LCC
Liquor Licensee History

Business name: **CVS Pharmacy**

Address: 4963 John R (248) 689-2135

Licensee: ADI Realty, Inc.

License type: **SDM** (73139-2002)

Permits:

Comments:

Date	Troy Incident #	Type	Disposition	Date
10/04/99		Council approves new SDM		
07/25/00	**00-26959**	**Sale to Minor-Compliance Test**	**$500**	**01/25/01**
10/08/00	00-37326	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
11/15/00	00-42364	Compliance Test	PASSED	
12/16/00	00-46747	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/03/01	01-04013	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/28/01		Council resolution requiring all employees who sell to be TIPS/TAM trained with proof to PD within 6 months		
04/21/01	01-13664	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/24/01		Compliance Test	PASSED	
05/22/01		Reminder letter sent for proof of TIPS		
06/11/01		Proof received (TIPS) by fax		
07/07/01	01-24148	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
08/14/01	01-29132	Compliance Test	PASSED	
09/09/01	01-32426	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
09/25/01	01-34507	Compliance Test	PASSED	
10/22/01	01-38124	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/02/02	02-00149	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

02/28/02	02-06382	Compliance Test	PASSED
03/11/02	02-07617	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/16/02	02-19040	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/25/02	02-	Compliance Test	PASSED
07/20/02	02-23528	Liquor Inspection (Road Patrol)	NO VIOLATIONS
10/16/02	02-34079	Compliance Test	PASSED
01/06/03	03-633	Liquor Inspection (Road Patrol-Boska)	NO VIOLATIONS
02/10/03	03-4281	Liquor Inspection (Road Patrol-Boska)	NO VIOLATIONS
03/12/03	03-7397	Liquor Inspection (Road Patrol-Boska)	NO VIOLATIONS
03/24/03	03-8723	Compliance Test	PASSED
05/24/03	03-15461	Liquor Inspection (Road Patrol-Schehr)	NO VIOLATIONS
06/19/03	03-18541	Compliance Test	PASSED
08/01/03	03-23760	Liquor Inspection (Road Patrol-Schehr)	NO VIOLATIONS
09/07/03	03-27902	Liquor Inspection (Road Patrol-Schehr)	NO VIOLATIONS
10/27/03	03-33172	Compliance Test	PASSED
01/16/04	04-01613	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
02/14/04	04-04654	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
03/06/04	04-06703	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
03/22/04	04-08402	Compliance Test	PASSED
06/30/04	04-19825	Compliance Test	PASSED
01/04/05	05-	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS
02/11/05	05-04800	Compliance Test	PASSED
02/21/05	05-05917	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS
03/09/05	05-07903	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS
06/26/05	05-21784	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS
07/17/05	05-24742	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS
09/11/05	05-32207	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS

10/13/05		Compliance Test	PASSED
02/01/06	06-4235	Liquor Inspection (Road Patrol-Zagacki)	NO VIOLATIONS
04/20/06	06-14780	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
06/23/06	06-23742	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
08/17/06	06-31772	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
11/14/06	06-43247	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
11/28/06	06-44922	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
05/03/07 **05/16/07:** **09/14/07:**	**07-16147**	**Sale to Minor-Compliance Test** **Dist Ct** **MLCC Hearing, Negotiated Settlement**	 **P/G $100 Fine** **$600 Fine**
07/07/07	07-25422	Liquor Inspection (Road Patrol-Campbell)	NO VIOLATIONS
08/04/07	07-29412	Liquor Inspection (Road Patrol-Campbell)	NO VIOLATIONS
09/03/07	07-33786	Liquor Inspection (Road Patrol-Campbell)	NO VIOLATIONS

Michigan Department of Consumer & Industry Services
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT

(Authorized by P.A.58 of 1998)

* This report is not to be faxed or electronically submitted - an original signature is required*

