting of the Liquor Control Adjudication Board is now called to order pursuant to Section 281-91 of the Hawaii Revised Statutes and Section 8-13.3 of the Charter of the County of Maui to consider the matters and issues as posted on today's agenda. At this time, we would like the Board Members and staff to introduce themselves, starting with our acting secretary.

MS. YOSHIZAWA: Kari Yoshizawa, Liquor Control.

MEMBER HELM: Zach Helm, Molokai.

MR. KUSHI: Ed Kushi.

CHAIR FUJII: Donald Fujii, Wailuku.

VICE-CHAIR PAGAN: Wayne Pagan, Upcountry.

MEMBER ARIAGA: Candace Ariaga, Lanai.

MEMBER UEOKA: Gwen Ueoka, Wailuku.

MEMBER WILLIAMS: Jason Williams, Wailuku.

DIRECTOR MUKAI: Glenn Mukai, Liquor Control.

MR. HANANO: Peter Hanano, Department of Prosecuting Attorney.

MR. PACHECO: And Bill Pacheco, Department of Liquor Control.

CHAIR FUJII: Thank you. All of you have your agenda in front of you. We will be taking Complaint and

1 Accusation Number -- Number D, 2018-06, at this time
2 because this is something that we can -- we thought would
3 take us a lot of time during our meeting, at the end, but
4 we'll let Mr. Jorgensen explain what -- the circumstances
5 regarding this. Mr. Jorgensen, you can introduce
6 yourself.

7 MR. JORGENSEN: Yes. Dave Jorgensen, attorney
8 for the licensee Haolepinos of Maui, Inc. dba 7 Pools
9 Lounge. This matter is on the agenda for a couple
10 violations, three violations, of not having a permit. A
11 couple years ago, there was a request from the client to
12 be able to stay open from 2:00 to 4:00 without liquor,
13 just with coffee, juice, soda, soup. And that was
14 approved with a condition on it that raises an issue about
15 the ramifications of the results of this hearing. And so
16 in discussions with the Department, it was felt that it
17 would make more sense to go to the Commission first to get
18 that condition clarified before proceeding with this
19 hearing today. So we would request that this be deferred
20 until -- and I'll work with the Department, but probably
21 the March agenda.

22 CHAIR FUJII: Okay. Any questions by Members of
23 the Board regarding Mr. Jorgensen's request on Complaint
24 and Accusation Number 2018-06?

25 MR. KUSHI: Mr. Chair?

1 CHAIR FUJII: Mr. Kushi.

2 MR. KUSHI: Question for staff, is that okay
3 with you guys?

4 DIRECTOR MUKAI: Yes.

5 MR. HANANO: Yeah. No -- no objection from the
6 prosecution.

7 CHAIR FUJII: Okay. Any -- any questions or
8 need -- need clarification from Mr. Jorgensen by anyone
9 from the Board? If not, Mr. Jorgensen, we will be
10 awaiting your -- your meeting with the Commission before
11 we see you again.

12 MR. JORGENSEN: And my understanding is we're
13 going to try and get that on the agenda for the February
14 Commission meeting. So --

15 CHAIR FUJII: Okay. Yeah.

16 MR. JORGENSEN: Thank you very much.

17 CHAIR FUJII: We'll take it from there. Thank
18 you.

19 MR. JORGENSEN: Thank you. Have a good day.

20 CHAIR FUJII: Before we begin with our first
21 hearing, we are -- we have two Board Members that are
22 excused for today's meeting. We were waiting for Mr. U`u
23 to show up, and here he is. So excused for today's
24 meeting is Lahela Aiwohi and Jerrybeth De Mello, for the
25 record. Thank you.

1 Now we are ready to proceed with our normal
2 agenda. We will now hear Complaint and Accusation Number
3 2018-01 against Aumakua Holdings Inc. doing business as
4 Maui Brewing. Will the Respondent or its representatives
5 please step forward, state your names and what capacity
6 you represent the Respondent?

7 MS. OXLEY: Good morning. Happy New Year. My
8 name is Melanie Oxley, the COO, one of the co-founders of
9 Maui Brewing Company.

10 MR. MARRERO: Garrett Marrero, Agent and General
11 Manager, Maui Brewing, Aumakua Holdings.

12 CHAIR FUJII: Thank you, Mr. Marrero. At this
13 time, you have the option of having the charges publicly
14 read, or you can waive the reading. What is your
15 preference?

16 MS. OXLEY: I think we can waive the reading.

17 MR. MARRERO: Save the time.

18 CHAIR FUJII: Okay. Thank you. For the record,
19 do you represent the Respondent involved?

20 MS. OXLEY: Yes.

21 CHAIR FUJII: Do you have legal counsel?

22 MS. OXLEY: I do not.

23 CHAIR FUJII: Do you understand that you have
24 the right to have your legal counsel present?

25 MS. OXLEY: Yes.

1 CHAIR FUJII: Do you understand the charges
2 against -- against you?

3 MS. OXLEY: Yes, we do.

4 CHAIR FUJII: What is your plea to Count 1 and
5 Count 2?

6 MS. OXLEY: It was a stipulation, waiver,
7 request for informal hearing, no -- no contest pleas.

8 CHAIR FUJII: On Count 1 and Count 2?

9 MS. OXLEY: Yes.

10 CHAIR FUJII: Do you understand the violations
11 the Department of Liquor Control alleges against you?

12 MS. OXLEY: Yes, we do.

13 CHAIR FUJII: Do you understand that you have
14 the right to plead not guilty?

15 MS. OXLEY: Yes, we do.

16 CHAIR FUJII: Do you understand, by pleading no
17 contest, you waive the right to a hearing in which you
18 could present evidence and question witnesses on your
19 behalf?

20 MS. OXLEY: Yes, we do.

21 CHAIR FUJII: Is your plea of no contest
22 voluntary, and not the result of force, threats or
23 promises apart from any plea agreement?

24 MS. OXLEY: It's voluntary.

25 CHAIR FUJII: Do you understand, on Counts 1 and

1 2, if the Board accepts your plea of no contest, you will
2 be found guilty, and that the Board may issue a reprimand
3 or assess and collect a penalty of up to \$2,000 on each
4 count, or revoke any license at any time, or suspend the
5 right of the licensee to use the license?

