

# HEARINGS CONDUCTED BY THE MICHIGAN LIQUOR CONTROL COMMISSION

Held: Thursday, August 2, 2018

Southfield District Office 25680 W 8 Mile Road Southfield MI 48033

Present: Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner Dennis Olshove, Commissioner

Absent: None

\_\_\_\_\_

Chairman Deloney called the hearings to order at 10:16 a.m., noting a quorum was present.

- Moved by Commissioner Olshove, supported by Commissioner Quimby, that the minutes of the Southfield Appeal Hearings of July 26, 2018, be approved as written and presented, motion carried by unanimous vote.
- 2. The Phoenix Grouppe, Inc., 249 Cass Avenue, Mt Clemens, Macomb County Request ID# 1806-08695

The show cause hearing was conducted for The Phoenix Grouppe, Inc., Request ID# 1806-008695. Rosendo Asevedo appeared on behalf of the Attorney Generals Office and stockholder Philip Arvantis, appeared on behalf of the licensee. Mr. Arvantis advised the Commission he would like to obtain counsel. After discussion on the record, Chairman Deloney advised the matter would be tabled to a hearing on a future date.

With no further business, moved by Commissioner Olshove and supported by Commissioner Quimby, that the hearings be adjourned at 10:18 a.m., motion carried by unanimous vote.



#### MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, August 7, 2018

Lansing District Office 525 W Allegan Street Lansing MI 48933

Present: Andrew J. Deloney, Chairman

Dennis Olshove, Commissioner

Absent: Teri L. Quimby, Commissioner

\_\_\_\_\_

Chairman Deloney called the hearings to order at 10:04 a.m., noting a quorum was present.

1. Moved by Commissioner Olshove supported by Chairman Deloney, that the minutes of the Lansing Appeal Hearings of July 31, 2018, be approved as written and presented, motion carried by unanimous vote.

2. MI-STE-PE Co., d/b/a Greka's Tavern, 326 S 1<sup>st</sup> Street, Rogers City, Presque Isle County Complaint # CV-500458

The violation hearing was conducted for MI-STE-PE Co., Complaint # CV-500458. Gerald Whalen appeared on behalf of the Attorney Generals Office; Attorney David Campbell with Mitchell Witulski, president of the corporation, appeared on behalf of the licensee. Mr. Whalen and Mr. Campbell offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to reverse the previous Violation Hearing Order dated April 25, 2018 and to remand the matter back to the Executive Services Division for a hearing to be scheduled.

3. Crystal, LLC, 757 44<sup>th</sup> Street SE, Kentwood, Kent County Request ID# 1803-03614

The licensing hearing was conducted for Crystal, LLC, Request ID# 1803-03614. Gerald Whalen appeared on behalf of the Attorney Generals Office; Attorney John Doyle with member Manpreet Kaur appeared on behalf of the applicant. Also present was member's spouse, Satnam Singh. Mr. Whalen, Mr. Doyle, Ms. Kaur and Mr. Singh offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to reverse the

Hearings Conducted on Tuesday, August 7, 2018 Page 2

previous Commission Order of Denial dated June 20, 2018 and to approve the request to transfer all membership interest in the 2017 licensing year in conjunction with the 2017 Specially Designated Distributor and Specially Designated Merchant licenses, as set forth in the Licensing Appeal Order. Commissioner Olshove supported and the motion was carried by unanimous vote.

With no further business, moved by Commissioner Olshove and supported by Chairman Deloney, that the Appeal Hearings be adjourned at 10:45 a.m., motion carried by unanimous vote.

Andrew J. Deloney Chairman

Anita Fawcett
Administrative Assistant



# HEARINGS CONDUCTED BY THE MICHIGAN LIQUOR CONTROL COMMISSION

Held: Thursday, August 9, 2018

Southfield District Office 25680 W 8 Mile Road Southfield MI 48033

Present: Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner Dennis Olshove, Commissioner

Absent: None

\_\_\_\_\_

Chairman Deloney called the hearings to order at 10:05 a.m., noting a quorum was present.

