

500 West Big Beaver Troy, MI 48084 troymi.gov

CITY COUNCIL AGENDA ITEM

Date:	April 15, 2025	Q
То:	Honorable Mayor and Troy City Council Members	
From:	Frank A. Nastasi, City Manager Lori Grigg Bluhm, City Attorney Josh Jones, Police Chief Nicole MacMillan, Assistant City Attorney	
Subject:	Draft Kings Sports and Social Liquor License Violation (Introduced MacMillan, Assistant City Attorney and Lynn Giorgi, Police Staffing Specialist)	5

The Troy Police Department annually performs undercover checks on licensed liquor establishments within the City to determine if they unlawfully sell alcohol to underage persons. The Directed Patrol Unit conducts these sting operations with the assistance of temporary employees under 21 years of age, who are sent into licensed establishments under police direction and try to purchase liquor. The Directed Patrol Unit documents each visit, and sends the information to the Michigan Liquor Control Commission (MLCC). If the decoy is sold alcohol by a licensee's employee or agent, the MLCC adjudicates the matter, providing the licensees with appropriate due process. The City also separately cites the employee who sold the alcohol to the minor.

In addition to these sanctions, the state statute also grants local municipalities the authority to object to an otherwise automatic renewal of an on-premises liquor license (restaurants, etc., where the alcohol is consumed on location). Because liquor licenses are considered property, the City needs to give each licensee notice and an opportunity to contest the allegations before taking any adverse action. Troy's due process requirements are set forth in Chapter 101 of the Troy City Ordinances. Notice is also provided to neighboring property owners.

On August 28, 2024, a bartender at Draft Kings Sports and Social, located at 2850 Coolidge Highway, failed an undercover sting operation. Pursuant to Troy's process, a public hearing notice was published and sent to the licensee. Attorney Kelly Allen sent a letter acknowledging the violation, and detailing Draft King Sports and Social's actions after the violation. Her letter is attached, as well as the redacted violation report, police report, MLCC history, and the ticket issued to the server. The server was terminated, and pled responsible to the violation and was fined \$200.

Based on the licensee's record, City Administration recommends that Council pass a resolution requiring responsible alcohol service training for all of licensee's serving employees. Attorney Allen has provided documentation from the ServSafe training, which the Troy Police Department can vet to make sure that it complies with the proposed resolution.

It is likely that someone from Draft Kings Sports and Social will be present at the City Council meeting, and can answer any additional Council questions or address any of your concerns. Other persons may also want to provide public comment as to this liquor licensee.

	higan Department of Licensin HIGAN LIQUOR CONTROL 525 W. Allegan St., P.O. Box 48909-750 Phone 866-813-0011 – F www.michigan. <u>VIOLATION R</u> (Authorized by P.A.	COMMISSIOI x 30005 Lansir 05 ax 517-763-00 gov/lcc EPORT	N (MLCC) ng, MI
**Diana abbaia tha liana		(DID)	
			directly from the liquor license** 0277623
1. Name of Licensee: Draft Kings Sp	Business	ID (BID) NO.: _	
		.C	
 4. Townsnip:			
 7. Date of Violation: 8/28/24 			
□ Gamblir □ Controll	ted Person □ Figh lg □ Failu	ure to Coopera	nside licensed premises)
If MINOR - Birth Date:	Was this a DECOY?	■ YES □ NO	If NO, you must answer below:
If above minor violation was NOT a			
COP	Y OF APPEARANCE TICKE	T MUST BE A	TTACHED
9. Please attach report to include a	HERE AND A DESCRIPTION AND A		
Officer Signature:	ər 		Date Signed:
Officer Name & Title (print):			
Officer Email Address: brandon.park	er@troymi.gov		
Officer Signature:	ว ท		Date Signed:
Officer Name & Title (print):	Chris O'Brien		
Officer Email Address:	brien@troymi.gov		
Department Name:			No.:
Date Report Completed/Submitted:		EMAIL	COMPLETED REPORT TO CC-ViolSubmit@michigan.gov
LCC-600 (01/22) LARA is an equal opportunity e	mployer/program. Auxiliary aids, services, and o	ther reasonable accomm	nodations are available upon request to individuals with disabilities.

