

AGENDA

Regular Meeting of the

**CITY COUNCIL
OF THE CITY OF TROY
LIQUOR VIOLATION HEARINGS**

FEBRUARY 18, 2009

CONVENING AT 7:30 P.M.

**Submitted By
The City Manager**

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: Phillip L. Nelson, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

This booklet provides a summary of the many reports, communications and recommendations that accompany your Agenda. Also included are suggested or requested resolutions and/or ordinances for your consideration and possible amendment and adoption.

Supporting materials transmitted with this Agenda have been prepared by department directors and staff members. I am indebted to them for their efforts to provide insight and professional advice for your consideration.

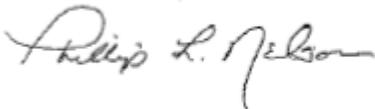
Identified below are outcome statements for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

Outcome Statements

- I. Troy enhances the health and safety of the community
- II. Troy adds value to properties through maintenance or upgrades of infrastructure and quality of life venues
- III. Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world

As always, we are happy to provide such added information as your deliberations may require.

Respectfully submitted,



Phillip L. Nelson, City Manager



CITY COUNCIL

AGENDA

**February 18, 2009 – 7:30 PM
 Council Chambers
 City Hall - 500 West Big Beaver
 Troy, Michigan 48084
 (248) 524-3317**

CALL TO ORDER: 1

INVOCATION & PLEDGE OF ALLEGIANCE: Mayor Pro Tem Howrylak 1

ROLL CALL: 1

OUTLINE OF PUBLIC HEARING PROCEDURE: 1

PUBLIC COMMENT: 1

PUBLIC HEARINGS: 2

- 1.0 Liquor Violations – Class C; Class C Resort; Club & B-Hotel 3
 - a) Tent Restaurant Operations (dba: Bailey’s Pub & Grille) 3
 - b) Alibi Lounge of Troy, Inc. (dba: Alibi Lounge & Restaurant)..... 4
 - c) GBD, Inc. (dba: Franco Café)..... 4
 - d) Priya Enterprise, Inc. (dba: Priya Restaurant) 5
 - e) Café Sushi, LLC (dba: Café Sushi) 6
 - f) Hospitality Ventures Management, Inc. /RBHV Troy, LLC 7
 (dba: Embassy Suites Hotel) 7
 - g) C J Mahoney’s of Troy, LLC (dba: C J Mahoney’s of Troy)..... 8
 - h) Cameron Mitchell Restaurants, LLC (dba: Ocean Prime) 9
 - i) American Legion Charles Edward Post 14 10

PUBLIC COMMENT: 11

ADJOURNMENT 11

CALL TO ORDER:**INVOCATION & PLEDGE OF ALLEGIANCE: Mayor Pro Tem Howrylak****ROLL CALL:**

Mayor Louise E. Schilling
Robin Beltramini
Cristina Broomfield
David Eisenbacher
Wade Fleming
Martin F. Howrylak
Mary Kerwin

OUTLINE OF PUBLIC HEARING PROCEDURE:

Under the Laws of the State of Michigan, Council is vested with the authority to take adverse action against a liquor licensee that has committed a violation of the Liquor Code or the local or state laws. However, prior to any adverse action, the licensee is entitled to a due process hearing to challenge the charged violation. For those licensees that choose to challenge the charged violation, the following procedure is recommended for the hearing.

1. The Mayor calls the licensee whose case is to be heard.
2. The licensee and/or his attorney should be asked to the front of the Chamber to acknowledge their presence for the record and can be seated.
3. The Assistant City Attorney makes a very short opening statement regarding the violation(s), and presents proofs.
4. When witnesses are called, they should be sworn by the City Clerk to tell the truth.
5. Once the witness is sworn, the Assistant City Attorney will question the witness.
6. The police report and other documents may be offered into evidence as part of the case and should be kept by the City Clerk as part of the records.
7. At the conclusion of the City's case, the licensee or his attorney should be asked to offer an explanation for the violations if they choose, make a statement, offer evidence, or otherwise make their presentation.
8. If the licensee offers evidence from witnesses who have not been previously sworn, the City Clerk should swear those witnesses.
9. Once the licensee has concluded his presentation, the Assistant City Attorney should be given an opportunity for rebuttal, if any is desired.
10. City Council members may ask questions at any time, but it is suggested that this questioning by Council members be conducted after the parties conclude their presentations.
11. When the presentation of evidence is concluded, the matter returns to the City Council for discussion, deliberation, and resolution.

PUBLIC COMMENT:

PUBLIC HEARINGS:

The following named licensees have been given notice to appear for this series of Public Hearings regarding alleged violations:

1.0 Liquor Violations (Class C; Class C Resort &Hotel B):

- a) Name: Tent Restaurant Operations (dba: Bailey's Pub & Grille)
Address: 1965 W. Maple Road, 48084
License No.: Class C (139298-2008)
- b) Name: Alibi Lounge of Troy, Inc. (dba: Alibi Lounge & Restaurant)
Address: 6700 Rochester Road, 48085
License No.: Class C (858-2008 SS)
- c) Name: GBD, Inc. (dba: Franco Café)
Address: 3614 Rochester Road, 48083
License No.: Class C (16886-2008 SS)
- d) Name: Priya Enterprise, Inc. (dba: Priya Restaurant)
Address: 72 W. Maple Road, 48084
License No.: Class C (41130-2008 SS)
- e) Name: Café Sushi, LLC (dba: Café Sushi)
Address: 1933 W. Maple Road, 48084
License No.: Class C (107549-2008 SS)
- f) Name: Hospitality Ventures Management, Inc./RBHV Troy, LLC
(dba: Embassy Suites Hotel)
Address: 850 Tower Drive, 48098
License No.: B-Hotel (75063-2007 SS)
- g) Name: C J Mahoney's of Troy, LLC (dba: C J Mahoney's of Troy)
Address: 2511 Livernois, 48084
License No.: Class C (173579-2008 SS)
- h) Name: Cameron Mitchell Restaurants, LLC (dba: Ocean Prime)
Address: 2915 Coolidge Highway, 48084
License No.: Class C Resort (169707-2008 SDM)
- i) Name: American Legion Charles Edward Post 14
Address: 1340 W. Maple Road, 48084
License No.: Club (20523-2008)

PUBLIC HEARINGS:

The following named licensees have been given notice to appear for this series of Public Hearings regarding alleged violations:

1.0 Liquor Violations – Class C; Class C Resort; Club & B-Hotel**a) Tent Restaurant Operations (dba: Bailey's Pub & Grille)**Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively;

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, February 18, 2009 for the following licensed establishment:

Name: Tent Restaurant Operations (dba: Bailey's Pub & Grille)
Address: 1965 W. Maple Road, 48084
License No.: Class C (139298-2008)

and having found violation of the following codes and/or regulations dated: October 2, 2008 - **SALE TO MINOR (DPU)** (Compliance Test);

WHEREAS, This licensee had a prior violation dated: October 23, 2007 – SALE TO MINOR (Compliance Test); and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2009;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that Class C License Number 139298-2008 in the name of Tent Restaurant Operations in the City of Troy **BE RENEWED or NOT BE RENEWED** with the **STIPULATION** that all employees be TIPS and TAMS trained and that the Licensee provide proof of training to the Troy Police Department within ninety (90) days; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes:

No:

b) Alibi Lounge of Troy, Inc. (dba: Alibi Lounge & Restaurant)Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively;

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, February 18, 2009 for the following licensed establishment:

Name: Alibi Lounge of Troy, Inc. (dba: Alibi Lounge & Restaurant)

Address: 6700 Rochester Road, 48085

License No.: Class C (858-2008 SS)

and having found violation of the following codes and/or regulations dated: December 30, 2008 - **SALE TO MINOR** (Compliance Test);

WHEREAS, This licensee had prior violations dated: October 28, 2003 – SALE TO MINOR (Compliance Test); October 11, 2002 – SALE TO MINOR (Compliance Test); April 16, 1993 – SALE TO MINOR (Compliance Test); October 26, 1989 – SALE TO MINOR (Compliance Test); and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2009;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that Class C License Number 858-2008 SS in the name of Alibi Lounge of Troy, Inc. in the City of Troy **BE RENEWED or NOT BE RENEWED** with the **STIPULATION** that all employees be TIPS and TAMS trained and that the Licensee provide proof of training to the Troy Police Department within ninety (90) days; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes:

No:

c) GBD, Inc. (dba: Franco Café)Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively;

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, February 18, 2009 for the following licensed establishment:

