

Held: Tuesday, November 2, 2021

Lansing District Office 525 W Allegan Street Lansing MI 48933

(Video hearing via Zoom)

Present: Pat Gagliardi, Chair

Dennis Olshove, Commissioner

Absent: Geralyn Lasher, Commissioner

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Chair Gagliardi called the hearings to order at 1:05 p.m., noting a quorum was present.

1. Moved by Commissioner Olshove, supported by Chair Gagliardi, that the minutes of the Lansing Appeal Hearings of October 26, 2021, be approved as written and presented, motion carried by unanimous vote.

2. JLB Restaurant Holdings, LLC, d/b/a Walloon Lake Inn, 4178 West Street, Melrose Township, Charlevoix County Request ID# 2101-00516

The licensing hearing was conducted for JLB Restaurant Holdings, LLC, Request ID# 2101-00516 which was tabled from the hearing held on April 20, 2021 and May 4, 2021. Jason Geissler appeared on behalf of the Attorney Generals Office and no one appeared on behalf of the applicant. Mr. Geissler advised that the applicant had withdrawn his request for an appeal hearing and cancelled the request for an Outdoor Service Permit. After discussion on the record, Commissioner Olshove made a motion to affirm the previous Commission Order of Denial dated March 2, 2021, and to deny the request for an Outdoor Service Permit in conjunction with the 2021 Resort B-Hotel license, as set forth in the Licensing Appeal Order. Chair Gagliardi supported and the motion was carried by unanimous vote.

3. Texas Roadhouse Holdings LLC, 8114 W Saginaw Highway, Lansing, Delta Township, Ingham County Request ID# 2108-07670

The licensing hearing was conducted for Texas Roadhouse Holdings LLC, Request ID# 2108-07670. Jason Geissler appeared on behalf of the Attorney Generals Office; Attorney Steven Grobbel with April Bennett Director of Licensing and Compliance, and Katie McCullum, Manager of Licensing and Compliance, appeared on behalf of the applicant. Mr. Geissler, Mr. Grobbel and Ms. Bennett

Hearings Conducted on Tuesday, November 2, 2021 Page 2

offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated October 14, 2021, and to approve the request to transfer ownership of escrowed 2021 Class C and Specially Designated Merchant licenses from Kenneth M Schuchaskie, and transfer location, as set forth in the Licensing Appeal Order. Chair Gagliardi supported and the motion was carried by unanimous vote.

With no further business, moved by Commissioner Olshove and supported by Chair Gagliardi, that the hearings be adjourned at 1:28 p.m., motion carried by unanimous vote.

Pat Gagliardi

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### HEARINGS CONDUCTED BY THE

#### MICHIGAN LIQUOR CONTROL COMMISSION

Held: Thursday, November 4, 2021

Southfield District Office 25680 W 8 Mile Road Southfield MI 48033 (Video hearing via Zoom)

Present: Pat Gagliardi, Chair

Dennis Olshove, Commissioner

Absent: Geralyn Lasher, Commissioner

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Chair Gagliardi called the hearings to order at 1:04 p.m., noting a quorum was present.

1. Moved by Commissioner Olshove, supported by Chair Gagliardi, that the minutes of the Southfield Appeal Hearings of October 28, 2021, be approved as written and presented, motion carried by unanimous vote.

2. Shamoun Liquor, Inc., 3976 Pelham Street, Dearborn Heights, Wayne County Request ID# 2108-07560

The licensing hearing was conducted for Shamoun Liquor, Inc., Request ID# 2108-07560. Rosendo Asevedo appeared on behalf of the Attorney Generals Office; Attorney Randal Toma with applicant stockholder Norman Shamoun, appeared on behalf of the applicant. Also present were Vincent Shamoun and Peter Shamoun. Mr. Asevedo, Mr. Toma and Mr. N. Shamoun offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated September 14, 2021 and to approve the request to transfer stock interest in the 2021 Specially Designated Distributor and Specially Designated Merchant licensed business, as set forth in the Licensing Appeal Order. Chair Gagliardi supported and the motion was carried by unanimous vote.

3. Walgreen Co., 100 W Grand River Avenue East Lansing, Ingham County Request ID# 2102-01244

The licensing hearing was conducted for Walgreen Co., Request ID# 2102-01244. Rosendo Asevedo appeared on behalf of the Attorney Generals Office; Attorney J. Patrick Howe with in-house counsel Cole Hardy, District Manager Steven Schwenk, and Regional Operations Jason Machowsky, appeared on behalf of the

Hearings Conducted on Thursday, November 4, 2021 Page 2

applicant. Mr. Asevedo, Mr. Howe, Mr. Hardy, Mr. Machowsky and Mr. Schwenk offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated August 26, 2021 and to approve the request for a new Specially Designated Merchant license, as set forth in the Licensing Appeal Order. Chair Gagliardi supported and the motion was carried by unanimous vote.