*** Officers please obtain *License No., Bus. ID* and *File #* directly from the liquor license ***

License No. 73139-2006 Business ID 131151 File # 11-73139-2006 D-67357

1. Name of Licensee CVS PHARMACY #8242 2. Doing Business As ADI REALTY, INC.

3. Mailing Address (street, city, zip code) 4963 John R Troy ~~48098~~ 48085

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) SDM

7. Date of Violation: Thursday (DAY) 05/03/07 (DATE) 6:25 (HOUR) ○ AM or ◉ PM

8. Violation Type:
- [✓] Minor
- [ ] Intoxicated Person
- [ ] Gambling
- [ ] Controlled Substances
- [ ] Prohibited Conduct
- [ ] After hours sales/consumption
- [ ] Fighting (must be inside licensed premises)
- [ ] Failure to Cooperate
- OTHER: _____

if MINOR: Birth date_____ Was this a DECOY ? ◉ Yes ○ No If no, you MUST answer below:
If above minor violation was NOT a decoy describe enforcement action taken:

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 07-16147

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature _____ Name and Title (print) Joseph Morgan, Police Officer

Officer Signature _____ Name and Title (print) Daniel Galich, Police Officer

Department Name Troy Police Department Phone # 248-524-3431

CONTINUED

WITNESSES

1. Name _____ Address 500 W Big Beaver Rd; Troy MI 48084

Will testify to: Student enforcement aide; purchased six-pack of Bud Light beer in 12 oz bottles

2. Name Officer Kristine Maczka Address 500 W Big Beaver Rd; Troy MI 48084

Will testify to: Witnessed sale of beer

3. Name _____ Address _____

Will testify to:

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): Property Tag No. 140801 Cassette recording of transaction
Property Tag No. 140803 Beer and CVS receipt

Call For Service

CFS Number: **070016147** Case Number: **0700003928** (TR) Troy PD

Date: **5/3/2007** **09:28**

Call For Service

CFS Number **070016147**

Date **5/3/2007**

Dispatcher **00432 TRGORALCZYKM**

Call Source **TEL**

Received **09:28:25 AM**

Dispatched **09:31:19 AM**

Arrived

Cleared **09:31:22 AM**

Location **4963 John R Rd**

City, State, Zip **TROY, MI 48083**

Jurisdiction

Grid

Sector

Map **0**

Complainant

Address **4963 John R Rd**

City, State, Zip **TROY, MI 48083**

Phone

Call type

Reported Offense **C3309 Liquor Inspection**

Verified Offense **4102 Liquor Violation - Sell**

Tow Company

Vehicle License

Disposition **N**

Priority

Classification

Agency **TR**

Case **0700003928**

Officers

115 TRMACZKAK

TRMORGANJ

Notes: **- C3309 LIQUOR INSPECT**

N 9

LTR07 - 0503016147 TR

0700003928

05/03/07 THU

INCIDENT -
4963 JOHN R RD

TRO

RECEIVER: 00432
DISPATCHER: 00432
UNITS SENT: D3

ORGIN: TELEPHONE

BADGES: 00065
BEAT: TR05
AREA: 5
SECTOR: TR5

-CAL-	-RCV-	-DIS-	-ARV-	-CLR-
09:28:21	09:28:25	09:31:19	0	09:31:22
	0:04	2:54	No Data Available	No Data Available

COMPLAIN: 0

ACTIVITY:

Unit Id	DISPATCH	ENR	ARRIVED	CLEAR	ARV Hosp.	ENR Hosp.	Other ENR	Other ARV	DISP	Officer 1	Officer 2
D3	09:31:19	--:--:--	--:--:--	09:31:22	--:--:--	--:--:--	--:--:--	--:--:--		00065 MORGANJ	

BY:

Troy PD Crime Report

Case No. 0700003928
Report No. 0700003928.1
Report Date: 5/3/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

1

Subject: 4102 - Liquor Violation - Sell

Case Report Status	I - In Process	Entered On	5/3/2007 10:12:12 PM	Reporting Officer	00065 - Morgan, Joseph
County	63 - Oakland	Entered By	41844 - Maczka, Kristine		
City/Township	84 - Troy	Verified On			
		Verified By			
Occurred On	5/3/2007 6:25:00 PM	Approved On		Assisted By	41844 - Maczka, Kristine
Or Between		Approved By			
Location	4963 John R Rd	Related Cases			
CSZ	Troy, MI 48083	Disposition	Arrest	Agency Assisted	
Census/Geo Code		Excp. Clear Reason			
Jurisdiction		Excp. Clear Date			
Grid		Reporting Agency	Troy PD		
Sector					
Map		Division	Patrol		
Call Source	Telephone	Notified			
Vehicle Activity					
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					