Name: GBD, Inc. (dba: Franco Café)
 Address: 3614 Rochester Road, 48083
 License No.: Class C (16886-2008 SS)

and having found violation of the following codes and/or regulations dated: December 30, 2008 - **SALE TO MINOR** (Compliance Test);

WHEREAS, This licensee had prior violations dated: April 16, 2004 – SALE TO MINOR (Compliance Test); November 6, 1998 – SALE TO MINOR (Compliance Test); October 18, 1995 – SALE TO MINOR; and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2009;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that Class C License Number 16886-2008 SS in the name of GBD, Inc. in the City of Troy **BE RENEWED or NOT BE RENEWED** with the **STIPULATION** that all employees be TIPS and TAMS trained and that the Licensee provide proof of training to the Troy Police Department within ninety (90) days; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes:

No:

d) Priya Enterprise, Inc. (dba: Priya Restaurant)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively;

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that

the license be revoked after Public Hearing on Wednesday, February 18, 2009 for the following licensed establishment:

Name: Priya Enterprise, Inc. (dba: Priya Restaurant)
 Address: 72 W. Maple Road, 48084
 License No.: Class C (41130-2008 SS)

and having found violation of the following codes and/or regulations dated: October 2, 2008 - **SALE TO MINOR** (Compliance Test);

WHEREAS, This licensee had prior violations dated: June 21, 2007 – SALE TO MINOR (Compliance Test); November 1, 2001 – MLCC SALE TO MINOR (2 counts); November 23, 1999 – SALE TO MINOR (Compliance Test) (2 counts); December 17, 1997 – SALE TO MINOR (Compliance Test); and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2009;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that Class C License Number 41130-2008 SS in the name of Priya Enterprise, Inc. in the City of Troy **BE RENEWED or NOT BE RENEWED** with the **STIPULATION** that all employees be TIPS and TAMS trained and that the Licensee provide proof of training to the Troy Police Department within ninety (90) days; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes:

No:

e) Café Sushi, LLC (dba: Café Sushi)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively;

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, February 18, 2009 for the following licensed establishment:

Name: Café Sushi, LLC (dba: Café Sushi)
 Address: 1933 W. Maple Road, 48084
 License No.: Class C (107549-2008 SS)

and having found violation of the following codes and/or regulations dated: October 2, 2008 - **SALE TO MINOR (DPU)** (Compliance Test);

WHEREAS, This licensee had a prior violation dated: March 3, 2005 – SALE TO MINOR (Compliance Test); and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2009;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that Class C License 107549-2008 SS in the name of Café Sushi, LLC in the City of Troy **BE RENEWED or NOT BE RENEWED** with the **STIPULATION** that all employees be TIPS and TAMS trained and that the Licensee provide proof of training to the Troy Police Department within ninety (90) days; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes:

No:

f) Hospitality Ventures Management, Inc. /RBHV Troy, LLC
(dba: Embassy Suites Hotel)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively;

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, February 18, 2009 for the following licensed establishment:

Name: Hospitality Ventures Management, Inc. /RBHV Troy, LLC
(dba: Embassy Suites Hotel)
Address: 850 Tower Drive, 48098
License No.: B-Hotel (75063-2007 SS)

and having found violation of the following codes and/or regulations dated: October 9, 2008 - **SALE TO MINOR** (Compliance Test);

WHEREAS, This licensee had no prior violations; and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2009;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that B-Hotel License Number 75063-2007 SS in the name of Hospitality Ventures Management, Inc./RBHV Troy, LLC. in the City of Troy **BE RENEWED or NOT BE RENEWED** with the **STIPULATION** that all employees be TIPS and TAMS trained and that the Licensee provide proof of training to the Troy Police Department within ninety (90) days; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes:

No:

g) C J Mahoney's of Troy, LLC (dba: C J Mahoney's of Troy)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively;

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, February 18, 2009 for the following licensed establishment:

Name: C J Mahoney's of Troy, LLC (dba: C J Mahoney's of Troy)
 Address: 2511 Livernois, 48084
 License No.: Class C (173579-2008 SS)

and having found violation of the following codes and/or regulations dated: October 2, 2008 - **SALE TO MINOR (DPU)** (Compliance Test);

WHEREAS, This licensee had no prior violations; and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2009;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that Class C License Number 173579-2008 SS in the name of C J Mahoney's of Troy, LLC in the City of Troy **BE RENEWED or NOT BE**

RENEWED with the **STIPULATION** that all employees be TIPS and TAMS trained and that the Licensee provide proof of training to the Troy Police Department within ninety (90) days; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes:

No:

h) Cameron Mitchell Restaurants, LLC (dba: Ocean Prime)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively;

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, February 18, 2009 for the following licensed establishment:

Name: Cameron Mitchell Restaurants, LLC (dba: Ocean Prime)
Address: 2915 Coolidge Highway, 48084
License No.: Class C Resort (169707-2008 SDM)

and having found violation of the following codes and/or regulations dated: December 30, 2008
- **SALE TO MINOR** (Compliance Test);

WHEREAS, This licensee had no prior violations; and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2009;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that Class C Resort License Number 169707-2008 SDM in the name of Cameron Mitchell Restaurants, LLC in the City of Troy **BE RENEWED or NOT BE RENEWED** with the **STIPULATION** that all employees be TIPS and TAMS trained and that the Licensee provide proof of training to the Troy Police Department within ninety (90) days; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

Yes:

No:

i) American Legion Charles Edward Post 14Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

WHEREAS, The City Council of the City of Troy has reviewed the following infractions of liquor control codes and regulations and/or ordinances of the State of Michigan and/or the City of Troy respectively;

WHEREAS, The City Council has given public notice that it will deliberate and determine whether to adopt a resolution to recommend to the Michigan Liquor Control Commission that the license be revoked after Public Hearing on Wednesday, February 18, 2009 for the following licensed establishment:

Name: American Legion Charles Edward Post 14

Address: 1340 W. Maple Road, 48084

License No.: Club (20523-2008)

and having found violation of the following codes and/or regulations dated: July 1, 2008 – **GAMBLING VIOLATION (CIU)**;

WHEREAS, This licensee had prior violations dated: February 4, 1988 – MLCC Gambling/Gambling Devices on Premises; April 25, 1986 – MLCC SALE TO NON-MEMBER; and

WHEREAS, After due notice the licensee was given opportunity to review these cited infractions, and opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 18, 2009;

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that after due notice, appropriate hearing and deliberations, and having made findings, it is **RECOMMENDED** to the Michigan Liquor Control Commission that Club License Number 20523-2008 in the name of American Legion Charles Edward Post 14 in the City of Troy **BE RENEWED or NOT BE RENEWED** with the **STIPULATION** that all employees be TIPS and TAMS trained and that the Licensee provide proof of training to the Troy Police Department within ninety (90) days; and a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission.

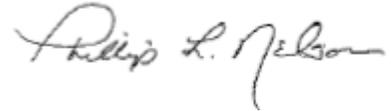
Yes:

No:

PUBLIC COMMENT:

ADJOURNMENT

Respectfully submitted,

A handwritten signature in cursive script that reads "Phillip L. Nelson".

Phillip L. Nelson, City Manager



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. 139298-2008 Business ID 160128 File # D-70486; D132.5

1. Name of Licensee Tent Restaurant Operations, Inc. 2. Doing Business As Bailey's Pub & Grille

3. Mailing Address (street, city, zip code) 1965 West Maple Road; Troy, Michigan 48084

4. Township 5. County Oakland

6. Type of License(s) & Permit(s) Class C

7. Date of Violation: Thursday 10/02/08 9:06 AM or PM
(DAY) (DATE) (HOUR)

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

if MINOR: Birth dat Was this a DECOY? [x] 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 # 2008-34304

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

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

Officer Signature [Signature] Name and Title (print) Frank Shuler, Police Officer

Department Name Troy Police Department Phone # 248-524-3477

Call For Service

CFS Number: 080034304

Date: 10/1/2008

Call For Service

CFS Number 080034304
Date 10/1/2008
Dispatcher 00512 - Jelley, Renee
Call Source 0 - Telephone
Received 11:03:28 PM
Dispatched 11:03:28 PM
Arrived
Cleared 11:03:57 PM
Location 1965 W Maple Rd
City, State, Zip TROY, MI 48083
Jurisdiction
Grid
Sector
Map 0 - N/A
X Coordinate 4097792
Y Coordinate 0117045