- 1. Moved by Commissioner Olshove, supported by Commissioner Quimby, that the minutes of the Southfield Appeal Hearings of August 2, 2018, be approved as written and presented, motion carried by unanimous vote.
- 2. Antonios F. Assi Investments, LLC, 2419 Lapeer Road, Port Huron, St. Clair County Request ID# 911284

The licensing hearing was conducted for Antonios F. Assi Investments, LLC, Request ID# 911284 which was tabled from the hearing held on May 31, 2018. Linda Pytel-McDowell appeared on behalf of the Attorney Generals Office; Attorney Brian Thomas with sole member Antonios Assi, appeared on behalf of the applicant. Ms. Pytel-McDowell and Mr. Thomas offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to reverse the previous Commission Order of Denial dated April 18, 2018, and to approve the request to transfer ownership of escrowed 2018 Class C license from Chemical Bank, as set forth in the Licensing Appeal Order. Commissioner Olshove supported and the motion was carried by unanimous vote.

3. Trenton Gas, Inc., 3610 West Road, Trenton, Wayne County Request ID# 1710-02432

The licensing hearing was conducted for Trenton Gas, Inc., Request ID# 1710-02432. Linda Pytel-McDowell appeared on behalf of the Attorney Generals Office; Attorney Joseph Shallal with stockholder Iven Sharrak, appeared on

Hearings Conducted on Thursday, August 9, 2018 Page 2

behalf of the applicant. Also present was Michael Shammis, manager. Ms. Pytel-McDowell, Mr. Shallal, Mr. Sharrak and Mr. Shammis offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to reverse the previous Commission Order of Denial dated November 28, 2017 and to approve the request for a Conditional license in conjunction with the request for a new Specially Designated Merchant license, as set forth in the Licensing Appeal Order. Commissioner Olshove supported and the motion was carried by unanimous vote.

With no further business, moved by Commissioner Olshove, and supported by Chairman Deloney, that the hearings be adjourned at 11:21 a.m., motion carried by unanimous vote.



# MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, August 21, 2018

Lansing District Office

525 W Allegan Lansing MI 48933

Present: Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner

Absent: Dennis Olshove, Commissioner

Chairman Deloney called the hearings to order at 10:12 a.m., noting a quorum was present.

- 1. Moved by Commissioner Quimby, supported by Chairman Deloney, that the minutes of the Lansing Appeal Hearings of August 7, 2018, be approved as written and presented, motion carried by unanimous vote.
- 2. Parveen K Sharma, 464 W Hickory Road, Battle Creek, Johnstown Township, Barry County Request ID# 1711-03594

The licensing hearing was conducted for Parveen K Sharma, Request ID# 1711-03594 which was tabled from the hearing held on June 12, 2018. Felepe Hall appeared on behalf of the Attorney Generals Office; Attorney Matthew Glaser with Parveen K Sharma appeared on behalf of the applicant. Mr. Hall, Mr. Glaser and Mr. Sharma offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to affirm the previous Commission Order of Denial dated April 4, 2018, and to deny the request to transfer ownership of escrowed 2018 Specially Designated Distributor and Specially Designated Merchant licenses from Kathy J. McCowan, as set forth in the Licensing Appeal Order. Commissioner Quimby supported and the motion was carried by unanimous vote.

- 3. Binni's Bar & Grill, Inc., 820 W Miller Road, Lansing, Ingham County Request ID# 1807-10155
- 4. Singh Pub and Grill Inc, 820 W Miller Road, Lansing, Ingham County Request ID# 1807-10157

The show cause hearings were conducted for Binni's Bar & Grill, Inc., Request ID# 1807-10155, and Singh Pub and Grill Inc, Request ID# 1807-10157. Chairman Deloney asked if there was anyone representing either of the licensed businesses and there was no one present. A discussion ensued regarding how the parties

Hearings Conducted on Tuesday, August 21, 2018 Page 2

were notified and when, and it was determined that the licensees were properly notified of the show cause hearings, the licensees and their attorney were aware of the date, time, and location of the show cause hearings, and that they chose to not attend the hearings, contrary to the show cause hearing orders. Chairman Deloney advised the Commission would go off the record to give the parties extra time to arrive; the Commission recessed and went off the record at 10:50 am.

The Appeal Hearings were reconvened at 11:18 am. Present were Chairman Deloney and Commissioner Quimby; absent was Commissioner Olshove.

Chairman Deloney advised that even though no one was present for either of the licensed businesses, we would continue with the hearings. The Commission heard each case separately and started with Binni's Bar & Grill, Inc., Request ID# 1807-10155. Felepe Hall appeared on behalf of the Attorney Generals Office; present for the City of Lansing was Attorney Joseph Abood, present for the Lansing Police Department was Lt. Robert Backus. Mr. Hall and Mr. Abood offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to revoke the previous Commission Order of Approval for a new Conditional License dated March 2, 2018, as set forth in the Show Cause Hearing Order. Commissioner Quimby supported and the motion was carried by unanimous vote.