Report Narrative

07-16147 Liquor violation

On 05/03/07 Officer Morgan, Officer Galich and I were conducting a liquor enforcement detail. At approximately 1825 hrs student enforcement aide, went to CVS pharmacy at 4963 John R. with officers to conduct a liquor inspection. had no identification on her person, it was being held at the Troy police department. activated a small personal tape recorder and gave an introduction including the date, time and location before she entered CVS. She then entered CVS, selected a six pack of Bud light 12 oz. bottles proceeded to the checkout at the front of CVS. presented the six pack to sales clerk Qussar for purchase. Qussar never asked for her identification and rang up the sale. paid for the Bud light with a ten dollar bill. I entered the store and headed to the checkout at the end of ransaction. I did observe Qussar put the six pack of Bud light in a plastic bag as was standing on the other side of the counter. I observed Qussar hand over her change from the purchase. then left the store and informed Officer Morgan and Officer Galich of the sale. I exited the store minutes afte and spoke with her and officers. We issued Qussar citation number 696175 for "fail to inquire as to age". Officer Morgan completed a L.C.C violation report. The beer and receipt for purchase was tagged into evidence (tag #140803). The cassette recording of contact with Qussar was placed into evidence (tag #140801).

Offense Detail: 4102 - Liquor Violation - Sell

Offense Description	4102 - Liquor Violation - Sell				
IBR Code	90G - Liquor Law Violations	Location Type	09 - Drug Store/Doctors Office/Hospital		
IBR Group	B	Offense Completed?	Yes	No. Prem. Entered	
Crime Against	SO	Hate/Bias	00 - None (No Bias)	Entry Method	
Offense File Class	41002 - LIQUOR VIOLATIONS -OTHER	Domestic Violence	No	Type Security	
PACC				Tools Used	
Local Code					
Using					

Printed For:
Printed: May 3, 2007 - 11:07 PM

Criminal Activity
Force Level

Arrestee A1: Qussar, Naimeh

Arrestee Number	A1	DOB		Place of Birth	
Name	Qussar, Naimeh	Age	68	SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	USA - United States of America
Address	39860 Academy Dr	Ht.		Occupation/Grade	
CSZ	Sterling Heights, MI 48310	Wt.		Employer/School	CVS Pharmacy
		Eye Color		Employer Address	4963 John R
Home Phone		Hair Color		Employer CSZ	Troy, MI 48098
Work Phone		Hair Style		Res. County	Macomb
Email Address		Hair Length		Res. Country	USA - United States of America
Scars/Marks/Tattoos		Facial Hair		Resident Status	S - Resides in the State but not the county or community where the offense occurred
Modus Operandi		Complexion			
		Build			
Attire		Teeth			
Habitual Offender Status					
Arrest No.	696175				
Arrest Type	S - Summoned/Cited				
FBI No.					
Criminal Tracking Number CTN					
Transaction Control Number TCN		Arrested For	4102 - Liquor Violation - Sell		
Person Control Number PCN		Count	1		
State No.		Fingerprints		Booked On	
Armed With	01 - Unarmed	Photos		Booked Location	
Multi. Clearance	N - Not Applicable	Miranda Read		Released Location	
Multi. Clearance Offense		Miranda Waived		Released On	
Prev. Suspect No.		Number of Warrants		Released By	
Notified Name				Release Reason	
		Juvenile Disposition		Held For	
		Adult Present		Date/Time Arrested	5/3/2007 6:30:00 PM
		Detention Name		Arrest Location	CVS Pharmacy
Arrest Notes					

Witness W1:

Witness Code	W1	DOB	Place of Birth

Name		Age		SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	W - White	DL State	
		Ethnicity		DL Country	
Address	500 W Big Beaver Rd	Ht.		Occupation/Grade	
CSZ	Troy, MI 48084	Wt.		Employer/School	
		Eye Color		Employer Address	
Home Phone		Hair Color		Employer CSZ	
Work Phone	248 524-3477	Facial Hair		Res. County	Oakland
Email Address		Complexion		Res. Country	USA - United States of America
Attire				Resident Status	
				Testify	

Witness Notes: Student enforcement aide.