Complainant
Address 1965 W Maple Rd
City, State, Zip TROY, MI 48083
Phone
Call type
Reported Offense C3309 - Liquor Inspection
Verified Offense 4171 - Violation of Liquor Control Laws
Tow Company
Vehicle
Vehicle License
Disposition R - Report Taken
Priority
Classification
Agency TR - Troy PD
Case 0800008570

Officers

00065 - Morgan, Joseph
Notes - C3309 LIQUOR INSPECT

00512 - 23:03:28 Original Location : BAILEYS PUB

WITNESSES

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

Will testify to: Purchased alcohol

2. Name Shannon Bendler Address 2663 Buckingham; Birmingham MI

Will testify to: Sold alcohol to minor

3. Name David Richardson Address 1965 W Maple Rd; Troy MI 48084

Will testify to: Manager of business

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain):

Troy PD Arrest Report

Case No. 0800008570
Report No. 0800008570.1
Report Date: 10/3/2008

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

1

Page 1 of 3

Subject: 4171 violation of liquor laws

Case Report Status I - In Process
Agency County 63 - Oakland

Entered On 10/3/2008 3:21:21 PM
Entered By 00065 - Morgan, Joseph

Reporting Officer
00065 - Morgan,
Joseph

Agency City/Township 84 - Troy

Verified On
Verified By

Assisted By
00046 - Shuler, Frank

Occurred On 10/2/2008 9:06:00 PM
Or Between

Approved On
Approved By

Business Name

Related Cases

Agency Assisted

Location 1965 W Maple Rd
CSZ TROY, MI 48083

Disposition Arrest

Census/Geo Code

Excp. Clear Reason

Call for Service #

Jurisdiction

Excp. Clear Date

080034304

Grid

Reporting Agency

Troy PD
Arrest Report
Patrol

Sector

Report Type

Map

Division

Call Source

0 - N/A
Telephone

Nolified

Related Cases

Vehicle Activity

Dir. Veh. Traveling

Cross Street

Means

Motive

Report Narrative 2008-34304

Writer, Officer Morgan, and Police Service Aide _____ went to Bailey's Pub & Grille located at 1965 W. Maple to conduct an L.C.C. inspection. _____ had no identification on him, it was being held at the Police Department. _____ proceeded inside Bailey's and was seated at a table in the bar area. _____ ordered a Long Island Iced tea from his server, listed Shannon Bendler. Bendler never asked/ _____ for his identification or what his D.O.B. was. Bendler served _____ Long Island Iced Tea. _____ notified Officer Shuler and I that he had been served.

A short time later Officer Shuler and I entered the business and made contact with manager David Richardson. We explained the situation and issued Bendler a citation for, "Fail to Inquire As to Age." (citation #710361) We gathered the required license information to complete a L.C.C. violation report and advised Richardson what would be required by the business. Bendler advised Officer Shuler and I that she thought _____ looked "old enough."

No further action taken by officers.

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws	Location Type	21 - Restaurant	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41001 - LIQUOR LICENSE -ESTABLISHMENT				
PACC					
Local Code					
Using					
Criminal Activity					

Troy PD Arrest Report

Case No. 0800008570
Report No. 0800008570.1
Report Date: 10/3/2008

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

2

Page 2 of 3

Force Level
Weapons

Arrestee A1: Bendler, Shannon Nicole

Arrestee Number **A1**
Name **Bendler, Shannon Nicole**
Aliases
Alert(s)
Address **2663 BUCKINGHAM AVE**
CSZ **Birmingham, MI 48009**
MO
Attire
Habitual Offender Status

DOB **1983**
Age **25**
Sex **F - Female**
Race **W - White**
Ethnicity **U - Unknown**
Ht.
Wt.
Eye Color
Hair Color
Hair Style
Hair Length
Facial Hair

Place of Birth
SSN
DLN
DL State **MI - Michigan**
DL Country
Occupation/Grade
Employer/School
Employer Address
Employer CSZ
Res. County
Res. Country
Resident Status **C - Resides in the County but not the community where the offense occurred**

Complexion
Build
Teeth

Phone/Email
Type Description

Supplemental IDs
ID Type ID Number ID Issuer Name

Physical Characteristics
Type Descriptor Description

Arrest No. **710361**
Arrest Type **S - Summoned/Cited**
FBI No.
Criminal Tracking Number CTN
Transaction Control Number TCN
Person Control Number PCN
State No.
Armed With **01 - Unarmed**
Multi. Clearance **N - Not Applicable**
Multi. Clearance Offense
Prev. Suspect No.
Notified Name

Arrested For **4171 - Violation of Liquor Control Laws**
Count **1**
Fingerprints
Photos
Miranda Read
Miranda Waived
Number of Warrants
Juvenile Disposition
Adult Present
Detention Name

Booked On
Booked Location
Released Location
Released On
Released By
Release Reason
Held For
Date/Time Arrested **10/2/2008 9:06:00 PM**
Arrest Location

Troy PD Arrest Report

Case No. 0800008570
Report No. 0800008570.1
Report Date: 10/3/2008

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

3

Page 3 of 3

Witness W1:

Witness Code	W1	DOB	1989	Place of Birth	
Name	[REDACTED]	Age	19	SSN	
Aliases	[REDACTED]	Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	
		Ethnicity		DL Country	
Address	500 W BIG BEAVER RD	Ht.		Occupation/Grade	
CSZ	Troy, MI 48083	Wt.		Employer/School	
Attire		Eye Color		Employer Address	
		Hair Color		Employer CSZ	
		Facial Hair		Res. County	
		Complexion		Res. Country	
				Resident Status	
				Testify	

Phone/Email Type Description

Supplemental IDs ID Type ID Number ID Issuer Name

Witness Notes Police Service Aide was served Long Island Iced Tea.

Other Entity: O1 -- Richardson, David

Entity No.	O1	DOB		Place of Birth	
Entity Type	I - Person Interview	Age		SSN	
Name	Richardson, David	Sex	M - Male	DLN	
AKA		Race	W - White	DLN State	
Alert(s)		Ethnicity		DLN Country	
Address	1965 W MAPLE RD	Ht.		Occupation/Grade	
CSZ	Troy, MI 48083	Wt.		Employer/School	
Complexion		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
		Facial Hair		Res. County	
				Res. Country	
				Resident Status	

Phone/Email Type Description

Supplemental IDs ID Type ID Number ID Issuer Name

Entity Notes Manager of Bailey's Pub & Grille

NARRATIVE REPORT
WITNESS STATEMENT

01	DATE 10/02/08	DAY THU	SHIFT 02	PLAT 99	BADGE 1 65	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 08	INCIDENT # 34304
----	------------------	------------	-------------	------------	---------------	---------	---	------------	------------	---------------------

02 Statement of: _____ Home Phone: (248) 524-3477

03 Address: 500 W. Big Beaver _____ Business Phone: _____

04 City: Troy _____ State: MI Zip: 48084

05 At _____ on October 2nd, 2008 I entered Bailey's Pub

06 located on Maple Rd. in Troy, MI and was seated at a

07 table in the bar area. My server, later identified as Shannon

08 Bender, asked for my drink order. I ordered a long island

09 iced tea. The server made the drink and served it to me

10 without asking for FD or my DoB. Officer Morgan was

11 notified of the sale and I exited the restaurant.

13 During this incident I did not have any FD on my person,

14 it was at the station in Troy PD custody.

27 X: _____
(SIGNATURE)

28 Taken By: _____
(SIGNATURE)

29 Place: Station _____ Date: 10-20-08 Time: 2:30p

**State of Michigan
Uniform Law Citation**

Ticket No. **710361** Victim Involved

US DOT # _____ Incident No. **2008-34304** Dept. **784**

The People of the State of Michigan
 Township City Village County
 Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC _____ / of _____

THE UNDERSIGNED SAYS THAT ON: Month **10** Day **2** Year **08** At approximately **9:06** A.M. P.M. Date of Birth _____ Year **83**

State Oper./Chauff. Driver's License CDL _____ (4 digits)

Race _____ Sex _____ Height _____

Name (First, Middle, Last) **JANNAN NICOLE BENOIX**

Street **2663 Buckingham Ave**

City **Birmingham** State **AL** Zip Code **35209**

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

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule
 UPON **1965 W. MADAF**
 AT OR NEAR **BAILEYS PUB**
 WITHIN CITY VILLAGE TOWNSHIP OF **TROY**
 COUNTY OF **OAKLAND** DID THE FOLLOWING

Type	Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Warn <input type="checkbox"/> Fug <input type="checkbox"/> Waiv	98.10.11 FAL TO INQUIRE AS TO ACC	1
<input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Warn <input type="checkbox"/> Fug <input type="checkbox"/> Waiv		2
<input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Warn <input type="checkbox"/> Fug <input type="checkbox"/> Waiv		3

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

Offense Code(s) _____

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: _____

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond _____
 Traffic Crash Death Appearance Certificate _____
 Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
 Appearance Date on or before **10/15/08 8:30 AM**
 Hearing Date (if applicable) on _____ Contact Court
 Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**

Court Address & Phone Number
**520 W. BIG BEAVER RD.
 TROY, MI 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.