The Commission continued with the hearing for Singh Pub and Grill Inc, Request ID# 1807-10157. Felepe Hall appeared on behalf of the Attorney Generals Office; present for the City of Lansing was Attorney Joseph Abood, present for the Lansing Police Department was Lt. Robert Backus. Mr. Hall and Mr. Abood offered comments regarding this case. After discussion on the record, Chairman Deloney advised this matter would be tabled to allow the City of Lansing to cure any defects regarding the process of this matter at the local level.

With no further business, moved by Commissioner Quimby and supported by Chairman Deloney, that the Appeal Hearings be adjourned at 12:01 p.m., motion carried by unanimous vote.

	Andrew J. Deloney	
	Chairman	
Anita Fawcett		
Administrative Assistant		



#### MICHIGAN LIQUOR CONTROL COMMISSION

Held: Thursday, August 23, 2018

Southfield District Office 25680 W 8 Mile Road Southfield MI 48033

Present: Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner

Absent: Dennis Olshove, Commissioner

Chairman Deloney called the hearings to order at 10:05 a.m., noting a quorum was

present.

- 1. Moved by Commissioner Quimby, supported by Chairman Deloney, that the minutes of the Southfield Appeal Hearings of August 9, 2018, be approved as written and presented, motion carried by unanimous vote.
- 2. The appeal hearing for Hub Stadium, LLC, Request ID# 1807-09697, was postponed at the request of Attorney Kelly Allen and the consent of the Chairman.
- 3. Cibus Enterprises LLC, 36759 Mound Road, Sterling Heights, Macomb County Request ID# 1804-03950

The licensing hearing was conducted for Cibus Enterprises LLC, Request ID# 1804-03950. Rosendo Asevedo appeared on behalf of the Attorney Generals Office; Attorney Steven Kiousis with sole member Robert Martin, appeared on behalf of the applicant. Mr. Asevedo, Mr. Kiousis and Mr. Martin offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to reverse the previous Commission Order of Denial dated July 11, 2018, and to approve the request to transfer ownership of 2018 Class C and Specially Designated Merchant licenses from Mickhail Enterprises Inc., as set forth in the Licensing Appeal Order. Commissioner Quimby supported and the motion was carried by unanimous vote.

4. GDMEY, Inc., 29965 S River Road, Harrison Township, Harrison Township, Macomb County Request ID# 1801-00883

The licensing hearing was conducted for GDMEY, Inc., Request ID# 1801-00883. Rosendo Asevedo appeared on behalf of the Attorney Generals Office; Attorney Peter Abbo with sole stockholder Micial Zia, appeared on behalf of the applicant.

Mr. Asevedo, Mr. Abbo and Mr. Zia offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to reverse the previous Commission Order of Denial dated June 27, 2018 and to remand the matter back to the Licensing staff for further review, as set forth in the Licensing Appeal Order. Commissioner Quimby supported and the motion was carried by unanimous vote.

5. M & G Entertainment, LLC, 14225 S Custer Road, Dundee, Monroe County Request ID# 860726

The licensing hearing was conducted for M & G Entertainment, LLC, Request ID# 860726. Rosendo Asevedo appeared on behalf of the Attorney Generals Office; Attorney Peter Abbo with sole member Gary Evans, appeared on behalf of the applicant. Mr. Asevedo, Mr. Abbo and Mr. Evans offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to reverse the previous Commission Order of Denial dated July 24, 2018, and to approve the request to transfer ownership of escrowed 2018 Class C and Specially Designated Merchant licenses from BBL Entertainment LLC with the licenses to remain in escrow, as set forth in the Licensing Appeal Order. Commissioner Quimby supported and the motion was carried by unanimous vote.