4. Fadi Ventures, Inc., d/b/a Von's Market #3, 14916-14918 Greenfield Road, Detroit, Wayne County Complaint # CV-507893

The violation hearing was conducted for Fadi Ventures, Inc., Complaint # CV-507893. Rosendo Asevedo appeared on behalf of the Attorney Generals Office; Attorney Joseph Shallal with stockholder Fadi Sulak, appeared on behalf of the licensee. Also present were MLCC Investigator Chris Drake, and Detective Marcus Rice from the Detroit Police Department. Mr. Asevedo and Mr. Shallal offered comments regarding this case. After discussion on the record, Chair Gagliardi advised that in his opinion the Hearing Commissioner did not err in the Findings of Facts or the Conclusions of Law in the matter of Complaint No. CV-507893. Commissioner Olshove made a motion to affirm the order of Hearing Commissioner Edward Toma, as set forth in the Violation Appeal Order. Chair Gagliardi supported and the motion was carried by unanimous vote.

With no further business, moved by Commissioner Olshove and supported by Chair Gagliardi, that the hearings be adjourned at 2:26 p.m., motion carried by unanimous vote.

Pat Gagliardi

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#### HEARINGS CONDUCTED BY THE

#### MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, November 9, 2021

Lansing District Office 525 W Allegan Street Lansing MI 48933

(Video hearing via Zoom)

Present: Pat Gagliardi, Chair

Dennis Olshove, Commissioner Geralyn Lasher, Commissioner

Absent: None

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Chair Gagliardi called the hearings to order at 1:03 p.m., noting a quorum was present.

1. Moved by Commissioner Olshove, supported by Commissioner Lasher, that the minutes of the Lansing Appeal Hearings of November 2, 2021, be approved as written and presented, motion carried by unanimous vote.

2. Zino Sumpter, LLC, 17440 Sumpter Road, Belleville, Sumpter Township, Wayne County Request ID# 1910-16236

The licensing hearing was conducted for Zino Sumpter, LLC, Request ID# 1910-16236 which was tabled from February 18, 2021. Jason Geissler appeared on behalf of the Attorney Generals Office; Attorney Joseph Shallal with member Eddie Zeer, appeared on behalf of the applicant. Mr. Geissler, Mr. Shallal and Mr. Zeer offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated November 17, 2020, and to approve the request for new Class C and Specially Designated Merchant licenses, as set forth in the Licensing Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

3. Spanky's, Inc., 1414 Michigan Avenue W, Battle Creek, Calhoun County Complaint # CV-507439

The violation hearing was conducted for Spanky's, Inc., Complaint # CV-507439. Jason Geissler appeared on behalf of the Attorney Generals Office and Personal Representative Barry Beamish, II, appeared on behalf of the licensee. Mr. Geissler and Mr. Beamish offered comments regarding this case. After discussion on the

Hearings Conducted on Tuesday, November 9, 2021 Page 2

record, Chair Gagliardi advised that in his opinion the Hearing Commissioner did not err in the Findings of Facts or the Conclusions of Law in the matter of Complaint No. CV-507439. Commissioner Olshove made a motion to affirm the order of Hearing Commissioner Edward Toma dated August 10, 2021, as set forth in the Violation Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

4. Campbell-Richmond Post 63, 8047 Ortonville Road, Clarkston, Independence Township, Oakland County Request ID# 2007-09372

The licensing hearing was conducted for Campbell-Richmond Post 63, Request ID# 2007-09372. Jason Geissler appeared on behalf of the Attorney Generals Office and Manager Dwaine McCutcheon, appeared on behalf of the applicant. Mr. Geissler and Mr. McCutcheon offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated June 29, 2021, and to approve the request for an Outdoor Service Permit in conjunction with the 2021 Club license, as set forth in the Licensing Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

With no further business, moved by Commissioner Olshove and supported by Commissioner Lasher, that the hearings be adjourned at 2:14 p.m., motion carried by unanimous vote.