Property Description Item 1: 1305 - Recording - Cassette Tape 5426 - Cassette tape

Item No.	1
Property Category	1305 - Recording - Cassette Tape 5426
Property Class	27
IBR Type	27 - Recordings-Audio/Visual
UCR Type	F - TV's, Radios, Stereos, Etc...
Status	E - Evidence (Including Other Seized Property And Tools)
Count	1
Value	
Manufacturer	
Model	
Serial No.	
License No.	
Color	
Description	Cassette tape
Vehicle Year	
Body Style	
State	
License Year	
Recovered Date/Time	
Owner	
Disposition	
Evidence Tag	
Alert(s)	
Evidence Recovered By	
Evidence Recovered From	
Evidence Location	
Drug Type	
Drug Quantity	
Drug Measure	

Property Notes: Cassette recording from Murphy's contact at CVS. Evidence tag 140801

Property Description Item 2: 1200 - Beer 5402 - 6 pack Bud light and receipt for purchase

Item No.	**2**
Property Category	**1200 - Beer 5402**
Property Class	**02**
IBR Type	**02 - Alcohol**
UCR Type	**I - Consumable Goods**
Status	**E - Evidence (Including Other Seized Property And Tools)**
Count	**1**
Value	
Manufacturer	**Bud light**
Model	
Serial No.	
License No.	
Color	
Description	**6 pack Bud light and receipt for purchase**
Vehicle Year	
Body Style	
State	
License Year	
Recovered Date/Time	
Owner	
Disposition	
Evidence Tag	
Alert(s)	
Evidence Recovered By	
Evidence Recovered From	
Evidence Location	
Drug Type	
Drug Quantity	
Drug Measure	

Property Notes	6 pack Bud light bottles and reciept for purchase. Evidence tag# 140803.

TROY POLICE DEPT.
500. Big Beaver, Troy, MI 48084
ORI # MI6378400

NARRATIVE REPORT
WITNESS STATEMENT

☒ SUPP ☐ CORR ☐ DELETE PAGE 1 OF 1

DATE	DAY	SHIFT	PLAT	BADGE 1	BADGE 2	INCIDENT STATUS	PRIM CLASS	YEAR	INCIDENT #
05/03/07	THU	01	919	80		☐CLR ARREST ☐UNF ☐CLR EXCEPT ☐INACT		07	16147

I, , on Thursday May 3, 2007 at approximately 6:25pm at CVS pharmacy at 4963 John R, while working as a student decay purchased a 6-pack of Bud Light 12 oz. bottles. A clerk, later identified as Naimen sold it to me. She did not ask for ID and completed the transaction as I paid with a $10 bill.

X:

Taken By: Macka
(SIGNATURE)

Place: 500 Date: 05/03/07 Time: 2235

INVESTIGATING OFFICER(S)	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
Daniels			

State of Michigan
Uniform Law Citation

Ticket No. 696175 ☐ Victim Involved

US DOT #

Incident No. 02 16147 | Dept. No. 784

The People of: ☐ the State of Michigan ☐ Township ☒ City ☐ Village ☐ County

Local Use/Arrest No | Detection Devise

Race	Sex	Height	Weight	Hair	Eyes	Occupation/Employer
W	F					

Name (First, Middle, Last) NAIMEH QUSSAR

Street 39860 ACADEMY DR

City STERLING HEIGHTS State MI Zip Code 48310

Vehicle Plate No.	Year	State	Vehicle Description (Year, Make, Color)	Type

THE PERSON NAMED ABOVE, in violation of ☒ Local Ordinance ☐ State Law ☐ Administrative Rule