6. Kajy Jefferson, Inc., 29157 Jefferson Avenue, St Clair Shores, Macomb County Request ID# 1801-00886 (transfer ownership Specially Designated Distributor License)

Request ID# 900425 (new Specially Designated Merchant License)

A & C Petroleum Inc, 9254 Main Street, Whitmore Lake, Northfield Township, Washtenaw County Request ID# 1805-0550

The licensing hearings were conducted for Kajy Jefferson, Inc., Request ID#'s 1801-00886 and 900425, and A & C Petroleum, Inc., Request ID# 1805-0550. Chairman Deloney advised as the issues are the same for the three requests, the cases would be combined for testimony. Rosendo Asevedo appeared on behalf of the Attorney Generals Office; Attorney Joseph Shallal with sole stockholder Fadi Kajy, appeared on behalf of the applicants. Mr. Asevedo, Mr. Shallal and Mr. Kajy offered comments regarding this case. After discussion on the record, Chairman Deloney advised although the cases were combined for testimony, he will make separate motions for each matter.

Motion made by Chairman Deloney in the matter of Kajy Jefferson, Inc., Request ID# 1801-00886, to reverse the previous Commission Order of Denial dated August 10, 2018, and to approve the request to transfer ownership of escrowed

Hearings Conducted on Thursday, August 23, 2018 Page 3

2018 Specially Designated Distributor license only from Hollywood Super Market No. 5, LLC, and transfer location as set forth in the Licensing Appeal Order. Commissioner Quimby supported, and the motion was carried by unanimous vote.

Motion made by Chairman Deloney in the matter of Kajy Jefferson, Inc., Request ID# 900425, to reverse the previous Commission Order of Denial dated August 10, 2018, and to approve the request for a new Specially Designated Merchant license, as set forth in the Licensing Appeal Order. Commissioner Quimby supported, and the motion was carried by unanimous vote.

Motion made by Chairman Deloney in the matter of A & C Petroleum, Inc., Request ID# 1805-05550 to reverse the previous Commission Order of Denial dated August 10, 2018, and to approve the request for a new Specially Designated Distributor license, as set forth in the Licensing Appeal Order. Commissioner Quimby supported and the motion was carried by unanimous vote.

With no further business, moved by Commissioner Quimby, and supported by Chairman Deloney, that the hearings be adjourned at 12:07 p.m., motion carried by unanimous vote.



#### MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, August 28, 2018

Lansing District Office 525 W Allegan Street Lansing MI 48933

Present: Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner Dennis Olshove, Commissioner

Absent: None

Chairman Deloney called the hearings to order at 10:05 a.m., noting a quorum was present.

- 1. Moved by Commissioner Olshove supported by Commissioner Quimby, that the minutes of the Lansing Appeal Hearings of August 21, 2018, be approved as written and presented, motion carried by unanimous vote.
- 2. Ishaq, Inc., 4 Way Party Store, 1302 Dupont Street, Flint, Genesee County Request ID# 1806-08139

The church hearing was conducted for Ishaq, Inc., Request ID# 1806-08139. Felepe Hall appeared on behalf of the Attorney Generals Office; Attorney Roger Isaac with sole member Amjad Ishak, appeared on behalf of the applicant. Present for the Prince of Peace m.b. Church was Pastor Jeffery Hawkins, the objecting party. Mr. Hall, Mr. Isaac and Pastor Hawkins offered comments regarding this case. After discussion on the record, Chairman Deloney advised the matter would be tabled to a hearing on a future date to allow the Commission to deliberate on the testimony and review the submitted documents.

# Commissioner Quimby left the appeal hearings at 11:00 am.

3. Viva Insurance Agency L.L.C., 883 North Avenue, Battle Creek, Bedford Township, Calhoun County Request ID# 860749

The licensing hearing was conducted for Viva Insurance Agency L.L.C., Request ID# 860749 which was tabled from the hearing held on July 31, 2018. Felepe Hall appeared on behalf of the Attorney Generals Office; Attorney Michael Brown with sole member Jhonny Mercedes appeared on behalf of the applicant. Mr. Hall and Mr. Brown offered comments regarding this case. After discussion on the record,

Hearings Conducted on Tuesday, August 28, 2018 Page 2

Chairman Deloney made a motion to reverse the previous Commission Order of Denial dated June 20, 2018, and to approve the request to transfer ownership of escrowed 2018 Class C and Specially Designated Merchant licenses from First National Bank of America, as set forth in the Licensing Appeal Order. Supported by Commissioner Olshove, the motion was carried by unanimous vote.