Pat Gagliardi

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Held: Tuesday, November 16, 2021

Lansing District Office 525 W Allegan Street Lansing MI 48933

(Video hearing via Zoom)

Present: Dennis Olshove, Commissioner

Geralyn Lasher, Commissioner

Absent: Pat Gagliardi, Chair

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Commissioner Olshove called the hearings to order at 1:02 p.m., noting a quorum was present.

- 1. Moved by Commissioner Olshove, supported by Commissioner Lasher, that the minutes of the Lansing Appeal Hearings of November 9, 2021, be approved as written and presented, motion carried by unanimous vote.
- 2. Bodega of Brush Park, LLC, 2671 Brush Street, Detroit, Wayne County Request ID# 2106-05878

The licensing hearing was conducted for Bodega of Brush Park, LLC, Request ID# 2106-05878. Dan Felder appeared on behalf of the Attorney Generals Office; Attorney Kelly Allen with members Gino Roncelli and Clarke Lewis, appeared on behalf of the applicant. Also present was Attorney Joseph Infante, counsel for Blake Farms Hard Apple Cider LLC. Mr. Felder, Ms. Allen, Mr. Infante and Mr. Roncelli offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated October 28, 2021, and to approve the request to transfer ownership of escrowed 2021 Class C license and transfer location, as set forth in the Licensing Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

3. Kajy Van Born, Inc., 21718 Van Born Road, Dearborn Heights, Wayne County Request ID# 2006-08639

The licensing hearing was conducted for Kajy Van Born, Inc., Request ID# 2006-08639. Dan Felder appeared on behalf of the Attorney Generals Office; Attorney Joseph Shallal with stockholder Fakhry Kajy, appeared on behalf of the applicant.

Hearings Conducted on Tuesday, November16, 2021 Page 2

Mr. Felder and Mr. Shallal offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated October 5, 2021, and to approve the request to transfer ownership of escrowed 2021 Specially Designated Distributor only license from Shawn & Devon, Inc., and transfer location, as set forth in the Licensing Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

- 4. C-Stores Inc., 205 28<sup>th</sup> Street SW, Wyoming, Kent County
  - A. Conditional License, Request ID# 2108-07697
  - B. New SDM license, Request ID# 2108-07697

The licensing hearings were conducted for C- Stores Inc., Request ID# 2108-07697. Dan Felder appeared on behalf of the Attorney Generals Office, Attorney Keith McEvoy with stockholder Jon Davis, appeared on behalf of the applicant. Mr. Felder, Mr. McEvoy and Mr. Davis offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated October 21, 2021, and to approve the request for a Conditional License in conjunction with the request to transfer ownership of 2021 Specially Designated Merchant license from Byron Limited Holdings, LLC, as set forth in the Licensing Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated October 21, 2021, and to approve the request to transfer ownership of 2021 Specially Designated Merchant license from Byron Limited Holdings, LLC, as set forth in the Licensing Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

With no further business, moved by Commissioner Olshove and supported by Commissioner Lasher, that the hearings be adjourned at 2:10 p.m., motion carried by unanimous vote.

Dennis Olshove Commissioner

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Held: Thursday, November 18, 2021

Southfield District Office 25680 W 8 Mile Road Southfield MI 48033 (Video hearing via Zoom)

Present: Pat Gagliardi, Chair

Dennis Olshove, Commissioner

Absent: Geralyn Lasher, Commissioner

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Chair Gagliardi called the hearings to order at 1:02 p.m., noting a quorum was present.

1. Moved by Commissioner Olshove, supported by Chair Gagliardi, that the minutes of the Southfield Appeal Hearings of November 4, 2021, be approved as written and presented, motion carried by unanimous vote.

2. Liquor City, Inc., 1701 Madison Avenue SE, Grand Rapids, Kent County Request ID# 2108-09325

The licensing hearing was conducted for Liquor City, Inc., Request ID# 2108-09325. Felepe Hall appeared on behalf of the Attorney Generals Office; Attorney John Doyle with applicant stockholder Charanvir Singh, appeared on behalf of the applicant. Mr. Hall and Mr. Doyle offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated October 28, 2021 and to remand the matter back to Enforcement staff, as set forth in the Licensing Appeal Order. Chair Gagliardi supported and the motion was carried by unanimous vote.

3. Nitin Kumar, 9020 11 Mile Road, Mecosta, Norton Township, Mecosta County Request ID# 2005-07024

The licensing hearing was conducted for Walgreen Co., Request ID# 2005-07024. Felepe Hall appeared on behalf of the Attorney Generals Office; Attorney Errick Miles with Nitin Kumar, appeared on behalf of the applicant. Mr. Hall, Mr. Miles and Mr. Kumar offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated July 20, 2021 and to remand the matter back to Enforcement staff, as set forth in the Licensing Appeal Order. Chair Gagliardi supported and the motion was carried by unanimous vote.