<u>W</u>	<u>/ITNESSES</u>
1. Name 🖞	_Address
Will testify to: Minor Decoy	7
2. Name	_Address
Will testify to:	
3 Name	_Address
Will testify to:	
Win testiny to.	
4. Name	_Address
Will testify to:	
5. Name	_Address
Will testify to:	
977 - 977 2	
Location Where Evidence Is Held (Explain): Troy PD	
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Provide List of Evidence: LCC Checklist Citation Report Photo of Alcohol Decoy witness statement	

EMAIL COMPLETED REPORT TO LARA-MLCC-ViolSubmit@michigan.gov

LCC-600 (01/22) LARA is an equal opportunity employer/program. Auxiliary aids, services, and other reasonable accommodations are available upon request to individuals with disabilities.

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TRO	Y POLICE DEPARTMENT 500 W BIG BEAVER RD TROY MI 48084 248-524-3477
	TROY POLICE
	Case Report Administrative Details:
CR No	Subject
240025437	C4604 - Liquor/Alcohol - Furnish/Sell - Civil Infraction
Report Date/Time	Occurrence Date/Time
08/28/2024 13:55	08/28/2024 13:55
Location	Call Source
2850 COOLIDGE HWY	FOP
Dispatched Offense	Verified Offense
L3508 Miscellaneous Detail - TR	C4604 Liquor/Alcohol - Furnish/Sell - Civil Infraction
County	City/Twp/Village
63 - Oakland	84 - Troy
Division Patrol DPU	
	Action Requested:
[] Arrest warrant	[] Review only
[] Search warrant	[] Forfeiture
[] Juvenile petition	[] Other

Offenses:											
C4604 - Liquor/Alcohol - Furnish/Sell - Civil Infraction [TROBRIENC (150430)]											
IBR Code / IBR Group	Offense File Class										
Crime Against	Location Type	Offense Completed									
	21 - Restaurant	Completed									
Domestic Violence	Hate/Bias										
No	00 - None (No Bias)										
Using		Cargo Theft									
A-Alcohol: Yes C-Comput	er Equipment: No D-Drugs/Narcotics: No										

								People			1					
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DOB (Ag	je)	e) Sex Race UNKNOWN			Ethnicity	Birth City & State	Birth Country	Country	of Citizenship	
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			USINE	SS, ETC.)	[TR	OBR	IENC (1	50430)]					In the second second
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	DRAFT KINGS SPORTS & SOCIAL												
DOB (/	Age)		Sex	Race		Ethnic	ity	Birth City & State		Birth Country		Country of Citizenship	
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Street	Address				Apt	#	County		Countr	у	Home Phone	8	Work Phone
2850	COOL	IDGE	HWY										
City					State		Zip	Cel	Phone		Email		
Troy					MI		48084						

PAR	PARKER, BRANDON (O-OTHER) (L-LAW ENFORCEMENT OFFICER) [TROBRIENC (150430)]													
PE:	W.Type:	Last Na	ne			First N	ame			Middle Na	ime		Suffix	Mr/Mrs/Ms
	Parker						don							SGT.
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	UNKNO				WN									
Street A	ddress				Ap	t#	County		Coun	ry	Home Phone		Work Ph	one
500 V	500 W BIG BEAVER RD						OAKL	AND	US	1				
City	City						Zip		Cell Phor	e	Email			
Troy					Mi		480845	254						

	Phone/Email
Туре	Description
BU-Business Phone #1	248-524-3477

OBRIE	EN, CH	RISTO	PHER	(O-OTH	IER)	(L-LA	W ENF	ORCE	MENT (OFFICER)	[TROBR	IENC (1	50430)]		
PE:	W.Type:	Last Nan	ne			First N	ame			Middle Name				Mr/Mrs/Ms	
		Obrier	l			Christopher								OFFICER	
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Troy					Mi		4808452	254							
	Phone/Email														
	Type Description														
BU-Bu	3U-Business Phone #1								248-524-3477						

TURN	ER, AL	JRIEL	_ .	-(0-0T	OTHER) (I-PERSON INTERVIEW)							[TROBRIENC (150430)]						
PE:	W.Type:	Last N	ame			First Name				Middl	e Name)			Suffix	Mr/Mrs/Ms			
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Aliases						Driver License#				DL S	DL State DL Country		Country	Personal ID#					
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BART	ENDER	2																	