6 MS. OXLEY: Yes, we do.

7 CHAIR FUJII: Do you still wish to plead no
8 contest?

9 MS. OXLEY: Yes, we do.

10 CHAIR FUJII: The Board hereby finds the
11 licensee has entered a knowing and voluntary plea of no
12 contest. The Board accepts your plea and finds you guilty
13 of Count 1 and Count 2 reflected in Complaint and
14 Accusation Number 2018-01.

15 MS. OXLEY: Uh-huh.

16 CHAIR FUJII: At this time, Mr. Hanano, would
17 you please present a summary of the case?

18 MR. HANANO: Yes. Thank you, Chair.

19 This case involved a minor decoy operation which
20 took place on Saturday, July 22nd, 2017. The Minor Decoy
21 Team was comprised of Liquor Control Officers Bill
22 Pacheco, Robert Shiigi, Cullen Kawano, and Maui Police
23 Department officers Sergeant Eric Lee Correa and Officer
24 Jeremy Pallone-De La Torre, and a male minor decoy.

25 The Minor Decoy Checklist was reviewed with the

1 minor decoy, informing him of the requirements of the
2 rules pertaining to minor decoy operations. The rules
3 required, among other things, that the minor decoy carry
4 his valid Hawaii State driver's license card on his person
5 at all times, that he answer any questions about his age
6 truthfully and that he present his valid Hawaii driver's
7 license card when asked by any employee of the licensed
8 premises to do so. The minor decoy reviewed and signed
9 the Minor Decoy Checklist indicating he understood what
10 was read to him.

11 The minor decoy's Hawaii driver's license was
12 printed in a vertical format which clearly indicated that
13 the minor decoy became 21 years of age on 10-02-2017.

14 As part of the operation, the minor decoy was
15 provided with a 20-dollar bill to use as buy money.

16 On July 22nd, 2017, at about 9:49 p.m., Officer
17 De La Torre entered the Maui Brewing Company establishment
18 located at 605 Lipoa Parkway, Kihei, Maui, Hawaii. After
19 entering, Officer De La Torre stood at one of the round
20 high tables facing the standup bar counter. About a
21 minute later, the minor decoy entered the premises, walked
22 up to the stand-up bar counter and ordered a Bikini Blonde
23 beer from the bartender, later identified as Krystina
24 Kokot. At that time, Kokot immediately asked for the
25 minor decoy's ID, at which time the minor decoy handed

1 Kokot his Hawaii driver's license. Kokot checked the
2 minor decoy's ID for a few seconds, then handed the ID
3 back to the minor decoy. Following that, Kokot walked
4 over to the bar counter and filled a glass with beer, then
5 walked back to the bar counter and placed the glass of
6 beer in front of the minor decoy. Kokot then asked the --
7 to see the minor decoy's ID a second time, to which the
8 minor decoy presented his Hawaii driver's license to Kokot
9 again. After checking the ID a second time, Kokot handed
10 the ID back to the minor decoy, then indicated the price
11 owed for the glass of beer. In response, the minor decoy
12 handed Kokot the 20-dollar buy money, which Kokot accepted
13 then handed the minor decoy back the change.

14 After taking possession of the glass of Bikini
15 Blonde beer, Officer De La Torre walked over to take
16 possession of the glass of beer as evidence and informed
17 Kokot that she had just served liquor to a underage minor
18 decoy.

19 As part of the investigation, Krystina Kokot was
20 interviewed, at which time she provided the following
21 statement: Stated that she was the manager/bartender and
22 has worked for Maui Brewing Company for about three years;
23 that evening, her shift started at 4:00 p.m. and ended at
24 11:00 p.m.; stated that while employed at the Maui Brewing
25 Company, there's been employee meetings which included

1 training on how to properly check IDs; she acknowledged
2 that she asked for and checked the minor decoy's ID twice,
3 but that she must have missed the date when checking the
4 ID.

5 Nothing further, Chair.

6 CHAIR FUJII: Thank you, Mr. Hanano. Any
7 questions by Members of the Board regarding the report as
8 presented by Mr. Hanano? Okay. No questions? Okay.
9 Let's move on, then. Mr. Marrero and -- I forgot your
10 first name again.

11 MS. OXLEY: Melanie. It's okay.

12 CHAIR FUJII: Melanie. Garrett and Melanie --

13 MS. OXLEY: That's okay.

14 CHAIR FUJII: Okay. You have the opportunity to
15 make a statement regarding this case. You may inform --
16 also inform the Board of any mitigating circumstances
17 which may or may not apply to sentencing. So this is your
18 opportunity to explain further if we've missed out on
19 anything here.

20 MS. OXLEY: Yeah. I think the facts are fairly
21 clear. I just would like to state what our company did
22 do. Obviously, after speaking with the employee, it -- we
23 kind of concluded that it was some personal (inaudible)
24 she was going through. The training was there. She
25 checked the ID twice. I think it was just her state of

1 mind at the time with some circumstances that she was
2 personally going through. But what we as a company did do
3 is -- we were never fond of those, you know, 21, able to
4 be served as of this date hanging on the wall right at the
5 bar, but we decided to hang one there just so that even if
6 someone is having issues with doing the math or, you know,
7 is going through some things maybe in their personal life,
8 we're gonna make their day-to-day work as easy as we
9 possibly can. So that -- that is in light at our bar,
10 visible for all bartenders when working behind our bar.

11 MR. MARRERO: Yeah. Further, I think Krysti
12 was, also, demoted from her position as a manager.

13 MS. OXLEY: She was.

14 MR. MARRERO: You know, that's -- it's our basic
15 function that a bartender has to perform, is to check the
16 ID properly. And in our 13-year history, this is the
17 first time that that's ever occurred. So, you know, it's
18 an unfortunate occurrence. Her head space wasn't right at
19 the time. Still no excuse for -- for not doing the job
20 right, so --

21 MS. OXLEY: Yeah. And we did contemplate firing
22 her, but, once we kind of understood some things, we just
23 decided that -- you know, we had made her a lead manager
24 for a reason, and for good reasons. And that I think
25 we've all been there with maybe situations in our personal

1 life. We didn't want to kick her when she was down, so we
2 chose not to fire her, but we did heavily demoted her,
3 which, you know, obviously resulted in a loss of wages for
4 her.