UPON 4963 JOHN R

AT OR NEAR CUS

WITHIN ☒ CITY ☐ VILLAGE ☐ TOWNSHIP OF TROY

COUNTY OF OAKLAND DID THE FOLLOWING

Type	MCL Cite/Pacc Code/ Ordinance	Description (include any bond amount collected on each charge)	Charge No.
☐ C/I ☐ Warn ☒ Misd ☐ Fug ☐ Fel ☐ Waiv	☐ Authorization pend. 98.10.11	FAIL TO INQUIRE AS TO AGE	1
☐ C/I ☐ Warn ☐ Misd ☐ Fug ☐ Fel ☐ Waiv	☐ Authorization pend.		2
☐ C/I ☐ Warn ☐ Misd ☐ Fug ☐ Fel ☐ Waiv	☐ Authorization pend.		3

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s)
1 436.17011A 2 3

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks ALCOHOL SOLD TO A MINOR

Ticket 696175

CHECK IF APPROPRIATE ☐ Damage to Property ☐ Vehicle Impounded ☐ Injury ☐ Traffic Crash ☐ Death

☐ Local Court Bond $ ☐ License Posted in Lieu of Bond ☐ Appearance Certificate ☐ None

Person in Active Military Service ☐ Yes ☒ No

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS

Appearance Date on or before: 5-96-07 8:30 AM

Hearing Date (if applicable) on: ☒ Contact Court

☐ Juvenile Traffic Misd. (Court will Notify) ☐ Formal Hearing Required (Court will Notify)

Name

In the 52-4 DISTRICT Court of OAKLAND COUNTY

Court Address & Phone Number

520 W. BIG BEAVER RD., TROY, MICHIGAN 48084
PHONE: (248) 528-0400

☒ I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable). I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Case No.

Complainant's Signature and receipt if applicable: [signature] Month 5 Day 3 Year 07

Officer's Name (printed) MORGAN PIACICH / MOORE Officer's ID No. 65119/115

Agency ORI MI- 6378400 Agency Name TROY POLICE DEPARTMENT

UC-01a (rev. 9/02)

Court Copy-1

State of Michigan
Department of Labor and Economic Growth
LIQUOR CONTROL COMMISSION
7150 Harris Drive
P.O. Box 30005
Lansing, Michigan 48909-7505

Complaint No. 7-114210
Business ID No. 131151
F-3

In Re: ADI Realty, Inc.
d/b/a CVS/Pharmacy #8242
4963 John R
Troy, MI 48098

SDM

Date: May 22, 2007

COMPLAINT

This Complaint alleges that on May 3, 2007, the licensee or the licensee's agent, clerk or employee:

sold or furnished alcoholic liquor to minor, _____ who was less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

Wherefore, it is requested that a hearing be conducted, and a decision make in accordance with section 903 of the Michigan Liquor Control Code being MCL 436.1903, and the Commission's Rules.

List of Witnesses:

Ofc. Joseph Morgan, Troy PD
Ofc. Daniel Galich, Troy PD
Ofc. Kristine Maczka, Troy PD

LIQUOR CONTROL COMMISSION
LICENSING AND ENFORCEMENT DIVISION

By Daniel J. Bragdon

ACKNOWLEDGMENTS

This complaint was drafted pursuant to a written Violation Report or other information which was submitted to the enforcement arm of the Commission. A copy of the Violation Report or other information is being furnished to you along with this Complaint. The licensee may waive a hearing and acknowledge the facts pursuant to this Report.

SEE REVERSE SIDE FOR WAIVER OF HEARING AND ACKNOWLEDGMENT FORM

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION
7150 HARRIS DRIVE, P.O. BOX 30005
LANSING, MI 48909

NOTICE OF SCHEDULED HEARING
(Authorized by M.A.C R436.1909)
July 5, 2007

TO: TROY POLICE DEPARTMENT
ATTN: CHIEF
500 W BIG BEAVER RD
TROY, MI 48084-5285

RE: ADI REALTY, INC.
D/B/A CVS/PHARMACY #8242
4963 JOHN R
TROY, MI 48098
Complaint No. 7-114210

A complaint has been filed against the above licensee alleging:

SALE TO MINOR May 3, 2007

This matter is being scheduled for hearing at the following location, date, and time:

Farmington District Office
24155 Drake Rd
Farmington, MI 48335-3168

**Wednesday
August 8, 2007
11:00 A.M.

The officer(s) listed below are requested to attend the hearing and bring whatever evidence they have in connection with the case: ***Please review charges and witnesses on the attached Complaint and contact this office immediately if you have any questions.**

Ofc. Joseph Morgan, Ofc. Daniel Galich, Ofc. Kristine Maczka

Enclosed is the subpoena for the witness involved in this case. We request that it be served by your agency. Please notify this office a minimum of three working days prior to the scheduled date of hearing if you are unable to serve the subpoena.

