

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

OFFICE OF THE  
COUNTY CLERK

2018 AUG 28 AM 9:13

RECEIVED

DATE & TIME:        SEPTEMBER 6, 2018, 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. 2018-20, PLEA: NO CONTEST**

**In the matter of the accusation against PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, Dispenser General License No. 232, 1945 S. Kihei Road, Suite H, Kihei, Maui, Hawaii.**

- Count 1.        On November 3, 2017, PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, a dispenser general licensee, did fail to have the main or primary entrance unlocked while open for business, contrary to Section 08-101-90(a) of the Rules of the Liquor Commission, County of Maui.
- Count 2.        On November 3, 2017, PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, a dispenser general licensee, did fail to exercise due care to ensure that no person or employee actively engaged in the sale or serving of liquor, or 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.
- Count 3.        On November 3, 2017, PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, a dispenser general licensee, failed to have available on the licensed premises a time sheet showing in English the legal first name and surname of all employees, including and not limited to managers, assistant managers, and employees approved by the director, when such employee is on duty, contrary to Section 08-101-70(f) of the Rules of the Liquor Commission, County of Maui.

- Count 4. On November 3, 2017, PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, a dispenser general licensee, did, through its employee(s), refused to deliver or accede to the taking of any evidence, or tamper with any evidence, requested or taken by the commission or investigator thereof, who has reason to believe or suspect on complaint or otherwise, or in any of its investigation that the conditions of any license are being violated, contrary to Section 08-101-65 of the Rules of the Liquor Commission, County of Maui.

**B. COMPLAINT AND ACCUSATION NO. 2018-14, PLEA: NOT GUILTY**

**In the matter of the accusation against STEEL HORSE LLC dba STEEL HORSE, Dispenser General License No. 132, 1234 Lower Main Street, Wailuku, Maui, Hawaii.**

- Count 1. On November 6, 2017, STEEL HORSE LLC dba STEEL HORSE, 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, drugs or any combination thereof, 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)(1)(B) of the Rules of the Liquor Commission, County of Maui.
- Count 2. On November 6, 2017, STEEL HORSE LLC dba STEEL HORSE, a dispenser general licensee, did, through its employee(s), knowingly permit a patron, who was at the time under the influence of liquor, drugs or any combination thereof, 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 08-101-60(b)(5) of the Rules of the Liquor Commission, County of Maui.
- Count 3. On November 6, 2017, STEEL HORSE LLC dba STEEL HORSE, 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, drugs or any combination thereof, as defined in 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 November 6, 2017, STEEL HORSE LLC dba STEEL HORSE, a dispenser general licensee, failed to have available on the licensed premises a time sheet showing in English the legal first name and surname of all employees, including and not limited to managers, assistant managers, and employees approved by the director, when such employee is on 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 OCTOBER 4, 2018, 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.