



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

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In the matter of)	
TOULOUSE, INC.)	
D/B/A TOULOUSE)	
246 Culver)	Business ID No. 7028
Saugatuck, Michigan 49453)	Complaint No. 2-150771
)	
Allegan County)	
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At the February 26, 2013 hearing of the Michigan Liquor Control Commission (Commission) in Lansing, Michigan.

PRESENT: Andrew J. Deloney, Chairman
Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

VIOLATION APPEAL ORDER

On October 29, 2012, Attorney David Zessin on behalf of Toulouse, Inc. (licensee) filed a request for an appeal of the September 27, 2012 order of Commissioner Edward D. Clemente issued as a result of violations that occurred at the above-noted location between August 7, 2010 and July 13, 2011, as discovered on June 22, 2011.

In the October 29, 2012 order, Commissioner Clemente concluded that the licensee violated MCL 436.1901(6), MCL 436.2005, MCL 436.2012(2) and administrative rule R 436.1025 in the charges cited in the Complaint and ordered a total fine of \$2800.00. As added penalty, the Commissioner ordered the licensee to serve a ten (10) continuous day suspension period.

Attorney Zessin submitted a request for a hearing in this matter and represented the

licensee at the January 15, 2013 hearing, held at the Commission's Lansing office. After hearing arguments on behalf of the licensee, reviewing the MLCC file, and discussion of the issue on the record, the Commission tabled this matter to a future meeting agenda.

Subsequent to the January 15, 2013 hearing, Attorney Zessin submitted additional documents for Commission consideration and the matter was placed on the February 26, 2013 Appeal Hearing agenda, held at the Commission's Lansing office.

After hearing arguments on behalf of the licensee, reviewing the MLCC file and discussion of the issue on the record at both hearings held in this matter, the Commission does not find error with the application of the MLCC Code or Administrative Rules. For the reasons stated on the record, the order of Commissioner Clemente dated September 27, 2012 issued in this matter should be affirmed as the findings were based upon competent, material and substantial evidence.

THEREFORE, IT IS ORDERED that the order of Commissioner Edward D. Clemente dated September 27, 2012 issued in this matter is AFFIRMED.

MICHIGAN LIQUOR CONTROL COMMISSION

Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner

Dennis Olshove, Commissioner

Prepared by:
Terri Chase, Commission Aide

Date Mailed: _____