5 CHAIR FUJII: Any questions by Members of the
6 Board as to what was presented by the licensee? Jason.

7 MEMBER WILLIAMS: Just wondering, your overall
8 training, what do you guys do with your servers, your
9 employees?

10 MS. OXLEY: During hiring, we have that,
11 actually, as a part of our, even, handbook. So in part of
12 our employee handbook is responsible serving. So there's
13 no short of information that even on your date of hire
14 that you don't get of how important that is. There's a
15 red light, green light, yellow light system that's --
16 that's even going into play at all of our restaurants.
17 It's something that we opened Waikiki with and we rolled
18 into Kahana as well as Kihei, just shortly as well, to
19 even give them more of an understanding of dealing with
20 and how to utilize their managers who are on the floor as
21 well. Obviously, we have the books that the Liquor
22 Control here provides us that we go over thoroughly with
23 them. And it is something, like Krysti even says, that we
24 are constantly talking about in our -- we have pre-shifts.
25 So it's not something we talk about every day, but it's

1 something that is, obviously, routinely brought up and
2 discussed of how important it is.

3 MEMBER WILLIAMS: Thank you.

4 CHAIR FUJII: Any other questions?

5 MEMBER HELM: Yes, I have a question.

6 CHAIR FUJII: Go ahead.

7 MEMBER HELM: What is your capacity of your
8 restaurant or your brewery?

9 MR. MARRERO: I believe the capacity, fire code
10 occupancy, I think, is 120 currently. We're in a bit of
11 construction, so it's -- you know, when the restaurant is
12 opening in about a month, that will change.

13 MEMBER HELM: So how's the flow of your
14 business? Is it steady?

15 MR. MARRERO: Pretty steady, yeah. Yeah.

16 MEMBER HELM: Busy?

17 MS. OXLEY: Yeah.

18 MEMBER HELM: So what kind of personnel do you
19 have during those busy times?

20 MS. OXLEY: During the busy times, we will have
21 two to three bartenders or two bartenders, one barback.
22 And then, at the front, we'll have at least one host,
23 sometimes a second one. And then we have tour guides who
24 are sometimes, obviously, in the brewery doing the tour,
25 but when they come back, they will help the floor as well.

1 And then there's -- yeah. So there -- we are looking
2 forward. This happened at the Kihei Tasting Room where we
3 didn't have full food service. So there are lesser staff
4 than a full-service restaurant. And we -- we're very much
5 looking forward to the restaurant in Kihei opening
6 probably the end of this -- this month, we're targeting to
7 where that will bring in more management, more staff, more
8 table service environment. That, obviously, is going to
9 be -- I'm not gonna say a peace of mind, but it's gonna
10 put us in a -- in a better secure place for any sort of,
11 you know, liquor control. I still don't think that -- I
12 don't even think that more management on the floor would
13 have helped Krysti in this situation. I'm hoping it was
14 an isolated incident.

15 MR. MARRERO: Yeah.

16 MEMBER HELM: Thank you.

17 MR. MARRERO: Also, too, to address Jason as
18 well, we also require bartenders and managers to have the
19 Liquor Control Server Card.

20 MEMBER WILLIAMS: Awesome.

21 MR. MARRERO: So everyone has to have that. So
22 this was one of those -- I can't think of a better term
23 than a brain fart situation where she was -- everything in
24 her life overtook what she knows her job to be. And, you
25 know, without getting into the circumstances of her

1 personal life, it was pretty severe. So we felt, as
2 Melanie said, that, you know, kicking her while she was
3 down, to fire her, wasn't right, but demotion and more
4 involved training for her and reminding her of what her
5 primary role is was more important.

6 MEMBER WILLIAMS: Awesome.

7 CHAIR FUJII: Any other questions by Members of
8 the Board? I'm going to direct this to Mr. Hanano. What
9 was the form of identification that was presented?

10 MR. HANANO: I believe it was a Hawaii driver's
11 license in -- in the vertical.

12 CHAIR FUJII: It was --

13 MR. HANANO: Vertical format.

14 CHAIR FUJII: Again, I hate to bring this up
15 every time, but it's always been -- this Hawaii driver --
16 these are minor stings, so minors got to present their
17 licenses. And, you know, the vertical versus the
18 horizontal --

19 MR. MARRERO: Uh-huh.

20 CHAIR FUJII: -- that's -- you know, it's
21 almost -- that's the biggest clue you can get is a minor
22 with a vertical --

23 MS. OXLEY: Yeah. And she has to look at it
24 twice. I think, even in her mind, she knew something
25 wasn't right. I don't know. I can't guess. I can't

1 speak for her, but, yeah.

2 CHAIR FUJII: So --

3 MS. OXLEY: I'm not sure.

4 CHAIR FUJII: That -- that's why when we have
5 these cases that come up with presenting a minor driver's
6 license again --

7 MS. OXLEY: Uh-huh.

8 CHAIR FUJII: -- it's -- it's foremost that it's
9 drummed into the employees as part of the training.

10 MS. OXLEY: Uh-huh.

11 CHAIR FUJII: And you can put all the signs in
12 the world in your establishment, but, you know, they're
13 not gonna be looking at these signs, your employees, but
14 they're gonna be looking at this ID that's --

15 MS. OXLEY: Right.

16 CHAIR FUJII: -- been presented, you know. And
17 like I said, 99 percent of the time, it's -- it is a
18 vertical license being presented as ID.

19 MS. OXLEY: Yeah.

20 CHAIR FUJII: If no further questions -- go
21 ahead, Bruce.

22 MEMBER U`U: Just a comment. On a personal
23 note, I like that you gave the employee one second --
24 second chance. I like that part. I think everybody, you
25 know, make mistakes throughout their life. And -- and,

1 hopefully, this helps and not hinders her, but I like the
2 point that you guys not kicking them when they down. I
3 really like that part.

4 MS. OXLEY: Well, she had worked -- she had
5 worked for us for two and-a-half years before this
6 happened. And, like I said, she had been promoted in that
7 time. So I like to think that I know what she's capable
8 and I -- I know some of the circumstances of her working
9 for us where -- you know, where -- we were having a party
10 or what-have-you, where, you know, she saved our butts in
11 ordering things that had gotten missed even by management.
12 So I have to go back with just the job that she had done
13 leading up to that and, you know, just understanding her
14 circumstances at the time in her headspace. And that this
15 will never happen again. If it had been a different
16 employee, they probably might have been fired. If they
17 had shown lacksadaisicalness in other areas. But, I mean,
18 honestly, she showed more awareness than lacksadaisical,
19 so I'm going to give her the benefit of the doubt.

