



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

IN RE: MR. K ENTERPRISES, INC.
D/B/A ROYAL SCOT
4710-4722 W GRAND RIVER
LANSING, MI 48906
WATERTOWN TOWNSHIP

HEARING: DECEMBER 15, 2020
PLACE: ZOOM PLATFORM
COMPLAINT NO. CV-508785
BUSINESS ID NO. 3407

CLASSC SDM SS (AM & PM)
ADDBAR(3) DANC-ENT ODS(3)
SPECIFIC PURPOSE PERMITS
(FOOD, GOLF, BOWLING)

CLINTON COUNTY

CHARGES – NOVEMBER 24, 2020

- (1) Mr. K Enterprises, Inc., and/or employees of the licensee engaged in an illegal occupation or illegal act upon the licensed premises, contrary to Rule 436.1011(1), specifically: allowing indoor gatherings at a food service establishment, contrary to sections 2(a)(2) and 3(b)(1) of the Michigan Department of Health and Human Services Gatherings and Face Mask Order dated November 15, 2020.
- (2) Mr. K Enterprises, Inc., and/or employees of the licensee engaged in an illegal occupation or illegal act upon the licensed premises, contrary to Rule 436.1011(1), specifically: allowing indoor gatherings at a bowling alley, contrary to sections 2(a)(2) and 3(a)(2) of the Michigan Department of Health and Human Services Gatherings and Face Mask Order dated November 15, 2020.
- (3) Mr. K Enterprises, Inc., and/or employees of the licensee engaged in an illegal occupation or illegal act upon the licensed premises, contrary to Rule 436.1011(1), specifically: allowing persons to participate in indoor gatherings at the licensed premises without requiring them to wear face masks, contrary to section 7(c) of the Michigan Department of Health and Human Services Gatherings and Face Mask Order dated November 15, 2020.

NEGOTIATED SETTLEMENT

David Kallman, Attorney at Law, on behalf of the above-noted Licensed Corporation, appeared before this Administrative Law Judge. The Corporation entered into a Negotiated Settlement acknowledging each of the three charges as cited pursuant to Section 903 of the

Michigan Liquor Control Code, MCL 436.1903, and Rule 436.1909(1) of the Michigan Liquor Control Commission (Commission). Assistant Attorney General Mark Sands represented the Commission and all law enforcement agencies involved in this matter.

The Attorneys proposed the following Negotiated Settlement for the Administrative Law Judge to consider pursuant to Section 903 of the Michigan Liquor Control Code, MCL 436.1903, and Rule 436.1909 of the Michigan Liquor Control Commission (Commission):

PROPOSED NEGOTIATED SETTLEMENT

(1) The Licensee will fully acknowledge the three charges as cited in the complaint;

(2) The Administrative Law Judge will enter the Violation Report and its attachments into the record as substantive evidence; the Administrative Law Judge further will take notice of the prior record of this Licensee, since being licensed by the Commission at the above-noted location under the current ownership;

(3) As a penalty, the Licensee will agree to pay a total fine of \$1500 and serve a suspension of 45 days for the three acknowledged charges in the complaint;

(4) If the Licensee serves alcohol during the 45 days of the suspension the Licensee shall be subject to an additional 90 day suspension with that suspension to run consecutively to the 45 day suspension.

(5) Both parties will agree that there shall be no appeals on these matters to the Appeal Board of the Commission or any court of law.

ORDER

In determining whether to approve the Negotiated Settlement as proposed above, the Administrative Law Judge considered the Licensee's total record, which shows three prior

violations (adding space without permission, sale to minor, crime of moral turpitude) since being licensed on September 21, 1984, at the above-noted location under the current ownership.

The Administrative Law Judge accepts the terms and conditions of the proposed Negotiated Settlement and Orders as follows:

The Administrative Law Judge accepts the Licensee's Plea of Acknowledgment to the three charges as cited.

The Administrative Law Judge accepts the Violation Report and its attachments as substantive evidence. Further, the Administrative Law Judge accepts a true copy of this Licensee's record since being licensed by the Commission at the above-noted location under the current ownership.

The Administrative Law Judge finds that, based on the Administrative Documents, on November 24, 2020 the Licensee allowed indoor gatherings and bowling without facemasks contrary to Rule 436.1011(1), contrary to the Michigan Department of Health and Human Services Gatherings and Face Mask Order dated November 15, 2020.

As agreed upon by the parties, the Administrative Law Judge Orders a fine of \$1500. Further the Administrative Law Judge Orders a suspension of forty-five (45) continuous days with this suspension to run consecutively and not concurrently with any other suspension Ordered by the Commission. Further the Administrative Law Judge Orders a suspension of ninety (90) continuous days with this suspension to run consecutively and not concurrently with any other suspension Ordered by the Commission, if the Licensee serves alcohol during the initial 45-day suspension period. Further, the Administrative Law Judge Orders that a

suspension of seventy-five (75) continuous days with this suspension to run consecutively and not concurrently with any other suspension Ordered by the Commission, if the fine is not paid within forty-five (45) days from the mailing date of this Order.

Further, the Administrative Law Judge Orders that this Negotiated Settlement is a full and final disposition of this matter before the Commission, that there is no further right of Administrative or Judicial Appeal, either to the Commission or any court of law, that the plea in this complaint has been entered voluntarily and with the full understanding of all consequences, that there are no promises, stipulations, understandings or agreements other than those stated as part of the official record herein, and that this Negotiated Settlement represents the final agreed settlement.

MICHIGAN LIQUOR CONTROL COMMISSION



Michael J. St. John, Administrative Law Judge

Date Signed: December 15, 2020

Date Mailed: December 16, 2020

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