



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

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In the matter of the request of)	
BILLY G'S NEW CASINO BAR, INC.)	
4738 E. Davison)	Request ID No. 280778
Detroit, Michigan 48212)	
)	
Wayne County)	
_____)	

At the August 2, 2012 hearing of the Michigan Liquor Control Commission (Commission) in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On April 24, 2012, Billy G's New Casino Bar, Inc. (applicant) filed a request for an extension of time beyond five (5) licensing years in which to renew the Class C license under administrative rule R 436.1107, at the above-noted location.

On June 13, 2012, the Commission denied the applicant's request under administrative rule R 436.1107 because the applicant did not demonstrate good cause to grant an extension of time.

Attorney Dragan Stojanov submitted a timely request for an appeal in this matter and represented the applicant at the August 2, 2012 hearing, at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated that the pending transfer is moving forward and almost complete.

The applicant's request for an extension of time beyond five (5) licensing years under administrative rule R 436.1107 is granted for reasons stated on the record.

THEREFORE, IT IS ORDERED that:

A. The denial order of June 13, 2012 issued in this matter is reversed, and the applicant's request is APPROVED.

B. The escrow period is extended to November 30, 2012 under administrative rule R 436.1107.

C. The licensee shall submit an executed renewal form and payment of the statutory license fees for the Class C license for the 2012-2013 licensing year within 15 days from the mailing date of this order.

D. The Commission warns the licensee that no further extensions will be granted in this matter.

E. Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before serving or selling alcoholic liquor.

F. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, MLCC Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the license.

Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner

Dennis Olshove, Commissioner

Prepared by:
Terri Chase, Commission Aide

Date Mailed: _____



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

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In the matter of the request of)
CRUISIN1, INC.)
405 S. Dort) Request ID No. 634295
Flint, Michigan 48503)
Genesee County)
_____)

At the August 2, 2012 hearing of the Michigan Liquor Control Commission
(Commission) in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On February 22, 2012, Cruisin1, Inc. (applicant) filed a request to transfer ownership of escrowed 2012 Class C and SDM licenses with Sunday Sales Permit (P.M.), Entertainment Permit (without dressing rooms), Dance Permit and Add Bar Permit (Total of 2 Bars) from Muggsys' Inc., at the above-noted location. The applicant also requested a new Sunday Sales Permit (A.M.).

At a meeting held on July 18, 2012, the Commission denied this request under administrative rule R 436.1105(2)(b) after considering that applicant stockholder, Cheyenne Usewick, is listed as a defendant in a civil case in the 67th District Court of Genesee County and that Ms. Usewick was listed as the vice president of Executive Auto Brokers which is also a defendant in that case. The Commission also denied this request under administrative rule R 436.1105(2)(j) after considering the effects that the issuance of a license would have on the health, welfare, and safety of the general public when

determining whether an applicant should be issued a license or permit.

Michael Jablonski, legal counsel on behalf of the applicant, submitted a timely request for an appeal in this matter and represented the applicant at the August 2, 2012 hearing, at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file and documents presented at the hearing, and discussion of the issue on the record, the Commission finds that the applicant sufficiently demonstrated mitigating circumstances relative to the civil case that was pending in the 67th District Court of Genesee County, further indicating that the case has since been dismissed, and answering the previous questions raised concerning the applicant stockholder.

The Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request for the reasons stated on the record.

THEREFORE, IT IS ORDERED that:

A. The denial order of July 18, 2012 issued in this matter is reversed and the applicant's request to transfer ownership of escrowed 2012 Class C and SDM licenses with Sunday Sales Permit (P.M.), Entertainment Permit (without dressing rooms), Dance Permit and Add Bar Permit (Total of 2 Bars) from Muggsys' Inc., is APPROVED, subject to the following:

1. The licensee shall submit documentary proof to the Commission demonstrating that Cruisin1, Inc. received a loan in the amount of \$2500.00 from Cheyenne Usewick.
2. The licensee shall submit proof of financial responsibility providing security for liability as required under MCL 436.1803. Failure to maintain proof of financial responsibility providing security for liability will result in the immediate suspension of the subject licenses and permits until the licensee provides the Commission with proof of financial responsibility as required under MCL 436.1803.
3. The licensee shall provide documentary proof to the Commission to demonstrate that, at a minimum, supervisory personnel on each shift and during all hours in which alcoholic liquor is served have

successfully completed a server training program approved by the Commission as required under MCL 436.1501(1), within 180 days from issuance of the licenses and permits, as provided in administrative rule R 436.1060.

- a. The licensee shall maintain active certification of completion for server training on the licensed premises at all times as provided in administrative rule R 436.1060.
- b. Failure to provide this documentary proof to the Commission within 180 days of the issuance of the licenses and permits shall result in the licensee being charged with failure to comply with this order, under administrative rule R 436.1029, which may result in fines, suspension and/or revocation of the licenses and permits.