20 MR. MARRERO: Yeah. Her re -- level of remorse
21 was high.

22 MS. OXLEY: And her level of remorse was
23 extremely high.

24 MR. MARRERO: You know, and -- and our company
25 was built on, you know, the idea of family and spirit of

1 ohana. And, you know, we -- we talked about the Small
2 Business Award earlier. That's an award that's not for
3 Melanie and I, but that's -- that's an award that comes
4 from the over 400 people that work for us now in the state
5 of Hawaii. So, you know, we would be -- we would be doing
6 an injustice to our team and, I think, to Hawaii if we
7 just cut and run with -- without (inaudible).

8 CHAIR FUJII: Any further questions? One thing
9 I was gonna add to Bruce's statement of compassion and
10 nature of the people handling the employees the best you
11 could because you knew the background and circumstances.
12 And what Garrett brought up just now was that, if some of
13 you not aware of, the Maui Brewing won the national award
14 as Small Business of the Year nationally. And this award
15 was presented by President Trump last year. And it put
16 Maui on the map, you know, as being the national award --
17 business -- small business award. Again, we understand it
18 takes -- it takes the whole organization to put it
19 together.

20 If no further questions, then, Mr. Hanano, what
21 will be the Director's argument as to penalty?

22 MR. HANANO: Yes. Thank you, Chair. Original
23 license for this licensee was issued back in December of
24 2014. Although there is a prior conviction involving an
25 overservice, there's none for selling to a minor. In

1 light of that, we're recommending, in Count 1, a \$2,000
2 fine with \$1,000 suspended on the condition that there's
3 no further convictions for the same offense within a
4 one-year period, and, in Count 2, we're recommending a
5 \$500 fine.

6 CHAIR FUJII: Thank you, Mr. Hanano. The Board
7 will take all matters that's presented -- has been
8 presented into consideration. We'll entertain a motion to
9 go into deliberation.

10 MEMBER WILLIAMS: Motion.

11 CHAIR FUJII: Motion by Jason, seconded by Zach.
12 Any discussion? All in favor of the motion, say "aye."

13 (Response.)

14 CHAIR FUJII: Any opposed?

15 (No response.)

16 CHAIR FUJII: Motion carried. We will be in
17 deliberation. We'll call you back in a few minutes.

18 MR. MARRERO: Okay. Thank you very much.

19 (Deliberations, 9:28 a.m. to 9:40 a.m.)

20 CHAIR FUJII: The Board is back in open session.
21 Melanie and Garrett Marrero, the Board has looked back --
22 reviewed what has been presented at the hearing this
23 morning and have come up with the recommended penalties as
24 presented by the prosecutor. So on Count 1, the Board has
25 come to a decision that the licensee be fined \$2,000 of

1 which \$1,000 will be suspended provided there is no
2 reoccurrence of the same violation within a period of one
3 year. On Count 2, the Board has issued a penalty of \$500.
4 And the Department will notify you when payment is due.
5 And thank you for coming and presenting your side today.

6 MR. MARRERO: Thank you.

7 MS. OXLEY: Thank you. Appreciate your time.

8 MR. MARRERO: Aloha.

9 MEMBER HELM: (Inaudible).

10 MEMBER U`U: Good luck.

11 MR. MARRERO: I'm sorry. Take care, guys.

12 Aloha.

13 CHAIR FUJII: Aloha. We will -- nobody needs a
14 break, so we will now proceed to hear Complaint and
15 Accusation Number 2018-03 against RT Hawaii Restaurants
16 doing business as Ruby Tuesday. And I see the Respondent
17 and the representative at the table there. And will you
18 please identify yourselves?

19 MR. NAKASHIMA: Yeah. Hello. Thank you. My
20 name is Rick Nakashima, I'm Vice President and Partner in
21 Ruby Tuesday Hawaii.

22 CHAIR FUJII: Thank you. And --

23 MR. NAUMANN: My name is Jeff Naumann, I'm the
24 General Manager of Ruby Tuesday in Kihei, here on Maui.

25 CHAIR FUJII: Spell your last name, please.

1 MR. NAUMANN: N as in Nancy, A-U, M as in Mary,
2 A-N-N.

3 CHAIR FUJII: N-A-U-M --

4 MR. NAUMANN: A-N-N.

5 CHAIR FUJII: Thank you. Okay. At this time
6 you have the option, Mr. Nakashima and Mr. Naumann, to
7 have the charges publicly read or you can waive the
8 reading. What is your preference?

9 MR. NAKASHIMA: We can waive the reading,
10 please.

11 CHAIR FUJII: Waive the reading. Okay. For the
12 record, do you represent the Respondent involved?

13 MR. NAKASHIMA: Yes.

14 CHAIR FUJII: Do you have legal counsel?

15 MR. NAKASHIMA: We waive legal counsel. We've
16 spoken. Thank you.

17 CHAIR FUJII: Do you understand that you have a
18 right to have legal counsel present?

19 MR. NAKASHIMA: Yes, sir.

20 CHAIR FUJII: Do you understand the charge --
21 charges against you?

22 MR. NAKASHIMA: Yes. Thank you.

23 CHAIR FUJII: What is your plea to Count 1?

24 MR. NAKASHIMA: No comment.

25 CHAIR FUJII: No comment?

1 MR. NAKASHIMA: I mean contest. I didn't think
2 I was gonna blow it today.

3 CHAIR FUJII: It's still early in the year.

4 MR. NAKASHIMA: No contest.

5 CHAIR FUJII: Still not pau holiday, I guess.
6 And on -- on Count 2?

7 MR. NAKASHIMA: No contest.

8 CHAIR FUJII: Moving on.

9 MR. NAUMANN: Too much time talking to the
10 press.

11 MR. NAKASHIMA: Watching government hearings.

12 CHAIR FUJII: Do you understand the violations
13 the Department of Liquor Control alleges against you?

14 MR. NAKASHIMA: Yes.

15 CHAIR FUJII: Do you understand that you have
16 the right to plead not guilty?

17 MR. NAKASHIMA: Yes.

18 CHAIR FUJII: Do you understand, by pleading no
19 contest, you waive the right to hearing in which you could
20 present evidence and question witnesses on your behalf?

21 MR. NAKASHIMA: Yes.

22 CHAIR FUJII: Is your plea of no contest
23 voluntary and not the result of force, threats or of
24 promises apart from any plea agreement? It's --

25 MR. NAKASHIMA: Yes.

1 CHAIR FUJII: -- voluntary? Do you understand,
2 on each count, if the Board accepts your plea of no
3 contest, you will be found guilty and the Board may issue
4 a reprimand, or assess and collect a penalty of up to
5 \$2,000, or revoke any license at any time, or suspend the
6 right of the licensee to use the licensee's license?

