



STATE OF MICHIGAN

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LIQUOR CONTROL COMMISSION

IN RE: JHM LANES, INC.
D/B/A PLAZA LANES
42001 ANN ARBOR RD E
PLYMOUTH, MI 48170
PLYMOUTH TOWNSHIP

HEARING: DECEMBER 23, 2020
PLACE: ZOOM PLATFORM
COMPLAINT NO. CV-508851
BUSINESS ID NO. 264990

WAYNE COUNTY

CLASSC SS (AM & PM) DANCE
SPEC PUR PERM (FOOD, BOWLING)

CHARGES – THE LICENSEE OR THE LICENSEE’S AGENT, CLERK, OR EMPLOYEE:

- (1) On December 2, 2020, JHM Lanes, 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) On December 2, 2020, JHM Lanes, 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.
- (3) On December 2, 2020, JHM Lanes, 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.
- (4) On November 28, 2020, JHM Lanes, Inc., through its member, Haiman Matti, made a false or fraudulent oral statement to the Michigan Liquor Control Commission, specifically: that the establishment was open only for take-out food orders/cocktails to go and that customers observed social distancing, which statement was made for the purpose of inducing the Commission to act, or refrain from taking action, or to enable or assist a person, JHM Lanes, Inc., in evading the provisions of the Liquor Control Code, contrary to Section 1003 of the Michigan Liquor Control Code, MCL 436.2003.

NEGOTIATED SETTLEMENT

Klint Kesto, Attorney at Law, on behalf of the above-noted Licensed Corporation, and Assistant Attorney General Rosendo Asevedo representing the Commission and all law enforcement agencies involved in this matter submitted a Stipulation for Proposed Negotiated Settlement. The Corporation entered into a Negotiated Settlement acknowledging the first charges as cited and dismissing the fourth charge 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).

The Attorneys proposed the following Negotiated Settlement for the Administrative Law Judge to consider in 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 charges 1, 2, and 3 as cited in the complaint;
- (2) The Commission will dismiss charge 4 as cited in the complaint;
- (3) 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;
- (4) As a penalty, the Licensee will agree to pay a fine of \$300 for each charge for a total fine of \$900 and serve a 21-day suspension;

(5) If found responsible for any further violations involving COVID-19 related orders from the State of Michigan, the Licensee shall serve at least a 60-day suspension to run consecutively, and not concurrently, with any other suspension ordered by the Commission; and

(6) 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

The summary suspension is hereby dissolved.

In determining whether to approve the Negotiated Settlement as proposed above, the Administrative Law Judge considered the Licensee's total record, which shows no prior violations since being licensed on September 30, 2019, 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 charges 1, 2, and 3, as cited. The Administrative Law Judge accepts the Commission's request to dismiss charge 4.

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.

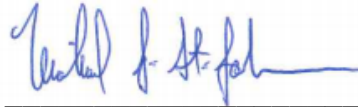
The Administrative Law Judge finds that, based on the Administrative Documents, on December 2, 2020 the Licensee allowed indoor dining/gatherings and bowling without facemasks contrary to Rule 436.1011(1), contrary to the Michigan Department of Health and Human Services Gatherings and Face Mask Order dated November 15, 2020.

As agreed upon by the parties, the Administrative Law Judge Orders a fine of \$300 for each admitted charge for a total fine of \$900 and a twenty-one (21) day suspension of the license from the date of the hearing: until 7:00 a.m. on January 13, 2021. Charge 4 is dismissed. Further, the Administrative Law Judge Orders that a suspension of sixty (60) continuous days, with this suspension to run consecutively and not concurrently with any other suspension Ordered by the Commission, if the Licensee is found responsible for any further violations involving COVID-19 related orders from the State of Michigan. Further, the Administrative Law Judge Orders that 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, 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 28, 2020

Date Mailed: December 28, 2020

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