Complainant's Signature and report if applicable _____ Month **10** Day **2** Year **08**

Officer's Name (printed) **MONDRIAN STIVEN** Officer's ID No. **65146**

Agency ORI **ML 6378400** Agency Name **TROY POLICE DEPARTMENT**

UC-01a (rev. 6/05) **COURT COPY 1**

Ticket
710361

Name

Case No.

LCC Liquor Licensee History

Business Name: **Bailey's Pub and Grille**
 Address: 1965 W. Maple
 Licensee: Tent Restaurant Operations, Inc.
 License Type: **Class C (139298-2008)**
 Permits: Entertainment, Official (Food)
 Comments: Attorney: Scott Edwards, (248) 901-4045

Date	Troy Incident #	Type	Disposition	Date
02/02/04		Council approves transfer of Class C license from Housefield, LLC (Take Five)		
05/19/04	04-14542	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS	
07/01/04	04-19625	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS	
08/06/04	04-24067	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS	
09/03/04	04-27553	Liquor Inspection (Road Patrol-Smith)	NO VIOLATIONS	
11/18/04	04-36693	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS	
12/11/04	04-39274	Liquor Inspection (Road Patrol-Smith)	NO VIOLATIONS	
01/27/05	05-03099	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS	
02/10/05	05-04656	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS	
03/03/05	05-07174	Compliance Test	PASSED	
03/25/05	05-09736	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS	
07/15/05	05-24546	Liquor Inspection (Road Patrol-Vandekerckhove)	NO VIOLATIONS	
08/17/05	05-29059	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS	
11/30/05	05-42190	Liquor Inspection (Road Patrol- Kerezi)	NO VIOLATIONS	
12/7/05	05-43032	Liquor Inspection (Road Patrol- Redmond)	NO VIOLATIONS	
01/18/06	06-2323	Liquor Inspection (Road Patrol- Redmond)	NO VIOLATIONS	
01/19/06	06-2457	Liquor Inspection (Road Patrol- Kerezi)	NO VIOLATIONS	

03/15/06	06-9858	Liquor Inspection (Road Patrol- Kerezi)	NO VIOLATIONS
03/01/06	06-8055	Liquor Inspection (Road Patrol- Redmond)	NO VIOLATIONS
04/27/06	06-15793	Liquor Inspection (Road Patrol- Allan)	NO VIOLATIONS
07/14/06	06-26908	Liquor Inspection (Road Patrol- Allan)	NO VIOLATIONS
07/26/06		Compliance Test	PASSED
08/24/06	06-32854	Liquor Inspection (Road Patrol- Allan)	NO VIOLATIONS
01/19/07	07-2398	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
01/24/07		Compliance Test	PASSED
02/22/07	07-6764	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
03/20/07	07-10403	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
08/16/07	07-31199	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
09/21/07	07-36022	Liquor Inspection (Road Patrol- Smith)	NO VIOLATIONS
10/17/07	07-39562	Liquor Inspection (Road Patrol-Zagacki)	NO VIOLATIONS
10/23/07 11/07/07 03/11/08 02/20/08	07-39682	Compliance Test (DPU) Sale to Minor Dist Ct MLCC Hearing: Neg Settlement Council orders training: Proofs received	VIOLATION P/G \$25 Fine \$300 Fine
12/13/07	07-45857	Compliance Test	PASSED
02/13/08	08-5534	Liquor Inspection (Road Patrol-Zagacki)	NO VIOLATIONS
02/21/08	08-6609	Compliance Test	PASSED
03/04/08	08-8084	Liquor Inspection (Road Patrol-Zagacki)	NO VIOLATIONS
03/19/08	08-9983	Liquor Inspection (Road Patrol-Zagacki)	NO VIOLATIONS
05/21/08	08-17662	Compliance Test	PASSED
05/21/08	08-17915	Liquor Inspection (Road Patrol-Cascoli)	NO VIOLATIONS
07/14/08	08-24846	Liquor Inspection (Road Patrol-Cascoli)	NO VIOLATIONS
08/26/08	08-29876	Liquor Inspection (Road Patrol- Cascoli)	NO VIOLATIONS
10/02/08	08-34304	Compliance Test (DPU) Sale to Minor	VIOLATION
12/30/08	08-44579	Compliance Test	PASSED

January 28, 2009

Tent Restaurant Operations
dba: Bailey's Pub & Grille
1965 W. Maple Rd.
Troy, Michigan 48084

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

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 **Wednesday, February 18, 2009 at 7:30 PM**, or as soon thereafter as the agenda will permit, 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 beverage, for the following reasons:

License Type: Class C
License Number: 139298-2008
Violation : Compliance Test (DPU) - Sale to Minor
Violation Date(s): 10/2/2008

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

Barbara A. Pallotta, CMC
Deputy City Clerk

c: John Carlin
Carlin, Edwards, Brown & Howe. PLLC
6017 W. St. Joe Highway - Suite 202
Lansing, MI 48919



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. 858-2008 SS Business ID 554 File # D-55805

1. Name of Licensee Alibi Lounge of Troy, Inc. 2. Doing Business As Alibi Lounge & Restaurant

3. Mailing Address (street, city, zip code) 6700 Rochester Road; Troy, Michigan 48085

4. Township 5. County Oakland

6. Type of License(s) & Permit(s) Class C

7. Date of Violation: Tuesday 12/30/08 5:15 AM or PM
(DAY) (DATE) (HOUR)

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

if MINOR: Birth date Was this a DECOY? [x] 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 # 08-44469

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

Officer Signature MRL #48 Name and Title (print) Officer Matthew Redmond

Officer Signature Sgt. John Schaufler Name and Title (print) Sergeant John Schaufler

Department Name Troy Police Department Phone # 248-524-3477

WITNESSES

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

Will testify to: Purchased alcohol (glass of Bud Light)

2. Name Andrew Taraschuk Address 46341 Jonathon; Shelby Twp MI 48317

Will testify to: Sold alcohol to minor

3. Name Steven Wood Address 6700 Rochester Rd; Troy MI 48085

Will testify to: Restaurant manager

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

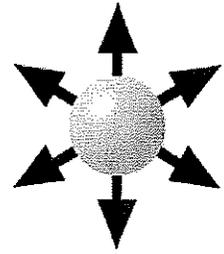
Will testify to:

EVIDENCE

Location Held (Explain):

Case #0900000038

Face Sheet Printed: 1/2/2009 12:41:56 PM
Case Open Date: 1/2/2009
Case Close Date: N/A
Case Subject: 4171 - Violation of Liquor Control Laws
Agency: TR - Troy PD



Status: OPEN

CR No: 0900000038.1 Status: S - Submitted

Involved Entities

Entity Type	Entity Name	Offense
Arrestee	Tarschuk, Andrew George	Violation of Liquor Control Laws

Call for Service Information

CFS Number: 080044469

CFS Date: 12/29/2008

Time Received: 3:16:30 PM

Time Arrived:

Location: 6700 Rochester Rd
City: TROY

Disposition: Report Taken

Reported Offense: C3309 - Liquor Inspection

Verified Offense: 4171 - Violation of Liquor Control Laws

Officers: 00048 - Redmond, Matthew

Assignment History

Officer: 00048 - Redmond, Matthew

Date Assigned: 1/2/2009 12:35:52 PM

Date Unassigned: N/A

Troy PD Arrest Report

Case No. 0900000038
Report No. 0900000038.1
Report Date: 12/30/08

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

1

Page 1 of 2

Subject: 4171 - Violation of Liquor Control Laws

Case Report Status	I - In Process	Entered On	1/2/2009 12:36:46 PM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00048 - Redmond, Matthew	00048 - Redmond, Matthew	
Agency City/Township	84 - Troy	Verified On		Assisted By	
Occurred On Or Between	12/30/2008 5:15:00 PM	Verified By		00201 - Schaufler, John	
Business Name	Alibi	Approved On		Agency Assisted	
Location	6700 ROCHESTER RD	Approved By			
CSZ	Troy, MI 48083	Related Cases			
Census/Geo Code		Disposition	Arrest	Call for Service #	080044469
Jurisdiction		Excp. Clear Reason			
Grid		Excp. Clear Date			
Sector		Reporting Agency	Troy PD		
Map		Report Type	Arrest Report		
Call Source	Telephone	Division	Patrol		
Vehicle Activity		Notified			
Dir. Veh. Traveling		Related Cases			
Cross Street					
Means					
Motive					