7 Verbally --

8 MR. NAUMANN: Yes.

9 MR. NAKASHIMA: Yes.

10 CHAIR FUJII: -- respond.

11 MR. NAKASHIMA: Uh-huh.

12 CHAIR FUJII: We got a record -- recorder here.

13 MR. NAKASHIMA: Uh-huh. Yes.

14 CHAIR FUJII: Okay. Do you still wish to plead
15 no contest?

16 MR. NAKASHIMA: Yes.

17 CHAIR FUJII: The Board hereby finds that the
18 licensee has entered a knowing and voluntary plea of no
19 contest. The Board accepts your plea and finds you guilty
20 of -- on Count 1 reflected -- Count 1 and Count 2
21 reflected on Complaint and Accusation Number 2018-03. At
22 this time we would like the Department to present the
23 summary of the case. Mr. Hanano.

24 MR. HANANO: Yes. Thank you, Chair. This case
25 involved a minor decoy operation which took place on

1 Saturday, July 22nd, 2017. The Minor Decoy Team was
2 comprised of Liquor Control Officers Bill Pacheco, Robert
3 Shiigi, Cullen Kawano and Maui Police Department officer
4 Sergeant Eric Lee Correa and Officer Jeremy Pallone-De La
5 Torre as well as a minor decoy, male minor decoy.

6 The Minor Decoy Checklist was reviewed with the
7 minor decoy, informing him of the requirements and rules
8 pertaining to minor decoy operations. The rules required,
9 among other things, that the minor decoy carry his valid
10 Hawaii identification card on his person at all times,
11 that he answer any questions about his age truthfully and
12 that he present his valid Hawaii identification card when
13 asked by any employee of the licensed premises to do so.

14 The minor decoy reviewed and signed the Minor Decoy
15 Checklist indicating he understood what was read to him.

16 The minor decoy's Hawaii identification card was
17 printed in a vertical format which clearly indicated that
18 the minor decoy became 21 years of age on 04-14-2020.

19 As part of the operation, the minor decoy was
20 provided with a 20-dollar bill to use as buy money.

21 On July 22nd, 2017, at about 7:08 p.m., Officer
22 De La Torre entered the Ruby Tuesday establishment located
23 at 225 Piikea Avenue, Kihei, Maui, Hawaii. After
24 entering, Officer De La Torre seated himself at the
25 left-hand side of the bar counter. About one minute

1 later, the minor decoy entered the premises, took a seat
2 up at the bar counter which was one seat to the left of
3 Officer De La Torre. After taking his seat at the bar,
4 the male bartender, later identified as Jonathan
5 Lopez-Mata, approached the minor decoy, at which time the
6 minor decoy asked if he could order a Heineken beer. In
7 turn, Lopez-Mata asked to see the minor decoy's ID. And
8 in response, the minor decoy produced his Hawaii
9 identification card. Lopez-Mata then looked over the ID
10 for a few seconds, then handed it back to the minor decoy.
11 Lopez-Mata then went to grab a bottle of Heineken beer,
12 opened it, and placed it in front of the minor decoy.
13 After that, Lopez-Mata walked to the other end of the bar
14 to help other patrons. After the minor decoy took hold of
15 the Heineken bottle of beer, Officer De La Torre walked
16 over to take possession of the bottle of beer as evidence
17 and informed Lopez-Mata that he had just served liquor to
18 an underage minor decoy.

19 As part of the investigation, Jonathan
20 Lopez-Mata was interviewed, at which time he provided the
21 following statement: Stated he had worked for the
22 licensee for about two and-a-half years; that evening, his
23 shift started at 4:00 p.m. and ended at 11:00 p.m.;
24 stated that the only training he had received on checking
25 IDs while employed at Ruby Tuesday was the training that

1 he received in the certification class conducted by the
2 Department of Liquor and the ID checking guide books
3 provided by the Department; stated that, as far as the
4 incident involving the minor decoy, he did not remember
5 asking the minor decoy his age, but did recall checking
6 the minor decoy's ID, but, nevertheless, failed to realize
7 that -- the minor decoy's age and ended up serving the
8 minor decoy. During the interview, Mata-Lopez -- Lopez --
9 Lopez-Mata requested to see the minor decoy -- minor
10 decoy's ID again, which request was declined. Further,
11 Lopez-Mata also inquired within -- whether or not the
12 minor decoy was using a fake ID, at which time Lopez-Mata
13 was advised that the minor decoy was using his real
14 personal identification.

15 Also, as part of the investigation, Manager Eric
16 Robinson was interviewed, at which time he provided the
17 following statement: Stated, that night, he had 10 front
18 of the house employees working, including himself; stated
19 that employees had -- have pre-shift meetings where
20 employees are reminded about checking IDs. Robinson was
21 also able to produce his Employee Approved by the Director
22 Card.

23 Nothing further, Chair.

24 CHAIR FUJIII: Thank you, Mr. Hanano. Any
25 questions by Members of the Board regarding the report as

1 submitted regarding this case by Mr. Hanano? Anyone? If
2 not, Mr. Nakashima, you now have an opportunity to make a
3 statement regarding this case. You may also inform the
4 Board of any mitigating circumstances which may or may not
5 apply to sentencing. So this is your opportunity to
6 expand further, if you want to.

7 MR. NAKASHIMA: Sure. I'd -- I'd like to say,
8 you know, we're sorry this happened. It did happen, from
9 what I understand, exactly how Mr. Hanano just described
10 it. And I've spoken to Jeff about it. And he's -- he's
11 told me what he has done since and -- you know, this has
12 happened, which I would like Jeff to speak to the Board --
13 the Commission about, please. Thank you.

14 CHAIR FUJII: Okay.

15 MR. NAUMANN: So I was not in the restaurant at
16 the time this happened, but my manager Eric Robinson
17 called me immediately, explained to me what had happened.
18 And I drove down to the restaurant, had a talk with Eric
19 and I talked with the bartender John. We -- we relieved
20 him of his duties at that time behind the bar. And I --
21 I -- I ended up closing the bar myself to make sure that
22 everything was copacetic for the rest of the night.

23 My conversation with John, he was -- he was --
24 he was -- he was remorseful, he felt really bad. He felt
25 like he had let me down, like he had let Ruby Tuesday

1 down. As they said before, John's been with me for more
2 than two years up to this point, always been an exemplary
3 employee, like one of the best people we have. So I was
4 really surprised that it was him that was caught because
5 he's usually one of the people that's very outspoken about
6 we gotta check everybody. He's like holding other servers
7 accountable for this kind of stuff.