 Narrative:

 CR No: 240025437-001
 Written By: TROBRIENC (150430)
 Date: 08/28/2024 04:07 PM

24-25437

Information:

On August 28, 2024 Sgt. Parker and I (O'Brien) conducted underage alcohol inspections with Decoy K.K. K.K. entered Draft Kings Sports & Social located at 2850 Coolidge Hwy. Troy and ordered a Bud Light draft at the bar. Bartender Auriel Turner B/F 3-17-00 served K.K the beer without asking for ID or proof of age.

I issued Turner citation number 24TR06734 for Furnishing, sale to persons under 21 and/or

failure to inquire as to age during enforcement action. She was advised to contact the 52-4 DC within 14 days. Turner declined to complete a written statement.

A LCC checklist was completed and K.K. completed a written statement. No further action.

CR No: 240025437-002 Written By: TRKOWALSKIR (100957) ATTACHMENT ONLY REPORT - No

CR No: 240025437-003 Written By: TRBERTOIAK (163680) ATTACHMENT ONLY REPORT - No Narrative

CFS Narrative By: TROBRIENC (150430)

TROBRIENC - 13:56:30 - DRAFT KINGS TROBRIENC - 14:04:28 - 24TR06734 5862658635

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500		ATIVE RE	
01	DATE 032829 DAY 12829 DAY	BADGE 2	INCIDENT STATUS CLR ARREST UNF CLR EXCEPT INACT
02	Name: KK	DOB:	Home Phone:
03	(PLEASE PRINT) Address:		Business Phone:
04	City:		State: Zip:
05	E-mail Address:		Cell Phone:
06	went into Draftkings and	sat at	bar black fersicle in all
07	black sirved me Rudlinnt	and ni	bar black female in all ver asked for IP.
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26	5		
27	5	X: KK	
28	Taken By: OB	(SIGNATURE)	
29	Place: Scene		Date: 8-78-24 Time: 1355
11-95 CLEMS (P-426	INVESTIGATING OFFICER(S) REVIEWED	BY ASSIGNED TO / F	BADGE ATTENTION TO

State of Michigan Uniform Law Citation	TicketNo. 24TR06734	Victim Involved				
US DOT #	Incident No. 240025437	Dept. No. MI6378400 (/**)				
The People of:		Detection Device				
OF: TROY	BAC	1 _{of} 1				
THE UNDERSIGNED Month Day Ye	l l l l l l l l l l l l l l l l l l l	Month Day Year				
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	ves Occupation/Employer					
Name (First, Middle, Last)						
Street						
City	State	Zip Code				
E-mail Address	Cellular Phone					
Vehicle Plate No. Year State	/ehicle Description (Year, Make, Color)	Veh. Type				
THE PERSON NAMED ABOVE, in violation of	X Local Ordinance State Law	Administrative Rule				
JPON 2850 COOLIDGE HWY						
T OR NEARGOLFVIEW	TD01/					
COUNTY OFOAKLAND MCL Cite/PACC Code/	DI	D THE FOLLOWING Charge				
the second se	cription (include any bond amount collected o					
Misd Fug	RNISHING, SALE TO PERSONS D/OR FAILURE TO INQUIRE AS					
C/I Warn Authorization pend.	RING ENFORCEMENT ACTION					
] Misd Fug] Fel Waiv		2				
C/I Warn Authorization pend. Misd Fug Fel Waiv		3				
TO THE COURT: Do not arraign on a f		plaint is filed.				
98.10.13 2 Key for Type: C/I=Civil Infraction Misd=Mis	3 sdemeanor Fel=Felony Warn=Warr	ning Eug=Eugitive				
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emarks: DRAFT KINGS		24				
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HECK IF APPROPRIATE Damage to Property	Local Court Bond \$	R06734				
Vehicle Impounded Injury	License Posted in Lieu of Bond	7				
erson in Active Military Service Yes XNo	Appearance Certificate	4				
EE DATE BELOW. SEE BACK OF CITATION		. 7				
Appearance Date on or before WITHIN 14 DAYS						
	Formal Hearing Required, (Court will	Notify)				
n the 52ND DISTRICT COURT Court of TROY						
	TRICT COURT, 4TH DIVISION	AU				
Appearance Date on or before WITHIN 14 DAYS Idearing Date (if applicable) on (Court address (Court will Notify)] Formal Hearing Required, (Court will Notify) In the 52ND DISTRICT COURT Court of TROY Court Address & Phone Number 52ND DISTRICT COURT, 4TH DIVISION 520 WEST BIG BEAVER ROAD (248) 528-0400 TROY, MI 48084						
I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable). declare under the penalties of perjury that the statements above are true to the best of ny information, knowledge, and belief. ormplainant's Signature and receipt if applicable OFCC OR OFCC OR </td						
	e Month Day	Year Z				
complainant's Signature and receipt if applicabl		24 ⁹				
omplainant's Signature and receipt if applicabl OFC C. OBRIEN officer's Name (printed) OFC C. OBRIEN	08 28 Officer's ID No. 5	⁹				
complainant's Signature and receipt if applicabl	08 28 Officer's ID No.					

