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

OFFICE OF THE  
COUNTY CLERK

DATE & TIME: JULY 11, 2019, AT 9:00 A.M.

PLACE: DEPARTMENT OF LIQUOR CONTROL  
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. 2018-32, PLEA: NO CONTEST**

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

Count 1. On August 11, 2018, PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, 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 August 11, 2018, PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, 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 August 11, 2018, PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK 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 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 August 11, 2018, PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, a dispenser general licensee, failed to provide any information, documents, books, or records requested by the commission, board, or the department contrary to Section 08-101-60(b)(14) of the Rules of the Liquor Commission, County of Maui.
- Count 5. On August 11, 2018, 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 6. On August 11, 2018, PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, a dispenser general licensee, failed to have all managers, assistant managers, supervisory personnel, or any other person, who performs any type of managerial or supervisory functions in conjunction with the operations, maintenance, supervision or management of the licensed premises, directly or indirectly, meet the minimum requirements set forth by the commission to be an "employee approved by the director", contrary to Section 08-101-70(g) of the Rules of the Liquor Commission, County of Maui.

## **II. ADJOURNMENT**

NEXT LIQUOR CONTROL ADJUDICATION BOARD MEETING WILL BE HELD ON AUGUST 1, 2019, 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.