8 Company policy is -- is if -- if this happens,
9 because it has happened before on one of our Oahu
10 restaurants.

11 MR. NAKASHIMA: Uh-huh.

12 MR. NAUMANN: Is that the person who is
13 responsible can -- given the circumstances, can be
14 terminated, but, in the past, what we've done is we've
15 suspended them, talked to them about it, make sure they
16 understood the severity of the situation, and then brought
17 them back on a probationary period. And that's what we
18 decided to do with John. So he was suspended for a week
19 without pay, brought back on a probationary period and has
20 been exemplary since then.

21 What we, also, do, on a daily basis, up on our
22 information board is the date that somebody has -- that
23 lists when somebody becomes 21. And we have shift
24 meetings every shift. And that's one of the items on the
25 shift. But I reiterated that with all my managers as

1 well, to make sure they understood how important this was.
2 We, also, posted a notice for everyone. I brought it with
3 me. It says, "Effective immediately, the service of
4 alcohol at Ruby Tuesday requires a valid ID from the guest
5 ordering and/or drinking, proving they are 21 years of age
6 or older. No exception. Please take care to read the ID
7 carefully, the date posted on the information board is the
8 date that determines their legal age. Knowingly or
9 unknowingly serving alcohol to a minor can and will result
10 in the termination and/or suspension of the
11 server/bartender responsible for checking the ID. There
12 will be no preliminary disciplinary actions. It's one and
13 done from here on out." I felt it was important to add
14 that part in because the last thing I want is for us to be
15 sitting here again at a future date for the same reason.
16 "If you have any questions, please see the manager on
17 duty. If any guest makes you feel uncomfortable about
18 refusal of service, get the manager on duty. If something
19 seems not quite right, get the manager on duty. Protect
20 your job. Protect the business. 100 percent compliance."
21 And this is what's posted on the information board in my
22 restaurant now. And it's there at all times.

23 CHAIR FUJII: Thank you, Jeff. Any further
24 presentation? If not, Members of the Board, you may
25 direct your questions to Mr. Nakashima or Jeff there.

1 MEMBER WILLIAMS: I just have one question.

2 CHAIR FUJII: Go ahead.

3 MEMBER WILLIAMS: The employee, he said the only
4 training he got was when he first got hired. And so is
5 that -- is that -- is that true from before, but, now,
6 there's more training or --

7 MR. NAUMANN: I'll answer that because I -- I'll
8 answer that by saying the employee handbook is very
9 specific and the employee handbook is required reading by
10 everybody that works for me. And they sign at the end
11 that say I've read this handbook and I understand it. We
12 talk about this on a daily basis at the shift meeting. I
13 cannot say unequivocally it was talked about on that
14 particular day because I was not there, but I know that
15 when I have my shift meetings, I always say, "This is the
16 date by which you are allowed to serve beer, do not serve
17 beer to minors, check every ID." That may or may not
18 count as full training, but it is a real clear message to
19 me that we're not gonna serve minors.

20 MEMBER WILLIAMS: Thank you.

21 CHAIR FUJII: Any other?

22 MEMBER HELM: Jeff, so the employees -- like
23 prior to hiring them --

24 MR. NAUMANN: Yes.

25 MEMBER HELM: -- your policy of putting them on

1 suspension, are they -- or, you know, you bring them back
2 after a situation like this, so are they told before they
3 got hired about this policy of yours?

4 MR. NAUMANN: Yes. The policy is in the
5 handbook.

6 MEMBER HELM: Okay.

7 CHAIR FUJII: Okay. Any other questions
8 directed to the licensee here? If not, Mr. Hanano, what
9 would be the Director's argument as to penalty?

10 MR. HANANO: Yes. Thank you, Chair. Original
11 license for this licensee was issued back in January of
12 2012. There are no prior convictions whatsoever. In
13 light of that, we're recommending, in Count 1, \$2,000 fine
14 with 1,000 suspended on the condition that there's no
15 further convictions for the same offense -- same offense
16 within a one-year period. And, in Count 2, a \$500 fine.

17 CHAIR FUJII: Thank you, Hanano -- Mr. Hanano.
18 We will take all matters into consideration as presented
19 by the licensee and the prosecutor. Will someone make a
20 motion to go into deliberation?

21 MEMBER UEOKA: So moved.

22 CHAIR FUJII: Moved by Gwen, seconded by Jason.
23 All in favor of the motion, say "aye."

24 (Response.)

25 CHAIR FUJII: Motion carried. We'll call you

1 in.

2 (Deliberations, 9:55 a.m. to 10:15 a.m.)

3 CHAIR FUJII: The Board is back in open session.
4 Mr. Nakashima and Jeff there, the Board has looked at and
5 discussed the circumstances as presented by the report, by
6 the prosecutor. And, on Count 1, the Board, penalty for
7 Count 1 is that there will be a fine of \$2,000 of which
8 \$1,000 will be suspended provided there is no reoccurrence
9 of the same offense within a period of one year. And, on
10 Count 2, the licensee will -- the Board will suspend the
11 \$500 --

12 MEMBER UEOKA: Fine.

13 CHAIR FUJII: -- fine that was recommended by
14 the prosecutor. We will suspend the \$500. So, again --

15 MR. NAKASHIMA: Thank you.

16 CHAIR FUJII: -- the Department will inform you
17 when payment is due on Count 1.

18 MR. NAKASHIMA: Thank you very much.

19 CHAIR FUJII: Thank you.

20 MR. NAUMANN: Thank you very much.

21 MR. NAKASHIMA: Appreciate you guys. We'll do
22 our best not to get back in here.

23 CHAIR FUJII: Yeah.

24 MR. NAKASHIMA: And keep our nose clean. Thank
25 you.

1 MR. NAUMANN: See you in the restaurant.

2 MR. NAKASHIMA: Thank you.

3 MEMBER U`U: Aloha. Happy New Year.

4 MEMBER HELM: Happy New Year.

5 CHAIR FUJII: Okay, people, we're ready for
6 count -- Complaint and Accusation Number 2018-05 against
7 Drink Enterprises doing business as Spanky's Riptide. The
8 licensee has been informed by phone yesterday at about
9 being on the agenda. Of course, they were mailed --
10 prior -- prior to, they were mailed the hearing date --

11 MEMBER UEOKA: They were reminded, yeah.

12 CHAIR FUJII: -- hearing date and they were
13 reminded about the hearing, on yesterday, what's happening
14 today. And another call was made today, this morning,
15 about they being on the agenda. And we find that they're
16 not here, so we'll still accept the reports and do the
17 penalty. Is that correct, Mr. Kushi?