24-25437

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Sports + Social - 2850 W. Big Beaver

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MLCC AIMS - Active/Escrow License Search

Violation #	Date Violation Occured	Statůs	Violation Description	Event/Decision
CV-518111	8/28/2024	Closed	Sold or furnished alcoholic liquor to minor decoy K.K., date of birth July 28, 2005, (19) who was less than twenty-one (21) years old : (Troy PD, Sgt. Brandon Parker, Ofc. Chris O'Brien/Clerk Auriel Fannie Mae Turner/ID not checked)	9/27/2024 Lic Ack Toma11/4/2024 Therefore, the Commissioner Orders a penalty fine of \$500 for the charge in this matter. The Commissioner further Orders the Licensee to serve a suspension of twenty-five (25) continuous days, to run consecutively and not concurrently with any other suspension Ordered by the MLCC, if the fine is not paid within forty-five (45) days from the mailing date of this Order.

CITY OF TROY

NOTICE OF LIQUOR VIOLATIONS

TROY CITY COUNCIL MEETING

A Public Hearing will be held by and before the Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, April 21, 2025 at 7:30 p.m. and notice is given for the following 2024 Liquor Violations:

a) Name: Maple Gas Mart, LLC (dba Sunoco Gas) Address: 1490 E. Maple Rd, Troy, MI 48083 License No: SDM (L-000400089) SALE TO MINOR (Compliance Test) on April 15, 2024 b) John R Petro Mart, Inc. Name: (dba John R Petro Mart) Address: 1980 E. Maple Rd., Troy, MI 48083 License No: SDM (L-000274041) SALE TO MINOR (Compliance Test) on April 15, 2024 C) Name: Polish Market II, Inc. (dba Polish Market) Address: 2938 E. Maple Rd., Troy, MI 48083 License No: SDM (L-000271701) SALE TO MINOR (Compliance Test) on April 15, 2024 d) Name: 7-Eleven Inc. and MCME Investment Inc. Address: 5020 John R, Troy, MI 48085 License No: SDM (L-000013474) SALE TO MINOR (Compliance Test) on April 22, 2024 e) Name: Granite City Food and Brewery Inc. (dba Granite City) 699 W. Big Beaver Rd., Troy, MI 48084 Address: License No: Class C (L-000435060), SDM (L-000435061), and Brewpub (L-000435062) SALE TO MINOR (Compliance Test) on April 25, 2024 f) Name: Babylon Restaurant Group, Inc. (dba The Melting Pot) Address: 888 W. Big Beaver Rd. Ste. 120, Troy, MI 48084) Class C (L-000132488), SDM (L-000132489) License No: SALE TO MINOR (Compliance Test) on August 28, 2024 Name: g) S&S Michigan I, LLC (dba SPORTS & SOCIAL) Address: 2850 Coolidge Hwy., Troy, MI 48084 License No: Class C (L-000454473), SDM (L-000454475) SALE TO MINOR (Compliance Test) on August 28, 2024 h) Name: 7-Eleven Inc. (dba 7-Eleven Store #17313M) Address: 2910 John R, Troy, MI 48083 License No: SDM (L-000480986), SDD (L-000480987) SALE TO MINOR (Tip Investigation) on May 22, 2024 City Clerk