Report Narrative 08-44469

Sgt Schaufler and I (Ofc M. Redmond), along with Student Enforcement Aide _____ went to Alibi Lounge located at 6700 Rochester to conduct an L.C.C. inspection. _____ had no identification with him - it was being held at the Police Department. _____ then entered the business, sat at the bar and ordered a bottle of Bud Light. The bartender, Andrew Taraschuk, did not ask _____ or any identification and then served _____ a 12oz bottle of Bud Light. _____ notified Sgt Schaufler and I of the transaction. A short time later Sgt Schaufler and I entered the business and made contact with the restaurant manager, Steven Wood, who called Taraschuk over to us. Taraschuk admitted to selling the beer to _____ without asking for identification. We explained the situation and issued a citation to Taraschuk for "Furnish/Sell Alcohol to a person under 21." (citation number 736079). We gathered the required license information to complete a L.C.C. violation report and advised Wood what would be required of him.

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws	Location Type	21 - Restaurant	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41001 - LIQUOR LICENSE -ESTABLISHMENT				
PACC					
Local Code					
Using					
Criminal Activity					
Force Level					
Weapons					

Troy PD Arrest Report

Case No. 0900000038
 Report No. 0900000038.1
 Report Date: 12/30/08

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

2

Arrestee A1: Tarschuk, Andrew George

Arrestee Number	A1	DOB	1967	Place of Birth	
Name	Tarschuk, Andrew George	Age	41	SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	
Address	46431 Jonathon Circle	Ht.		Occupation/Grade	
CSZ	Shelby Twp, MI 48316	Wt.		Employer/School	
MO		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
Habitual Offender Status		Hair Style		Res. County	
		Hair Length		Res. Country	
		Facial Hair		Resident Status	S - Resides in the State but not the county or community where the offense occurred
		Complexion			
		Build			
		Teeth			

Phone/Email Type
HM - Home Phone #1

Description
2483212645

Supplemental IDs

ID Type	ID Number	ID Issuer	Name
---------	-----------	-----------	------

Physical Characteristics

Type	Descriptor	Description
------	------------	-------------

Arrest No. **736079**
 Arrest Type **S - Summoned/Cited**
 FBI No.
 Criminal Tracking Number CTN
 Transaction Control Number TCN
 Person Control Number PCN
 State No.
 Armed With **01 - Unarmed**
 Multi. Clearance **N - Not Applicable**
 Multi. Clearance Offense
 Prev. Suspect No.
 Notified Name

Arrested For **4171 - Violation of Liquor Control Laws**
 Count
 Fingerprints
 Photos
 Miranda Read
 Miranda Waived
 Number of Warrants
 Juvenile Disposition
 Adult Present
 Detention Name

Booked On
 Booked Location
 Released Location
 Released On
 Released By
 Release Reason
 Held For
 Date/Time Arrested **12/30/2008 5:15:00 PM**
 Arrest Location

Arrest Notes

NARRATIVE REPORT
WITNESS STATEMENT

01	DATE 01/10/09	DAY FRI	SHIFT 04	PLAT 9A	BADGE 1 48	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 08	INCIDENT # 44469
----	------------------	------------	-------------	------------	---------------	---------	---	------------	------------	---------------------

02 Statement of: _____ Home Phone: 248-524-3466

03 Address: (PLEASE PRINT) 500 W. Big Beaver Business Phone: _____

04 City: Troy State: MI Zip: 48084

05

06 On 12/30/08 I entered Alibi Lounge located in Troy, MI
 07 and was seated at the bar. The bartender, later identified
 08 as Andrew George Taraschuk, asked for my order. I ordered
 09 a Bud Light and was served the same without Taraschuk
 10 asking my age or for my identification. Sgt. Schawfler was
 11 made aware of the situation and I left the establishment.

12
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27 X: _____ 447
 (SIGNATURE)

28 Taken By: M. Redmond (SIGNATURE)

29 Place: 500 W Big Beaver Date: 1-2-09 Time: 1200

INVESTIGATING OFFICER(S) M. Redmond / Schawfler	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
--	-------------	---------------------	--------------

State of Michigan
Uniform Law Citation

Ticket No. **736079** Victim Involved

US DOT # _____ Incident No. **08-44469** Dept. No. **784**
 The People of: the State of Michigan
 Township City Village County
 Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC _____ of _____
 THE UNDERSIGNED SAYS THAT ON: Month **12** Day **30** Year **08** At approximately **5:15** A.M. P.M. Date Month **12** Day **30** Year **08**
 State Oper./Chauf. CDL (2 digits)

Race **W** Sex **M** **(248) 321-2645**
 Name (First, Middle, Last) **ANDREW GEORGE TARASCHUK**
 Street **46341 JONATHAN CIRCLE**
 City **SHELBY TWP.** State **MI** Zip Code **48317**
 Vehicle Plate No. _____ Year _____ State _____ Vehicle Description (Year, Make, Color) _____ Veh. Type _____

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule
 UPON **6700 Rochester Rd**
 AT OR NEAR **ALIBI LOUNGE**
 WITHIN CITY VILLAGE TOWNSHIP OF **TROY**
 COUNTY OF **OAKLAND**

Type	MCL Cite/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.	98.10.06	SELL ALCOHOLIC BEER TO A MINOR	1
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			3
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			
<input type="checkbox"/> Fel <input type="checkbox"/> Waiv			

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

Offense Code(s) _____
 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: **SOLD BUD LIGHT BEER TO A MINOR. DECOY OPERATION**

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond _____
 Traffic Crash Death Appearance Certificate _____
 Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
 Appearance Date on or before **01/14/08**
 Hearing Date (if applicable) on _____ Contact Court

Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)
 In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**

Court Address & Phone Number
**520 W. BIG BEAVER RD.
 TROY, MI 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.

Officer's Name (printed) **SCHAFFER / REDMOND** Month **12** Day **30** Year **08**
 Officer's ID No. **201748**

Agency ORI **MI-6378400** Agency Name **TROY POLICE DEPARTMENT**

UC-01a (rev. 6/05) **COURT COPY 1**

Ticket No. **736079**

Name

Case No.

LCC

Liquor Licensee History

Business Name: **Alibi Lounge & Restaurant**

Address: 6700 Rochester (248) 879-0014

Licensee: Alibi Lounge of Troy, Inc.

License Type: **Class C (858-2008 SS)**

Permits: Sunday Sales

Comments:

Date	Troy Incident #	Type	Disposition	Date
03/17/80		Council approves license transfer		
10/26/89	89-33821	Sale to Minor (compliance test)	\$200 fine	04/11/90
04/16/93	93-10747	Sale to Minor (compliance test)	\$100 fine	03/31/94
03/28/94		Council orders TIPS training for all employees-proof sent to PD		
01/09/99	99-01282	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
03/06/99	99-08774	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/07/99		Council approves add space request		
06/23/99	99-23638	Compliance Test	PASSED	
11/02/99	none	Compliance Test	PASSED	
11/16/99	none	Compliance Test	PASSED	
04/27/00	00-14304	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/26/00	none	Compliance Test	PASSED	
08/27/00	00-31777	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
11/01/00	00-40529	Compliance Test	PASSED	
11/14/00	00-42180	Compliance Test	PASSED	
01/17/01	01-01998	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
03/27/01	01-10470	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/03/01		Compliance Test	PASSED	
06/06/01	01-19809	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