- 4. GB License, LLC, d/b/a Go Puff, 2036-2040 11 Mile Road, Berkley, Oakland County
  - A. Conditional License, Request ID# 2002-03166
  - B. New SDM license, Request ID# 2002-03166

The licensing hearings were conducted for GB License, LLC, Request ID# 2002-03166. Felepe Hall appeared on behalf of the Attorney Generals Office, Attorney J. Patrick Howe and co-counsel Leonid Feller with Kaleena Laputka, appeared on behalf of the applicant. Mr. Howe advised as the reasons for denial were the same for both requests, they will give testimony for both. Mr. Hall, Mr. Howe, Mr. Feller and Ms. Laputka offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to table the matter to a hearing on a future date. Chair Gagliardi supported and the motion was carried by unanimous vote.

5. Marathon of Royal Oak, Inc., 1621 E 11 Mile Road, Royal Oak, Oakland County Request ID# 2107-07073

The church hearing was conducted for Marathon of Royal Oak, Inc., Request ID# 2107-07073. Felepe Hall appeared on behalf of the Attorney Generals Office; Attorney Seth Tompkins with member Nowar Jamil, appeared on behalf of the applicant. Present for Royal Oak Church of Christ, the objecting party, were Elders Tom Hebel, Don Jamison and Russ Weipert. Mr. Hall, Mr. Tompkins, Mr. Jamil, Mr. Hebel and Mr. Weipert offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion that the applicant has demonstrated by competent, material and substantial evidence that granting a license would NOT adversely impact the normal operation of the church, and that the application should proceed with no impediment. Chair Gagliardi supported and the motion was carried by unanimous vote.

With no further business, moved by Commissioner Olshove and supported by Chair Gagliardi, that the hearings be adjourned at 3:43 p.m., motion carried by unanimous vote.

Pat Gagliardi

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### HEARINGS CONDUCTED BY THE

MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, November 23, 2021

Lansing District Office 525 W Allegan Street Lansing MI 48933

(Video hearing via Zoom)

Present: Pat Gagliardi, Chair

Dennis Olshove, Commissioner Geralyn Lasher, Commissioner

Absent: None

Chair Gagliardi called the hearings to order at 1:04 p.m., noting a quorum was present.

1. Moved by Commissioner Olshove, supported by Commissioner Lasher, that the minutes of the Lansing Appeal Hearings of November 16, 2021, be approved as written and presented, motion carried by unanimous vote.

2. Pashko, LLC, 5153 Fenton Road, Flint, Grand Blanc Township, Genesee County Request ID# 2109-15376

The licensing hearing was conducted for Pashko, LLC, Request ID# 2109-15376. Dan Felder appeared on behalf of the Attorney Generals Office; Attorney Roger Isaac with member Pashko Nuculaj, appeared on behalf of the applicant. Mr. Felder, Mr. Isaac and Mr. Nuculaj offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to affirm the previous Commission Order of Denial dated October 21, 2021, and to deny the request for a Conditional License in conjunction with the request to transfer ownership of 2021 Class C license and transfer location, as set forth in the Licensing Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

3. Social Misfits – GR, LLC, 43 Fulton Street W, Grand Rapids, Kent County Request ID# 2107-07188

The licensing hearing was conducted for Social Misfits – GR, LLC, Request ID# 2107-07188. Dan Felder appeared on behalf of the Attorney Generals Office; Attorney Kelly Allen with members Spencer Raymond and Michael Raymond, appeared on behalf of the applicant. Mr. Felder, Ms. Allen, Mr. M. Raymond and Mr. S. Raymond offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous

Commission Order of Denial dated November 2, 2021, and to approve the request to transfer ownership of escrowed 2021 Class C license from RFG Foods, LLC, and transfer location, as set forth in the Licensing Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

4. Drift Beer Co., LLC, 1019 N Water Street, Bay City, Bay County Request ID# 2108-07986

The licensing hearing was conducted for Drift Beet Co., LLC, Request ID# 2108-07986. Dan Felder appeared on behalf of the Attorney Generals Office; Attorney Kelly Allen with members David Dittenber and Jenifer Acosta, appeared on behalf of the applicant. Mr. Felder, Ms. Allen, Mr. Dittenber and Ms. Acosta offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated November 2, 2021, and to approve the request to transfer ownership of escrowed 2021 Class C and Specially Designated Merchant licenses from James F Polzin with Barbara J. Tockstein, Personal Representative and transfer location, as set forth in the Licensing Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