POSTED: March 31, 2025 PUBLISHED: April 3, 2025

Published: Troy Times 04/03/2025

M. Aileen Dickson, MMC, MiPMC3



CITY OF TROY | CITY CLERK'S OFFICE | 500 WEST BIG BEAVER | TROY, MI 48084 PHONE: 248-524-3316 | FAX: 248-524-1770 | E-MAIL: <u>CLERK@TROYMI.GOV</u>

April 7, 2025

«parcelNumber» «name1» «name2» «address» «city», «state» «zip»

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

A Public Hearing will be held by and before the City of Troy City Council on April 21, 2025 at 7:30 PM in the City Council Chambers at City Hall, 500 W Big Beaver, Troy, Michigan. The purpose of this meeting is to determine whether the City Council should recommend to the Michigan Liquor Control Commission the renewal or non-renewal of licenses allowed for the sale and/or consumption of alcoholic beverages. The following licensees and violations will be discussed:

Licensee: S&S Michigan I, LLC DBA: Sports & Social Public Hearing Date: April 21, 2025 at 7:30 PM License Type: Class C, SDM (L-000454473, L-000454475) Violation : Sale to Minor (Compliance Check) Violation Date: August 28, 2024

This notice is sent pursuant to Section 12b of *Chapter 101 – Liquor Licenses* of the City of Troy Code of Ordinances.

Sincerely,

M. Allen

M. Aileen Dickson, MMC, MiPMC3 City Clerk



LAW OFFICES

ADKISON, NEED, ALLEN, & RENTROP

PROFESSIONAL LIMITED LIABILITY COMPANY

KELLY A. ALLEN JESSICA A. HALLMARK JOHN W. KUMMER GREGORY K. NEED G. HANS RENTROP CHRISTOPHER J. TOWER

39572 Woodward, Suite 222 Bloomfield Hills, Michigan 48304 Telephone (248) 540-7400 Facsimile (248) 540-7401 www.ANA firm.com OF COUNSEL:

Phillip G. Adkison Kevin M. Chudler Jennifer H. Elowsky Gary R. Rentrop Katherine A. Tomasik

April 14, 2025

Via Electronic Mail

Mr. Ethan Baker, Mayor City Council City of Troy <u>CityCouncilEmail@troymi.gov</u> 500 West Big Beaver Troy, Michigan 48084

Re: Response to Notice of Public Hearing – Liquor License Violation S&S Michigan I, LLC 2850 Coolidge Hwy., Troy, MI 48084-3212

Dear Mayor Baker and Council Members:

We represent S&S Michigan I, LLC ("Draft Kings Sports and Social") in Liquor Licensing matters.

On August 28, 2024, Draft Kings Sports and Social was charged with a violation of the Michigan Liquor Code as a result of a decoy operation conducted by the Troy Police Department. The violation was for the sale to a minor.

Draft Kings Sports and Social acknowledged the complaint with the Commission and paid a fine of \$500. As is their policy, the employee who made the sale was immediately terminated. Attached is the correspondence and explanation submitted to the Commission.

Draft Kings Sports and Social has a zero tolerance policy with regard to Michigan Liquor Control Commission compliance.

All employees who sell or serve alcohol are trained and certified. Also attached are the employees' training cards.

Further, Draft Kings Sports and Social stresses the importance of compliance with their team members every single day.

Because of Draft Kings Sports and Socials policies, required training and daily reminders about the importance of compliance with the Michigan Liquor Code, it is hoped and expected that no further violations will take place.

If you have any questions or need any further information, please do not hesitate to contact my office.

Very truly yours,

ADKISON, NEED, ALLEN, & RENTROP, PLLC 1 alle

/kaa

m:\hudolin, keith\troy\city of troy 2025 renewal\corres\2025-04-14 ltr to clerk re public hearing.docx

S&S Michigan I, LLC

601 E Pratt St. 5th Fl Baltimore, MD 21202 443-915-3651 mmccudden@livehospitality.com

September 26, 2024

Via E-MAIL

State of Michigan Department of Licensing and Regulatory Affairs Liquor Control Commission 525 W. Allegan Street P.O. Box 300005 Troy, Michigan 48084

Re: Complaint No. 24-cv-518111

Dear Sir or Madam:

S&S Michigan I, LLC ("S&S") respectfully requests that Commission take the following facts into consideration when determining the penalty to be awarded in connection with the above-referenced Complaint.