08/16/01	01-29499	Compliance Test	PASSED	
09/13/01	01-32999	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/02/01	01-35426	Compliance Test	PASSED	
10/18/01	01-37640	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/12/02	02-01253	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/16/02	02-01706	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/09/02	02-04270	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/26/02	02-06161	Compliance Test	PASSED	
03/15/02	02-08090	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/16/02	02-11686	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/21/02	02-19782	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/27/02	02-20616	Compliance Test	PASSED	
10/11/02	02-33510	Sale to Minor (compliance test)	\$500 fine	01/09/03
11/18/02	02-37557	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS	
01/07/03	03-743	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS	
02/26/03	Council	Public Hearings for 2002 Violation(s)-Must certify all employees who sell alcohol in TIPS/TAMS; proof to PD within 90 days.		
04/03/03		Proof of TIPS training received		
04/24/03	03-12247	Compliance Test	PASSED	
06/26/03	03-19507	Compliance Test	PASSED	
07/08/03	03-20924	Liquor Inspection (Road Patrol-Sewell)	NO VIOLATIONS	
08/04/03	03-24121	Liquor Inspection (Road Patrol-Cole)	NO VIOLATIONS	
08/19/03	03-25901	Liquor Inspection (Road Patrol- Cole)	NO VIOLATIONS	
10/28/03	03-33265	Sale to Minor (compliance test)	\$750 fine	12/22/03
02/17/04	04-04921	Liquor Inspection (Road Patrol- Dimaria)	NO VIOLATIONS	
02/18/04	Council	Public Hearings for 2003 Violation(s)-Resolution requiring employee contract re: ID of patrons under 35; no time limit		
03/02/04	04-06288	Liquor Inspection (Road Patrol- Dimaria)	NO VIOLATIONS	
03/11/04	04-07113	Liquor Inspection (Road Patrol- Dimaria)	NO VIOLATIONS	
03/23/04	04-08571	Compliance Test	PASSED	
04/28/04	04-12182	Liquor Inspection (Road Patrol- Cole)	NO VIOLATIONS	

05/17/04	04-14362	Liquor Inspection (Road Patrol-Cole)	NO VIOLATIONS
08/11/04	04-24664	Liquor Inspection (Road Patrol-Cole)	NO VIOLATIONS
11/03/04	04-34840	Liquor Inspection (Road Patrol-Cole)	NO VIOLATIONS
02/15/05	05-05175	Liquor Inspection (Road Patrol-Cole)	NO VIOLATIONS
03/03/05	05-07240	Compliance Test	PASSED
03/07/05	05-07643	Liquor Inspection (Road Patrol- Cole)	NO VIOLATIONS
12/1/05	05-42300	Liquor Inspection (Road Patrol- Drewek)	NO VIOLATIONS
06/13/06	06-22333	Liquor Inspection (Road Patrol- Drewek)	NO VIOLATIONS
07/26/06		Compliance Test	PASSED
06/19/06	06-36364	Liquor Inspection (Road Patrol- Drewek)	NO VIOLATIONS
01/24/07		Compliance Test	PASSED
01/29/07	07-3590	Liquor Inspection (Road Patrol- Malik)	NO VIOLATIONS
03/20/07	07-10384	Liquor Inspection (Road Patrol- Malik)	NO VIOLATIONS
04/24/07	07-13006	Liquor Inspection (Road Patrol- Rockafellow)	NO VIOLATIONS
05/03/07	07-16279	Compliance Test	PASSED
07/01/07	07-24567	Liquor Inspection (Road Patrol- Rockafellow)	NO VIOLATIONS
08/22/07	07-31980	Liquor Inspection (Road Patrol- LaForest)	NO VIOLATIONS
09/04/07	07-33988	Liquor Inspection (Road Patrol- LaForest)	NO VIOLATIONS
10/03/07	07-36794	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
10/18/07	07-32106	Compliance Test	PASSED
11/14/07	07-43153	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
12/13/07	07-45771	Compliance Test	PASSED
01/08/08	08-1275	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
02/21/08	08-6532	Compliance Test	PASSED
05/21/08	08-17742	Compliance Test	PASSED
08/04/08	08-27371	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
08/27/08	08-30137	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
10/02/08	08-34215	Compliance Test	PASSED
12/30/08	08-44469	Sale to Minor Compliance Test	VIOLATION

January 28, 2009

Alibi Lounge of Troy, Inc.
dba: Alibi Lounge & Restaurant
6700 Rochester Road
Troy, Michigan 48085

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

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 **Wednesday, February 18, 2009 at 7:30 PM**, or as soon thereafter as the agenda will permit, 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 beverage, for the following reasons:

License Type: Class C
License Number: 858-2008 SS
Violation : Compliance Test - Sale to Minor
Violation Date(s): 12/30/2008

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

Barbara A. Pallotta, CMC
Deputy City Clerk

c: Attorney: Contact not on file.



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. 6886-2008 SS Business ID 4483 File # D-63073

1. Name of Licensee GBD, Inc. 2. Doing Business As Franco Cafe

3. Mailing Address (street, city, zip code) 3614 Rochester Road; Troy, Michigan 48083

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) Class C

7. Date of Violation: Tuesday 12/30/08 6:50 AM or PM
(DAY) (DATE) (HOUR)

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

if MINOR: Birth date ¹ _____ 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 # 08-44480

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

Officer Signature M. Redmond #48 Name and Title (print) Officer Matthew Redmond

Officer Signature Sgt. John Schaufler Name and Title (print) Sergeant John Schaufler

Department Name Troy Police Department Phone # 248-524-3477

WITNESSES

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

Will testify to: Purchased alcohol (12 ounce bottle of Bud Light)

2. Name _____ Address _____

Will testify to: Sold alcohol to minor

3. Name Anna _____ Address 3614 Rochester Rd; Troy MI 48083

Will testify to: Restaurant manager

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

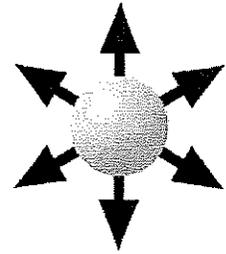
Will testify to:

EVIDENCE

Location Held (Explain):

Case #0900000035

Face Sheet Printed: 1/2/2009 12:31:59 PM
 Case Open Date: 1/2/2009
 Case Close Date: N/A
 Case Subject: 4171 - Violation of Liquor Control Laws
 Agency: TR - Troy PD

**Status: OPEN**

CR No: 0900000035.1 Status: I - In Process

Involved Entities

Entity Type	Entity Name	Offense
Arrestee	[REDACTED]	Violation of Liquor Control Laws

Call for Service Information

CFS Number: 080044480

CFS Date: 12/29/2008

Time Received: 3:22:21 PM

Time Arrived:

Location: 3614 Rochester Rd
 City: TROY

Disposition: Report Taken

Reported Offense: C3309 - Liquor Inspection

Verified Offense: 4171 - Violation of Liquor Control Laws

Officers: 00048 - Redmond, Matthew

Assignment History

Officer: 00048 - Redmond, Matthew

Date Assigned: 1/2/2009 12:19:16 PM

Date Unassigned: N/A

Troy PD Crime Report

Case No. 0900000035
Report No. 0900000035.1
Report Date: 12/30/2008

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

1

Page 1 of 2

Subject: 4171 - Violation of Liquor Control Laws

Case Report Status	I - In Process	Entered On	1/2/2009 12:19:42 PM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00048 - Redmond, Matthew	00048 - Redmond, Matthew	
Agency City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	12/30/2008 6:50:00 PM	Verified By		00201 - Schaufler, John	
Or Between		Approved On		Agency Assisted	
Business Name	Franco's Cafe	Approved By			
Location	3614 ROCHESTER RD	Related Cases			
CSZ	Troy, MI 48083	Disposition	Arrest		
Census/Geo Code		Excp. Clear Reason		Call for Service #	080044480
Jurisdiction		Excp. Clear Date			
Grid		Reporting Agency	Troy PD		
Sector		Report Type	Crime Report		
Map		Division	Patrol		
Call Source	Telephone	Notified			
Vehicle Activity		Related Cases			
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					

Report Narrative 08-44480

Sgt Schaufler and I (Ofc M. Redmond), along with Student Enforcement Aide [redacted] went to Franco's Cafe located at 3614 Rochester to conduct an L.C.C. inspection. [redacted] had no identification with him - it was being held at the Police Department. [redacted] then entered the business, sat at the bar and ordered a bottle of Bud Light. The bartender, [redacted] did not ask [redacted] for any identification. [redacted] asked [redacted] how old he was, and he stated he was 22 years old. [redacted] then served [redacted] a 12oz bottle of Bud Light. [redacted] notified Sgt Schaufler and I of the transaction. A short time later Sgt Schaufler and I entered the business and made contact with the restaurant manager, Anna, who called [redacted] over to us. [redacted] admitted to selling the beer to [redacted] without asking for identification. We explained the situation and issued a citation to [redacted] for "Furnish/Sell Alcohol to a person under 21." (citation number 736081). We gathered the required license information to complete a L.C.C. violation report and advised Anna what would be required of her.

