



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

* * * * *

In the matter of the request of)
WOODS FINE WINE & SPIRITS, LLC)
for a declaratory ruling regarding)
MCL 436.1203 and MCL 436.1517)
_____)

At the Michigan Liquor Control Commission (Commission) March 16, 2018
meeting in Lansing, Michigan.

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

DENIAL OF DECLARATORY RULING REQUEST

On March 2, 2018 Ronald J. Cherf, Attorney at Law, on behalf of Woods Fine Wine & Spirits, LLC (Petitioner) requested that the Commission issue a declaratory ruling pursuant to administrative rule R 436.1971.

Woods Fine Wine & Spirits, LLC is a licensee of the Commission and holds Specially Designated Distributor and Specially Designated Merchant licenses with Sunday Sales (AM and PM) and Beer and Wine Sampling Permit located at 20787 Mack Ave, Grosse Pointe Woods, MI 48236-1437. The request for declaratory ruling relates to a specific fact situation that is the subject of Commission Complaint No. CV-500086 and seeks dismissal of the charges and disputes the facts alleged in the referenced complaint.

This request for declaratory ruling collaterally attacks the pending enforcement matter in Compliant No. CV-500086 and is inappropriate for consideration as a declaratory ruling under administrative rule R 436.1971(1). The matters raised in the request can be brought to the attention of the Hearing Commissioner or Administrative Law Judge

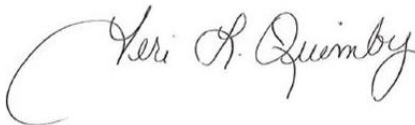
assigned to conduct the contested case hearing and any adverse decision can be appealed to the Commission by leave.

The Petitioner's contested case hearing is pending a decision and it would be improper to address issues and facts in a declaratory ruling that are currently subject to a contested case hearing. Therefore, the declaratory ruling request from the Petitioner is hereby DENIED pursuant to administrative rule R 436.1975.

MICHIGAN LIQUOR CONTROL COMMISSION



Andrew J. Deloney, Chairman



Teri L. Quimby, Commissioner



Dennis Olshove, Commissioner

JW

Date Mailed: April 28, 2018