S&S requires all team members to complete ServeSafe training. Auriel Turner ("Turner") completed ServeSafe training on June 11, 2024 (Cert No. 25794160). S&S hired Turner on June 27, 2024. S&S terminated Turner on August 28, 2028, because she served an underage guest. S&S is committed to the lawful and responsible service of alcohol and takes matters of this nature very seriously.

Thank you in advance for your consideration.

Sincerely,

s Mary McCudden

Mary McCudden Vice President & General Counsel

Encl.

Notice of Separation

Manager Requesting Separation

Managers Name Brian Cosio Managers Email bcosio@sportsandsocial.com

Terminated Team Member

Legal Name Auriel Turner

Date of Termination 8/28/2024

Last Date Worked 8/28/2024

Location/City Troy, MI

> Troy Venue DK Sports & Social Troy

Reason for Separation Involuntary Involuntary Reasons Violation of Company Policy

Requires Explanation On August 28th, Auriel served an underage decoy sting with the MLCC.

Is this employee eligible for Rehire? No

Separation Checklist Made Inactivated in Shift 4 Removed from 7 Shifts

Signature



The licensee may elect to appear at a hearing at which time testimony may be taken and the matter adjudged <u>or</u> the licensee may elect to acknowledge the validity of the complaint and thereby authorize the entry of an order without a formal hearing, which order may assess such penalties as are provided by Section 903 of the Liquor Control Code of 1998. If a licensee elects to acknowledge the complaint, the licensee may include, on a separate sheet of paper, any explanation or mitigating circumstances which the licensee believes should be considered in disposing of the violation.

NOTE: In the event the licensee decides to waive a hearing and acknowledge the facts of this complaint, the original copy of this waiver and acknowledgment must be signed by the individual licensee, or at least one co-licensee, or at least one partner of a partnership licensee, or at least one officer of a corporate or club licensee, or at least one member of a limited liability company, and returned to the Michigan Liquor Control Commission, Hearings and Appeals Section, 525 W. Allegan, P.O. Box 30005, Lansing, Michigan 48909-7505 of fax both sides of the Complaint to (517) 763-0053.

WAIVER OF HEARING & ACKNOWLEDGMENT OF COMPLAINT

I (we) hereby voluntarily acknowledge the charges as stated in this complaint, I (we) hereby waive hearing, representation by an attorney and appearance of witnesses at such hearing, I (we) hereby voluntarily consent to the reading of the Violation Report submitted by the law enforcement agency and consent to such penalty as may be deemed appropriate from the facts stated therein. I (we) voluntarily consent to my (our) previous violation record, if any, being reviewed and understand it may be a factor in the determination of the penalty imposed. No representations, expressed or implied, have been made by anyone concerning what the penalty shall be.

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* Signature of Licensee:	/////-	Date: 1126124
Print or Type: Rted (ordish	Principal
Name		Title

You must include your current telephone number and email address so that the Liquor Control Commission can contact you.

Current Telephone: <u>443-915-365</u> Current email: <u>MMCCUDDEN CLIVEHOSPITALTTY</u>, GM

*<u>Under the authority set forth in R 436.1913</u>, you must meet one of the following conditions in order to sign this acknowledgment of complaint. Please place a checkmark in the box next to the condition below that describes your authority to sign, and include your associated title above.

The individual licensee. (Example: John Doe, Licensee)

A co-licensee. (Example: John Doe, Co-Licensee)

A partner of a partnership licensee. (Example: John Doe, Partner)

An officer of a corporate licensee. (Example: John Doe, President, Secretary, etc.)

A member or manager of a limited liability company. (Example: John Doe, Manager)

* If you do not meet one of the conditions outlined above, this acknowledgment will <u>not</u> be accepted and the matter <u>will be scheduled for a hearing</u>.

For Liquor Control Commission use only