B. The licensee's application for a permit to sell alcoholic liquor between 7 a.m. and Noon on Sundays is APPROVED pursuant to Public Act 213 of 2010, MCL 436.2111-2115. This permit is subject to revocation by operation of law or otherwise if the Commission receives notice from a county, city, village, township, or the local governmental unit, that it prohibits or otherwise objects to the sale of spirits, mixed spirit drink or beer and wine between the hours of 7:00 A.M. and 12:00 Noon on Sundays. If notice and supporting documentation is received by the Commission a show cause hearing will be scheduled before the Commission under administrative rule 436.1925(1) to determine if the permit must be revoked.

C. The licensee shall prohibit Edward F. Usewick III from having any involvement in the operation of the licensed establishment.

D. Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of the licenses and permits by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before serving or selling alcoholic liquor.

E. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, MLCC Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the licenses and permits.

Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner

Dennis Olshove, Commissioner

Prepared by:
Terri Chase, Commission Aide

Date Mailed: _____



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

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In the matter of the request of)
PINCKNEY PETROLEUM, LLC)
850 Main) Request ID No. 533692
Pinckney, Michigan 48169)
)
Livingston County)
_____)

At the August 2, 2012 hearing of the Michigan Liquor Control Commission
(Commission) in Southfield, Michigan.

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

LICENSING APPEAL ORDER

On December 22, 2009, Pinckney Petroleum, LLC (applicant) filed a request to transfer ownership of 2012 SDM license with permission for motor vehicle fuel pumps under MCL 436.1541(3), from Barrick Properties #40, L.L.C. at the above-noted location. This is "Step 2" of a 2-step transfer of the license: "Step 1" is a transfer from Convenience Depot, Inc., David M. Findling, Receiver, to Barrick Properties #40, L.L.C.

At a meeting held on June 13, 2012, the Commission denied this request under MCL 436.2003 as applicant stockholder, Fawzi R. Simon, failed to report his arrest and conviction record to the Commission. The Commission also denied this request under administrative rule R 436.1105(2)(a)(b) and (g) after considering the past operating record, management experience, and past conviction of Mr. Simon as a current licensee of the Commission, when determining whether an applicant should be issued a license or permit.

Kelly Allen, legal counsel on behalf of the applicant, submitted a timely request for

an appeal in this matter and represented the applicant at the August 2, 2012 hearing, at the Commission's Southfield office.

After hearing arguments, reviewing the MLCC file and exhibit presented, and discussion of the issue on the record, the Commission finds that the applicant has sufficiently demonstrated a course of action has been taken to assist in preventing further violations of the Michigan Liquor Control Code and Administrative Rules. The Commission also finds that the applicant sufficiently demonstrated mitigating circumstances relating to the arrest and conviction of Mr. Simon.

The Commission further finds that the Commission's investigation revealed that the proposed licensed location appears to qualify for licensure with permission for motor vehicle fuel pumps under MCL 436.1541(3), providing the applicant maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than \$10,000.00, at cost, of those goods and services customarily marketed by approved types of businesses.

The Commission finds sufficient reasons to reverse its denial issued in this matter and to approve the applicant's request for the reasons stated on the record.

THEREFORE, IT IS ORDERED that:

A. The denial order of June 13, 2012 issued in this matter is reversed and the applicant's request is APPROVED, subject to the following:

1. The Step 1 transfer of the subject licenses from Convenience Depot, Inc., David M. Findling, Receiver, to Barrick Properties #40, L.L.C. shall be completed.
2. The licensee shall submit to the Commission form LCC-3010 "Report of Stockholders/Members/Partners" for Pinckney Petroleum, LLC.
3. The licensee shall submit proof of financial responsibility providing security for liability as required under MCL 436.1803. Failure to maintain proof of financial responsibility providing security for liability will result in the immediate suspension of the subject license until the licensee provides the Commission with proof of financial responsibility as required under MCL 436.1803.

B. Under MCL 436.1541(3), the licensee must maintain at all times on the licensed premises, a minimum approved-type inventory of at least \$10,000.00, at cost, of goods and services customarily marketed by approved types of businesses, excluding alcoholic liquor, motor vehicle fuel and non-approved inventories.

C. Under administrative rule R 436.1003, the licensee shall comply with all state and local building, plumbing, zoning, sanitation, and health laws, rules, and ordinances as determined by the state and local law enforcements officials who have jurisdiction over the licensee. Approval of this license by the Michigan Liquor Control Commission does not waive any of these requirements. The licensee must obtain all other required state and local licenses, permits, and approvals before serving or selling alcoholic liquor.

D. Failure to comply with all requirements of licensure in the State of Michigan will result in the licensee being charged with a violation of the Michigan Liquor Control Code, MLCC Administrative Rules, and Commission order, which may result in fines, suspension, and/or revocation of the license.

Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner

Dennis Olshove, Commissioner

Prepared by:
Terri Chase, Commission Aide

Date Mailed: _____