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws	Location Type	21 - Restaurant	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41001 - LIQUOR LICENSE -ESTABLISHMENT				
PACC					
Local Code					
Using					
Criminal Activity					
Force Level					
Weapons					

Troy PD Crime Report

Case No. 0900000035
Report No. 0900000035.1
Report Date: 12/30/2008

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

2

Page 2 of 2

Arrestee A1: Zak, Amro Mad-Talib

Arrestee Number **A1**
Name [REDACTED]
Aliases [REDACTED]
Alert(s) [REDACTED]
Address [REDACTED]
CSZ [REDACTED]
MO [REDACTED]
Attire [REDACTED]
Habitual Offender Status [REDACTED]

DOB [REDACTED] 988
Age **20**
Sex **M - Male**
Race **W - White**
Ethnicity **U - Unknown**
Ht. [REDACTED]
Wt. [REDACTED]
Eye Color [REDACTED]
Hair Color [REDACTED]
Hair Style [REDACTED]
Hair Length [REDACTED]
Facial Hair [REDACTED]
Complexion [REDACTED]
Build [REDACTED]
Teeth [REDACTED]

Place of Birth [REDACTED]
SSN [REDACTED]
DLN [REDACTED]
DL State **MI - Michigan**
DL Country [REDACTED]
Occupation/Grade [REDACTED]
Employer/School [REDACTED]
Employer Address [REDACTED]
Employer CSZ [REDACTED]
Res. County [REDACTED]
Res. Country [REDACTED]
Resident Status **R - Resident of the community, city, or town where the offense occurred**

Phone/Email Type
HM - Home Phone #1

Description [REDACTED]

Supplemental IDs
ID Type

ID Number	ID Issuer	Name
-----------	-----------	------

Physical Characteristics
Type

Descriptor	Description
------------	-------------

Arrest No. **736081**
Arrest Type **S - Summoned/Cited**
FBI No. [REDACTED]
Criminal Tracking Number CTN [REDACTED]
Transaction Control Number TCN [REDACTED]
Person Control Number PCN [REDACTED]
State No. [REDACTED]
Armed With **01 - Unarmed**
Multi. Clearance **N - Not Applicable**
Multi. Clearance Offense [REDACTED]
Prev. Suspect No. [REDACTED]
Notified Name [REDACTED]

Arrested For **4171 - Violation of Liquor Control Laws**
Count [REDACTED]
Fingerprints [REDACTED]
Photos [REDACTED]
Miranda Read [REDACTED]
Miranda Waived [REDACTED]
Number of Warrants [REDACTED]
Juvenile Disposition [REDACTED]
Adult Present [REDACTED]
Detention Name [REDACTED]

Booked On [REDACTED]
Booked Location [REDACTED]
Released Location [REDACTED]
Released On [REDACTED]
Released By [REDACTED]
Release Reason [REDACTED]
Held For [REDACTED]
Date/Time Arrested **12/30/2008 6:50:00 PM**
Arrest Location [REDACTED]

Arrest Notes

TROY POLICE DEPT.

500 W. Big Beaver, Troy, MI 48084

ORI # M16378400

NARRATIVE REPORT
WITNESS STATEMENT

SUPP CORR DELETE PAGE 1 OF 1

01	DATE 01/10/2009	DAY FRI	SHIFT 9A	PLAT 89	BADGE 1 48	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 08	INCIDENT # 44480
----	--------------------	------------	-------------	------------	---------------	---------	---	------------	------------	---------------------

02 Statemen: _____ Home Phone: 248-524-3466

03 Address: 500 W. Big Beaver _____ Business Phone:

04 City: Troy _____ State: MI Zip: 48084

05

06 On 12/30/08 I entered Franco's located in Troy, MI and

07 sat at the bar. The server, later identified as _____

08 took my order of a Bud Light, _____, asked my age, to

09 which I responded I was 22 years old. _____ accepted my

10 statement and my order and served me a Bud Light. Sgt. Schufler

11 and Ofc. Redmond were notified of the transaction and I left

12 the establishment.

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28 Taken By: M. Redmond #48 _____

29 Place: 500 W Big Beaver _____ Date: 1-2-09 Time: 1200

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

M. Redmond / Schufler

State of Michigan
Uniform Law Citation

Ticket No. **736081** Victim Involved

US DOT # _____ Incident No. **08-44480** Dept. No. **784**

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

Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC _____ of _____

THE UNDERSIGNED SAYS THAT ON: Month **12** Day **30** Year **08** At approximately A.M. P.M. Dat. of Birt. **88** (digits)

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

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

UPON **3614 ROCHESTER RD**

AT OR NEAR **FRANCO'S**

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.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.	98.10.06	SOLD ALCOHOLIC BEVERAGE TO A MINOR	1
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			3
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			

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

Offense Code(s) _____

1 _____ 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: **WAITER SOLD BUD LIGHT BEER TO A MINOR**

*** DECOY OPERATION**

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate
 Person in Active Military Service Yes No None

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

Appearance Date on or before **01/17/09**

Hearing Date (if applicable) on _____ Contact Court

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

In the **52-4** DISTRICT Court of **OAKLAND COUNTY**

Court Address & Phone Number
**520 W. BIG BEAVER RD.
 TROY, MI 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.

Complainant's Signature and report if applicable _____ Month **12** Day **30** Year **08**

Officer's Name (printed) **Schautler/Redmond** Officer's ID No. **201/48**

Agency ORI **MI-6378400** Agency Name **TROY POLICE DEPARTMENT**

Ticket **736081**
 Name _____
 Case No. _____

LCC Liquor Licensee History

Business Name: **Franco's Cafe**
 Address: 3614 Rochester (248) 528-0153
 Licensee: GBD, Inc.
 License Type: **Class C (6886-2008 SS)**
 Permits: Sunday Sales
 Comments: Transferred from 36899 Dequindre, Troy

Date	Troy Incident #	Type	Disposition	Date
12/7/92		License transferred		
10/18/95	95-38549	Sale to minor	\$1000, fine (2 counts, \$400, \$600)	03/04/96
3/21/96	95-38549	Council Hearing: Retrain all in TIP		
11/06/98	98-44886	Sale to minor (Compliance Insp.)	\$700 fine 2 counts \$350 ea	01/13/99
01/10/99	99-01382	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
03/22/99		City Council orders TIPS/TAM training to all servers <u>before</u> they are allowed to serve		
06/24/99	99-24022	Compliance Test	PASSED	
08/11/99		Reminder letter sent for proof, deadline 09/01/99	(complied)	
11/16/99	none	Compliance Test	PASSED	
04/16/00	00-12805	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/26/00	none	Compliance Test	PASSED	
10/17/00	00-38509	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
11/01/00	00-40520	Compliance Test	PASSED	
01/14/01	01-01611	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/08/01	01-04615	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/03/01		Compliance Test	PASSED	

08/16/01	01-29495	Compliance Test	PASSED	
10/02/01	01-35419	Compliance Test	PASSED	
10/25/01	01-38531	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/26/02	02-06154	Compliance Test	PASSED	
04/29/02	02-13270	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/27/02	02-20608	Compliance Test	PASSED	
08/30/02	02-28663	Liquor Inspection (Road Patrol-Drewek)	NO VIOLATIONS	
10/11/02	02-33528	Compliance Test	PASSED	
12/10/02	02-39960	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS	
01/21/03	03-2257	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS	
03/06/03	03-6661	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS	
04/24/03	03-12195	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS	
04/24/03	03-12242	Compliance Test	PASSED	
06/20/03	03-18712	Compliance Test	PASSED	
07/31/03	03-23642	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS	
09/08/03	03-28006	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS	
10/29/03	03-33463	Compliance Test	PASSED	
01/16/04	04-01612	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS	
02/14/04	04-04659	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS	
03/06/04	04-06708	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS	
04/16/04	04-10961	Sale to Minor (Compliance Test)	\$600 fine	08/17/04
05/05/04	04-12952	Liquor Inspection (Road Patrol- Michael)	NO VIOLATIONS	
05/14/04	04-14043	Liquor Inspection (Road Patrol- Michael)	NO VIOLATIONS	
09/09/04	04-28293	Liquor Inspection (Road Patrol- Michael)	NO VIOLATIONS	
11/18/04	04-36647	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS	
01/04/05	05-00342	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS	
02/08/05	05-04382	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS	
02/16/05	Council	Public Hearings for 2004 Violation(s) – Resolution requiring annual TIPS/TAMS server training for all employee's, prior to serving alcohol.		