TROY PD

Any request for postponement must be in writing and must be received **in this office no less than two working days prior to the date of the hearing** as required by Rule 434.1931 of the Hearings and Appeal Practice Rules. Please direct any postponement request to Lori Schrader at (517) 636-5299. If you have any questions, contact the Hearings and Appeals Section at **(517) 322-1390**. Our office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

MICHIGAN LIQUOR CONTROL COMMISSION

YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO SCHEDULED DATE TO CONFIRM HEARING

Susan K. Conklin

Susan K. Conklin, Supervisor
Hearings and Appeals Section

SKC:wls
enclosure

cc: Ofc. Joseph Morgan
Ofc. Daniel Galich
Ofc. Kristine Maczka

STATE OF MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH	**SUBPOENA** **ORDER TO APPEAR**	LIQUOR CONTROL COMMISSION P.O. Box 30005 Lansing, Michigan 48909-7505 **(517) 322-1390**

Issued To: ****YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO SCHEDULED DATE TO CONFIRM HEARING****

c/o TROY PD

By the authority of Section 217(4) of the Michigan Liquor Control Code of 1998, you are ordered to appear before the Liquor Control Commission on the day and at the time and place stated to give evidence on this complaint.

Reference Licensee:

ADI REALTY, INC.
D/B/A CVS/PHARMACY #8242
4963 JOHN R
TROY, MI 48098

Complaint No. 7-114210

Complaint:

SALE TO MINOR, (20): May 3, 2007

Hearing Location:	**Date and time:**
Farmington District Office 24155 Drake Rd Farmington, MI 48335-3168	**Wednesday August 8, 2007 11:00 A.M.

FAILURE TO APPEAR AT THE STATED TIME AND PLACE, OR FAILURE TO PRODUCE THE PAPERS AND DOCUMENTS REQUIRED WILL SUBJECT YOU TO CONTEMPT PROCEEDINGS THROUGH THE APPROPRIATE COUNTY CIRCUIT COURT.
MICHIGAN LIQUOR CONTROL COMMISSION

By: _____ Date: July 5, 2007

CERTIFICATE OF SERVICE

I certify that I am an authorized law enforcement or commission agent and that I personally served a copy of the subpoena on:

Name: Complete address of service: Day/Time/Date:

Signature of Agent: Title: Date:

****Note: In case of inclement weather please contact the Hearings & Appeals Section, (517) 322-1390, to confirm the hearing is still being held.**

WLS
LC-611 Rev. 8/01

JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION
DEPARTMENT OF LABOR & ECONOMIC GROWTH
KEITH W. COOLEY, DIRECTOR

NIDA R. SAMONA
CHAIRPERSON

September 20, 2007

ADI Realty, Inc.
D/B/A CVS/Pharmacy #8242
4963 John R
Troy MI 48098

RE: Complaint No. 7-114210

Dear Licensee:

Enclosed is a copy of the Commissioner's Order issued as the result of the above Complaint.

If you elect to pay the fine, a bank or postal money order, certified check, or authorized credit card payable to the STATE OF MICHIGAN must be received in this office no later than October 22, 2007 as indicated on your Invoice No. 92084. Failure to submit the fine will result in confiscation of your license for the alternative penalty.

If there are any questions regarding this Order, please contact Hearings and Appeals at (517) 322-1390. Our office hours are from 8:00 a.m. to 5:00 p.m.