18 MR. KUSHI: Yeah. Maybe the prosecution can --

19 MR. HANANO: Yeah, I would just like to put some
20 things on the record, Chair. So the complaint for this
21 case was served on November 20, 2017. And I'm assuming
22 the acknowledgment and alternative answers to the charges
23 was, also, served at the same time. The acknowledgment
24 was received by the Department on November 27th, 2017. On
25 the acknowledgment, the hearing date, January 4th, 2018,

1 at 9:00 a.m. is indicated on -- on the form. This form
2 also indicate -- indicates that the licensee chose to
3 plead no contest to the two charges, requested an informal
4 hearing. But, obviously, they're not here today.
5 Rules -- well, I would like to make this a part of record,
6 the acknowledgment and the complaint. I think they
7 already are, but just, formally, I would like to make it
8 part of the record. So it was received on November 27th,
9 2017. So it's well in advance of today's hearing.

10 The Rules of the Liquor Commission, this is Rule
11 08-102-92, procedures, adjudication hearings, this is
12 Subsection 4, I believe, allow for the Board to continue
13 the hearing in the event of the licensee's absence
14 provided the proper notices have been given.

15 CHAIR FUJII: Okay.

16 MR. HANANO: Which it appears it has. So
17 prosecution will request that the hearing proceed without
18 the licensee.

19 CHAIR FUJII: Before we do, any questions about
20 the timetable that Mr. Hanano had presented as the
21 notifying the licensee, anyone?

22 MR. HANANO: I'm sorry, Chair. Just to add to
23 that, the rules require, under 08-102-86, that the notice
24 of the hearing be at least five calendar days -- be served
25 on the licensee at least five calendar days before the

1 hearing. And this was served in, like I said, November.
2 So, obviously, it's well in advance of.

3 CHAIR FUJII: January, yeah. Okay. Any --

4 MR. KUSHI: Mr. Chair, for the record, that --
5 that should be Department's Exhibit 1.

6 MR. HANANO: Yeah, that's fine, the
7 acknowledgment and alternative answer to --

8 CHAIR FUJII: So being a no show, we still need
9 to proceed with the reports, but, for the record, the
10 licensee is not present at today's hearing and we will
11 continue to proceed with the report. We'll start with
12 Mr. Hanano's report on Complaint and Accusation Number
13 2018-05.

14 MR. HANANO: Thank you, Chair.

15 This case involved a minor decoy operation which
16 took place on Saturday, July 15, 2017. The Minor Decoy
17 Team was comprised of Liquor Control Officers Bill
18 Pacheco, Robert Shiigi, Cullen Kawano, Maui Police
19 Department Officers Jeremy De La Torre, Geste Ornellas and
20 a male minor decoy.

21 The Minor Decoy Checklist was reviewed with the
22 minor decoy, informing him of the requirements and rules
23 pertaining to minor decoy operations. The rules required,
24 among other things, that the minor decoy carry his valid
25 identification card on his person at all times, that he

1 answer any questions about his age truthfully, and that he
2 present his valid Hawaii identification card when asked by
3 any other employee of the licensed premises to do so. The
4 minor decoy reviewed and signed the Minor Decoy Checklist
5 indicating that he understood what was read to him.

6 The minor decoy's Hawaii identification was
7 printed in a vertical format, which clearly indicated that
8 the minor decoy became 21 years of age on 04-14-2020.

9 As part of the operation, the minor decoy was
10 provided with 20-dollar bill to use as buy money.

11 On July 15th, 2017, at about 10:52 p.m., Officer
12 De La Torre entered the Spanky's Riptide establishment
13 located at 505 Front Street, Suite 129, 130, Lahaina,
14 Maui, Hawaii. After entering, Officer De La Torre seated
15 himself at one of the high round tables next to the bar
16 counter. About one minute later, the minor decoy entered
17 the premises and took a seat at the bar counter left of
18 center.

19 After taking a seat at the bar, the male
20 bartender, later identified as Nicholas Cavett, approached
21 the minor decoy, at which time the minor decoy asked if he
22 could order a Heineken beer. In turn, Cavett asked to see
23 the minor decoy's ID. And in response, the minor decoy
24 produced his Hawaii identification card. Cavett then
25 looked over the ID for a few seconds and handed it back to

1 the minor decoy. Following that, Cavett then went to grab
2 a bottle of Heineken beer, opened it, placed it in front
3 of the minor decoy, then walked to the other end of the
4 bar to help other customers.

5 After the minor decoy took hold of the Heineken
6 bottle of beer, Officer Pallone-De La Torre walked over to
7 take possession of the bottle of beer as evidence.

8 As part of the investigation, Nicholas Cavett
9 was interviewed, at which time he provided the following
10 statement: He stated that he has worked for the licensee
11 for about five years; that evening, his shift started at
12 5:45 p.m. and ended at 1:00 a.m.; stated that they had an
13 employee meeting every three months which includes the
14 proper checking of IDs; as far as the incident involving
15 the minor decoy, Cavett recalled that the minor decoy ID
16 was in a vertical format and remembers the date of
17 birth -- birth year being 1999, but he failed to register
18 the correct age and served the minor decoy. Cavett
19 admitted to the mistake and apologized for his actions.
20 Cavett also stated he was the only employee working at the
21 time.

22 Nothing further, Chair.

23 CHAIR FUJIII: Okay. Thank you, Mr. Hanano.
24 Just for the record, the report presented by Mr. Hanano
25 was based on Accusation Number 2018-50 against Drink

1 Enterprises, LLC doing business as Spanky's Riptide. And,
2 again, for the record, the licensee was informed and
3 not -- is not present -- about today's hearing, but
4 decided not to be present.

5 So to proceed further, anyone have any questions
6 regarding the report as presented by Mr. Hanano regarding
7 this case?

8 MEMBER HELM: You said they decided not to be
9 present or they called?

10 CHAIR FUJII: Yeah. There were two calls to
11 them yesterday by the Department, and this morning by the
12 Department.

13 MEMBER HELM: And they never respond?

14 CHAIR FUJII: They're not here. Yeah, that's --

15 MEMBER HELM: On the phone?

16 CHAIR FUJII: No. They did -- somebody picked
17 up the phone. You guys did talk to someone, didn't you,
18 Kari?

19 MS. YOSHIZAWA: Yes, we talked to someone at
20 Spanky's. And they had indicated that they thought their
21 attorney was going to represent them. So they were going
22 to try and call management to see what is going on.