4. Sage Bistro, LLC, 9 S Barton Street, New Buffalo, Berrien County Request ID# 1806-07253

The licensing hearing was conducted for Sage Bistro, LLC, Request ID# 1806-07253. Felepe Hall appeared on behalf of the Attorney Generals Office; Attorney Michael Brown with sole member Jeffrey McCastland appeared on behalf of the applicant. Mr. Hall, Mr. Brown and Mr. McCastland offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to reverse the previous Commission Order of Denial dated July 24, 2018, and to approve the request for a Conditional license in conjunction with the request to transfer ownership of escrowed 2018 Class C license from Dominic's Restaurant, LLC, as set forth in the Licensing Appeal Order. Supported by Commissioner Olshove, the motion was carried by unanimous vote.

5. Plainfield Market, LLC, 1403 Plainfield Avenue NE, Grand Rapids, Kent County Request ID# 1805-06816

The church hearing was conducted for Plainfield Market, LLC, Request ID# 1805-06816. Felepe Hall appeared on behalf of the Attorney Generals Office; Attorney Michael Brown with members Lawrence Duthler and Thomas Cronkright II, appeared on behalf of the applicant. Present for the New City Church was Pastor John-Thomas Richards, the objecting party. Mr. Hall, Mr. Brown and Pastor Richards offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion as follows: (a) that the findings of the Commission are that New City Church filed a proper objection to the granting of a transfer ownership, transfer location of Specially Designated Distributor license, (b) that the applicant had the burden of proceeding, (c) that the applicant had to show by competent, material and substantial evidence that issuance of the license would not adversely affect the normal operation of the church, and (d) that the applicant has demonstrated that a waiver of MCL 436.1503 would NOT adversely impact the normal operation of the church, and that the application should proceed with no impediment. Supported by Commissioner Olshove, the motion was carried by unanimous vote.

Hearings Conducted on Tuesday, August 28, 2018 Page 3

With no further business, moved by Commissioner Olshove and supported by Chairman Deloney, that the Appeal Hearings be adjourned at 12:04 p.m., motion carried by unanimous vote.

Andrew I Deloney

Andrew J. Deloney Chairman

Anita Fawcett
Administrative Assistant



#### MICHIGAN LIQUOR CONTROL COMMISSION

Held: Thursday, August 30, 2018

Southfield District Office 25680 W 8 Mile Road Southfield MI 48033

Present: Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner Dennis Olshove, Commissioner

Absent: None

Chairman Deloney called the hearings to order at 10:10 a.m., noting a quorum was present.

- 1. Moved by Commissioner Olshove, supported by Commissioner Quimby, that the minutes of the Southfield Appeal Hearings of August 23, 2018, be approved as written and presented, motion carried by unanimous vote.
- 2. TLS Holdings Inc., 34830 W Michigan Avenue, Wayne, Wayne County Request ID# 910652

The licensing hearing was conducted for TLS Holdings Inc., Request ID# 910652. Linda Pytel-McDowell appeared on behalf of the Attorney Generals Office; Attorney Seth Tompkins with sole stockholder Theresa Shackelford, appeared on behalf of the applicant. Ms. Pytel-McDowell, Mr. Tompkins and Ms. Shackelford offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to reverse the previous Commission Order of Denial dated July 24, 2018, and to approve the request to transfer ownership of escrowed 2018 Class C and Specially Designated Merchant licenses from Stoc., Inc., as set forth in the Licensing Appeal Order. Commissioner Olshove supported and the motion was carried by unanimous vote.

- 3. The appeal hearing for Sweet Soul Bistro 2, Inc., Request ID# 914725, was postponed at the request of Attorney Seth Tompkins and the consent of the Chairman.
- 4. Hub Stadium LLC, 2550 Takata Dive, Auburn Hills, Oakland County Request ID# 1807-09697

Hearings Conducted on Thursday, August 30, 2018 Page 2

The show cause hearing was conducted for Hub Stadium LLC, Request ID# 1807-09697. Linda Pytel-McDowell appeared on behalf of the Attorney Generals Office; Attorney Kelly Allen with sole member Gary Tenaglia, appeared on behalf of the applicant. Ms. Pytel-McDowell, Ms. Allen and Mr. Tenaglia offered comments regarding this case. After discussion on the record, Chairman Deloney made a motion to suspend the 2018 Class C and Specially Designated Merchant licenses for one day on Monday, September 10, 2018, as set forth in the Show Cause Hearing Order. Commissioner Olshove supported and the motion was carried by unanimous vote.

With no further business, moved by Commissioner Olshove, and supported by Commissioner Quimby, that the hearings be adjourned at 12:42 p.m., motion carried by unanimous vote.