Sincerely,
MICHIGAN LIQUOR CONTROL COMMISSION

Susan K Conklin

Susan K. Conklin, Supervisor
Hearings and Appeals

SKC:alf
Enclosures

cc: Home Office
Russell G. Carniak, Attorney
Troy Police Department

STATE OF MICHIGAN

DEPARTMENT OF LABOR AND ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION

IN RE: ADI REALTY, INC.
D/B/A CVS/PHARMACY #8242
4963 JOHN R
TROY, MI 48098

HEARING: AUGUST 8, 2007
PLACE: FARMINGTON
COMPLAINT NO: 7-114210
BUSINESS ID NO. 131151
SDM

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CHARGES - MAY 3, 2007

(1) Sold or furnished alcoholic liquor to minor, who was less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

NEGOTIATED SETTLEMENT

The Administrative Law Judge (ALJ) accepted, without objection, the Motion of Attorney Russell Carniak, that the appearance of a Corporate Officer in this matter be waived, pursuant to the provisions of Rule 436.1913(2), said waiver to be subject to the express agreement by said Attorney Carniak that he will inform the Licensed Corporation of the disposition in this matter.

Attorney Carniak, who with Linda Pytel McDowell, Assistant Attorney General who represented all law enforcement agencies involved in this matter, proposed the following Negotiated Settlement for the ALJ to consider in Case No. 7-114210, 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 Licensed Corporation will fully acknowledge the one charge as cited;

(2) The ALJ will enter the Violation Report of this case and attachments thereto into the record as substantive evidence without objection; the ALJ further will take notice of the prior record of this Licensed Corporation, since being licensed by the Michigan Liquor Control Commission at the above named location under the current ownership;

(3) The Licensed Corporation will agree to the sanction of a fine of $600 for the acknowledged charge;

(4) Both parties hereto will agree that there shall be no appeals on this matter to the Appeal Board of the Commission or any court of law;

(5) The parties hereto further agree that the Licensed Corporation will pay costs in the amount of $20.18 for witness fees involved in connection with the hearing.

ORDER

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ considered the statement of support for the aforementioned settlement by Officer Kristine Maczka on behalf of the Troy Police Department.

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ considered the Licensed Corporation's total record, which shows one previous violation in 2000, which is similar to the charge in this complaint since being licensed on November 1, 1999, at the above named location under the current ownership.

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ further took into consideration for mitigative circumstances statements made by Attorney Carniak, who stated in part that the clerk who made the sale in this case has been discharged from the Licensed Corporation's employment as a result of this incident.

In consideration of the aforementioned circumstances and statements, the ALJ hereby accepts the terms and conditions of the proposed Negotiated Settlement and Orders as follows:

The ALJ accepts the Licensed Corporation's plea of acknowledgment to the charge in Case No. 7-114210.

The ALJ hereby accepts the Violation Report of this case and attachments thereto as substantive evidence without objection, further, the ALJ hereby accepts a true copy of this Licensed Corporation's record since being licensed by the Michigan Liquor Control Commission at the above named location under the current ownership.

Based upon the aforementioned plea by the Licensed Corporation and a review of the Violation Report and attachments thereto, the ALJ finds that the Licensed Corporation in Case No. 7-114210 did violate Section 801(2) of the Michigan Liquor Control Code, MCL 436.1801(2) as cited in the charge of the Complaint in this matter.

The ALJ further finds that the employee of said Licensed Corporation in this case did not demand, nor was shown, proper proof of age and did not make a diligent inquiry to determine the proper true age of the purchaser.

As penalty, the ALJ Orders a fine of $600 for the acknowledged charge. The ALJ Orders that a suspension of 30 continuous days be imposed if the total fine of $600 is not paid, with this suspension to be served consecutively and not concurrently with any other

suspensions Ordered by the Michigan Liquor Control Commission for this Licensed Corporation.

Said Licensed Corporation agrees this Negotiated Settlement was a full and final disposition of this matter before the Michigan Liquor Control Commission recognizing that as to the Complaint, there is no further right of administrative or judicial appeal, either to the Michigan Liquor Control Commission or a court of law, and also agrees that the plea in this case has been entered voluntarily and with the full understanding of all consequences, and furthermore, all parties hereto agree that there are no promises, stipulations, understandings or agreements other than those stated as part of the official record herein, and this document represents the final agreed settlement.

The ALJ also Orders the Licensed Corporation to pay total costs of $20.18 for witness fees involved in connection with the hearing.

MICHIGAN LIQUOR CONTROL COMMISSION

Christopher Seppanen, Administrative Law Judge

Dated: September 14, 2007

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