5. Masters of Confection, LLC, 6320 Park Lake Road, Bath, Bath Township, Clinton County Request ID# 2107-07149

The licensing hearing was conducted for Masters of Confection, LLC, Request ID# 2107-07149. Dan Felder appeared on behalf of the Attorney Generals Office and member Konny Zsigo appeared on behalf of the applicant. Mr. Felder and Mr. Zsigo offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated October 14, 2021, and to remand the matter back to Enforcement staff, as set forth in the Licensing Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

With no further business, moved by Commissioner Olshove and supported by Commissioner Lasher, that the hearings be adjourned at 2:35 p.m., motion carried by unanimous vote.

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Pat Gagliardi



Held: Tuesday, November 30, 2021

Lansing District Office 525 W Allegan Street Lansing MI 48933

(Video hearing via Zoom)

Present: Dennis Olshove, Commissioner

Geralyn Lasher, Commissioner

Absent: Pat Gagliardi, Chair

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Commissioner Olshove called the hearings to order at 1:04 p.m., noting a quorum was present.

- 1. Moved by Commissioner Olshove, supported by Commissioner Lasher, that the minutes of the Lansing Appeal Hearings of November 23, 2021, be approved as written and presented, motion carried by unanimous vote.
- 2. Motor City Peaks Auburn Hills LLC, 2443 N Squirrel Road, Auburn Hills, Oakland County Request ID# 2106-05214

The licensing hearing was conducted for Motor City Peaks Auburn Hills LLC, Request ID# 2106-05124. Dan Felder appeared on behalf of the Attorney Generals Office; Attorney Michael Brown with member Victor Ansara Jr., appeared on behalf of the applicant. Mr. Felder, Mr. Brown and Mr. Ansara offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated November 5, 2021, and to approve the request to transfer ownership of 2021 Resort Class C license from Central Florida Restaurants, Inc., as set forth in the Licensing Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

3. Emada, LLC, 3398 Beaumont Road, Ann Arbor, Superior Township, Washtenaw County Request ID# 2005-06908

The licensing hearing was conducted for Emada, LLC, Request ID# 2005-06908. Dan Felder appeared on behalf of the Attorney Generals Office; Attorney Kelly Allen with member Emily Dabish, appeared on behalf of the applicant. Mr. Felder and Ms. Allen, offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated October 21, 2021, and to approve the request

for a new Outstate Seller of Wine license with Living Quarters permit, as set forth in the Licensing Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

4. Portillo's Hot Dogs, LLC, 14425 Lakeside Circle, Sterling Heights, Macomb County Request ID# 2010-12566

The licensing hearing was conducted for Portillo's Hot Dogs, LLC, Request ID# 2010-12566. Dan Felder appeared on behalf of the Attorney Generals Office; Attorney Steven Grobbel with General Counsel Susan Shelton, appeared on behalf of the applicant. Mr. Felder, Mr. Grobbel and Ms. Shelton offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion to reverse the previous Commission Order of Denial dated June 17, 2021, and to remand the matter back to the Licensing Division, as set forth in the Licensing Appeal Order. Commissioner Lasher supported and the motion was carried by unanimous vote.

5. Graham's Liquor & Party Store, LLC, 15801 Plymouth Road, Detroit, Wayne County Request ID# 2103-01875

The church hearing was conducted for MGraham's Liquor & Party Store, LLC, Request ID# 2103-01875. Dan Felder appeared on behalf of the Attorney Generals Office; Attorney Mohamad Bazzi with stockholder Gus Alawie, appeared on behalf of the applicant. Present for Faith Redemption Center, the objecting party, were Attorney Willard Ducharme and Bishop Clyde Jones. Mr. Felder, Mr. Bazzi, Mr. Ducharme and Bishop Jones offered comments regarding this case. After discussion on the record, Commissioner Olshove made a motion that the applicant has demonstrated by competent, material and substantial evidence that granting a license would NOT adversely impact the normal operation of the church, and that the application should proceed with no impediment. Commissioner Lasher supported and the motion was carried by unanimous vote.

With no further business, moved by Commissioner Olshove and supported by Commissioner Lasher, that the hearings be adjourned at 2:49 p.m., motion carried by unanimous vote.

Dennis Olshove Commissioner

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