23 CHAIR FUJII: So, again, I think the -- all the
24 proper notifications were issued as -- you know, that we
25 normally do. So, again, we're here and we're proceeding.

1 And I guess we're ready to proceed with the penalty phase,
2 Mr. Hanano.

3 MR. HANANO: Thank you, Chair. Original license
4 for this licensee was issued back in April of 2017. There
5 are no prior convictions. In light of that, we're
6 recommending, in Count 1, a \$2,000 fine with \$1,000
7 suspended on the condition that there's no further
8 convictions for the same offense within a one-year period,
9 and, in Count 2, a \$500 fine.

10 CHAIR FUJII: Any questions regarding the
11 suggested penalty by Mr. Hanano? If not, someone make a
12 motion to go into deliberation.

13 MEMBER UEOKA: So moved.

14 CHAIR FUJII: Seconded by Zach. Any discussion?
15 If not, all in favor of the motion say "aye."

16 (Response.)

17 CHAIR FUJII: Motion carried. So we will
18 deliberate this as -- if -- as we normally do with our
19 cases of this nature.

20 (Deliberations, 10:25 a.m. to 10:30 a.m.)

21 CHAIR FUJII: The Board is back in open session.
22 After reviewing the report as submitted by the Prosecutor
23 and in the absence of the licensee, the Board proceeded to
24 do the penalty phase of the hearing regarding Complaint
25 and Accusation Number 2018-05 against Drink Enterprises,

1 LLC doing business as Spanky's Riptide. The penalty phase
2 as -- will be presented by the Board as -- Count 1, the
3 Board is fining the licensee \$2,000 of which 1,000 --

4 MEMBER UEOKA: No.

5 CHAIR FUJII: This one, yeah. On Count 1, the
6 Board is submitting a penalty of \$2,000, period. Okay.
7 On Count 2, the Board has decided that the penalty for
8 Count 2 be \$500. And the licensee will be informed of the
9 penalties as under normal procedures. Okay.

10 Proceeding on the next item, we already
11 discussed earlier with --

12 MEMBER UEOKA: Yeah.

13 CHAIR FUJII: Attorney Jorgensen was here, that
14 this will be continued at another later date. So we will
15 now move on to -- any other -- we'll move on to other
16 business that we completed the hearings for the -- for
17 today's meeting.

18 A couple things that we do have under -- under
19 our final -- before we adjourn. I did receive -- I think
20 maybe Director will be mentioning it, but I did receive a
21 letter from former Deputy -- where is my letters? Too
22 many papers. There you go. There you go. Yeah, from
23 former Deputy Mark Honda submitted to the -- to the Liquor
24 Commission and to the Liquor Board, that he would be
25 resigning as of December 22nd. And just to inform the

1 Board, some of you don't read Maui News, but -- so let
2 everybody know that Mark -- you know, we -- we enjoyed his
3 time as far as the Board, I can speak for the Board, that
4 we -- we -- we -- you know, it was a short time, but Mark
5 was -- made contributions for us as well as for the
6 Department. Okay.

7 And before we close, we'll let our Director make
8 a statement regarding whatever business that's left.

9 DIRECTOR MUKAI: Yes. There will be no February
10 meeting because we have no cases.

11 CHAIR FUJII: Okay.

12 DIRECTOR MUKAI: But on March 1st, we will have
13 a case. So --

14 CHAIR FUJII: Take your vacations.

15 DIRECTOR MUKAI: Plus, you have the election of
16 the new Chair and Vice-Chair in March.

17 CHAIR FUJII: That's right.

18 DIRECTOR MUKAI: And at this time, I would like
19 to introduce new private secretary, Lianne Suzuki. She is
20 taking Sharon Ito place. Where Sharon Ito --

21 MS. SUZUKI: Trying.

22 DIRECTOR MUKAI: -- retired after 30-plus years
23 of service.

24 MEMBER HELM: Oh, Sharon, she's been here
25 forever, yeah.

1 DIRECTOR MUKAI: So, please, welcome her. Call
2 her if you need anything.

3 MEMBER UEOKA: What happened to your foot?

4 MS. SUZUKI: I know. I fractured it. I think
5 it's old age.

6 MEMBER UEOKA: Oh.

7 CHAIR FUJII: Tripped or what happened?

8 MS. SUZUKI: Yeah, I don't know.

9 CHAIR FUJII: Lianne, will you tell us your
10 background a little bit, where you worked for, whatever?

11 MS. SUZUKI: Okay. I worked for Larry Ing's
12 office about 25 years, that's where I started, then, when
13 the partnership dissolved, I worked for Dave Jorgensen for
14 six and-a-half years before coming here.

15 CHAIR FUJII: Be conflict of interest, then,
16 huh? You're not involved with our hearing. Welcome
17 again. Welcome aboard.

18 MS. SUZUKI: Thank you.

19 CHAIR FUJII: Anything else, Glenn?

20 DIRECTOR MUKAI: No. That's all I have. Thank
21 you.

22 CHAIR FUJII: Anybody, any pending issues or
23 business, any Board Member, before we adjourn? Okay.
24 Again --

25 VICE-CHAIR PAGAN: What's her name?

1 CHAIR FUJII: What was her last name?

2 DIRECTOR MUKAI: Suzuki.

3 CHAIR FUJII: Easy. Okay. No further business,
4 someone make a motion to adjourn. Somebody?

5 MEMBER U`U: Motion, motion to adjourn.

6 MEMBER HELM: Second.

7 CHAIR FUJII: We are adjourned. Thank you,
8 everybody. (Gavel.)

9 (Meeting adjourned, 10:34 a.m.)

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CERTIFICATE

I, TONYA MCDADE, Certified Court Reporter of the State of Hawaii, do hereby certify that the proceedings contained herein were taken by me in machine shorthand and thereafter was reduced to print by means of computer-aided transcription; and that the foregoing represents, to the best of my ability, a true and accurate transcript of the proceedings had in the foregoing matter.

I further certify that I am not an attorney nor an employee of any of the parties hereto, nor in any way concerned with the cause.

DATED this 23rd day of January, 2018.

/s/ Tonya McDade

Tonya McDade
Certified Shorthand Reporter #447
Registered Professional Reporter
Certified Realtime Reporter
Certified Broadcast Reporter