03/04/05	05-07322	Compliance Test	PASSED
06/30/05	05-22375	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS
08/13/05	05-28478	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS
09/23/05	05-33766	Liquor Inspection (Road Patrol-Clark)	NO VIOLATIONS
12/6/05	05-42886	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
01/19/06	06-2453	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
03/15/06	06-9872	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
07/26/06		Compliance Test	PASSED
01/24/07		Compliance Test	PASSED
02/20/07		Liquor Inspection (Road Patrol-Pokley)	NO VIOLATIONS
06/21/07	07-29973	Compliance Test	PASSED
10/18/07	07-32118	Compliance Test	PASSED
11/29/07	07-44965	Liquor Inspection (Road Patrol-G.Pokley)	NO VIOLATIONS
12/13/07	07-45781	Compliance Test	PASSED
02/01/08	08-4024	Liquor Inspection (Road Patrol-G. Pokley)	NO VIOLATIONS
02/21/08	08-6549	Compliance Test	PASSED
03/21/08	08-10243	Liquor Inspection (Road Patrol-G. Pokley)	NO VIOLATIONS
08/20/08	08-29209	Liquor Inspection (Road Patrol- Ersig)	NO VIOLATIONS
12/30/08	08-44480	Sale to Minor Compliance Test	VIOLATION

January 28, 2009

GBD, Inc.
dba: Franco Café
3614 Rochester Road
Troy, Michigan 48083

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

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 **Wednesday, February 18, 2009 at 7:30 PM**, or as soon thereafter as the agenda will permit, 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 beverage, for the following reasons:

License Type: Class C
License Number: 6886-2008 SS
Violation : Compliance Test - Sale to Minor
Violation Date(s): 12/30/2008

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

Barbara A. Pallotta, CMC
Deputy City Clerk

c: Attorney: Contact not on file.



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. 41130-2008 SS Business ID 7461 File # D-66120; D132.5

1. Name of Licensee Priya Enterprise, Inc. 2. Doing Business As Priya Restaurant

3. Mailing Address (street, city, zip code) 72 West Maple Road; Troy, Michigan 48084

4. Township 5. County Oakland

6. Type of License(s) & Permit(s) Class C Resort

7. Date of Violation: Thursday 10/02/08 7:35 AM or PM
(DAY) (DATE) (HOUR)

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

if MINOR: Birth date: Was this a DECOY? [x] 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 # 2008-34329

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

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

Officer Signature [Signature] Name and Title (print) Frank Shuler, Police Officer

Department Name Troy Police Department Phone # 248-524-3477

Call For Service

CFS Number: 080034329

Date: 10/1/2008

Call For Service

CFS Number 080034329
Date 10/1/2008
Dispatcher 00512 - Jelley, Renee
Call Source 0 - Telephone
Received 11:20:50 PM
Dispatched 11:20:50 PM
Arrived
Cleared 11:21:15 PM
Location 72 W Maple Rd
City, State, Zip TROY, MI 48083
Jurisdiction
Grid
Sector
Map 0 - N/A
X Coordinate 4100072
Y Coordinate 0117186

Complainant
Address 72 W Maple Rd
City, State, Zip TROY, MI 48083
Phone
Call type
Reported Offense C3309 - Liquor Inspection
Verified Offense 4171 - Violation of Liquor Control Laws
Tow Company
Vehicle
Vehicle License
Disposition R - Report Taken
Priority
Classification
Agency TR - Troy PD
Case 0800008567

Officers

00065 - Morgan, Joseph
Notes - C3309 LIQUOR INSPECT

00512 - 23:20:50 Original Location : PRIYA

WITNESSES

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

Will testify to: Purchased alcohol

2. Name Abdul Qadir Hussain Address 21880 Manor Ct; #1013; Farmington MI

Will testify to: Sold alcohol to minor

3. Name Siriesha Mandava Address 72 W Maple Rd; Troy MI 48084

Will testify to: Manager of business

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain):

Troy PD Arrest Report

Case No. 0800008567
Report No. 0800008567.1
Report Date: 10/3/2008

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

1

Page 1 of 3

Subject: 4171 violation of liquor laws

Case Report Status I - In Process
Agency County 63 - Oakland

Entered On 10/3/2008 2:42:47 PM
Entered By 00065 - Morgan, Joseph

Reporting Officer
00065 - Morgan, Joseph

Agency City/Township 84 - Troy

Verified On
Verified By

Assisted By
00046 - Shuler, Frank

Occurred On 10/2/2008 7:35:00 PM
Or Between

Approved On
Approved By

Business Name
Location 72 W Maple Rd
CSZ TROY, MI 48083

Related Cases
Disposition Arrest

Agency Assisted

Census/Geo Code

Excp. Clear Reason
Excp. Clear Date

Call for Service #
080034329

Jurisdiction

Reporting Agency

Troy PD
Arrest Report
Patrol

Grid

Report Type

Sector

Division

Map 0 - N/A
Call Source Telephone

Notified

Related Cases

Vehicle Activity

Dir. Veh. Traveling

Cross Street

Means

Motive

Report Narrative 2008-34329

Writer, Officer Morgan, and Police Service Aid [redacted], went to Priya located at 72 W. Maple to conduct an L.C.C. inspection. [redacted] had no identification with him, it was being held at the Police Department. [redacted] entered the business and was seated at a table. [redacted] ordered a bottle of Sam Adams from his server, listed Abdul Qadir Hussain. Hussain never asked [redacted] for any identification or what his D.O.B. was. Hussain served [redacted] the bottle of Sam Adams. [redacted] notified Officer Shuler and I that he had been served.

A short time later Officer Shuler and I entered the business and made contact with Manager Siriesha Mandava. We explained the situation and issued Hussain a citation for "Fail to Inquire As to Age." (citation #724713) We gathered the required license information to complete a L.C.C. violation report and advised Mandava what would be required by the business owners.

No further action taken by officers.

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws	Location Type	21 - Restaurant	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41001 - LIQUOR LICENSE -ESTABLISHMENT				
PACC					
Local Code					
Using					
Criminal Activity					
Force Level					
Weapons					

Troy PD Arrest Report

Case No. 0800008567
 Report No. 0800008567.1
 Report Date: 10/3/2008

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

2

Arrestee A1: Hussain, Abdul Qadir

Arrestee Number	A1	DOB	1984	Place of Birth	
Name	Hussain, Abdul Qadir	Age	23	SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	
Address	21880 MANOR CT APT 1013	Ht.		Occupation/Grade	
CSZ	Farmington, MI 48336	Wt.		Employer/School	
MO		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
Habitual Offender Status		Hair Style		Res. County	
		Hair Length		Res. Country	
		Facial Hair		Resident Status	C - Resides in the County but not the community where the offense occurred
		Complexion			
		Build			
		Teeth			

Phone/Email
Type Description

Supplemental IDs
ID Type ID Number ID Issuer Name

Physical Characteristics
Type Descriptor Description

Arrest No.	724713	Arrested For	4171 - Violation of Liquor Control Laws
Arrest Type	S - Summoned/Cited	Count	1
FBI No.		Fingerprints	
Criminal Tracking Number CTN		Photos	
Transaction Control Number TCN		Miranda Read	
Person Control Number PCN		Miranda Waived	
State No.		Number of Warrants	
Armed With	01 - Unarmed	Juvenile Disposition	
Multi. Clearance	N - Not Applicable	Adult Present	
Multi. Clearance Offense		Detention Name	
Prev. Suspect No.		Arrest Location	
Notified Name			
Arrest Notes			

Booked On
 Booked Location
 Released Location
 Released On
 Released By
 Release Reason
 Held For
 Date/Time Arrested **10/2/2008 7:35:00 PM**

Troy PD Arrest Report

Case No. 0800008567
Report No. 0800008567.1
Report Date: 10/3/2008

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

3

Page 3 of 3

Witness W1

Witness Code	W1	DOB	1989	Place of Birth	
Name		Age	19	SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	
		Ethnicity		DL Country	
Address	500 W BIG BEAVER RD	Ht.		Occupation/Grade	
CSZ	Troy, MI 48083	Wt.		Employer/School	
Attire		Eye Color		Employer Address	
		Hair Color		Employer CSZ	
		Facial Hair		Res. County	
		Complexion		Res. Country	
				Resident Status	
				Testify	

Phone/Email Type Description

Supplemental IDs ID Type ID Number ID Issuer Name

Witness Notes Enforcement Aide

Other Entity: O1 -- Mandava, Siriesha

Entity No.	O1	DOB		Place of Birth	
Entity Type	I - Person Interview	Age		SSN	
Name	Mandava, Siriesha	Sex	F - Female	DLN	
AKA		Race	W - White	DLN State	
Alert(s)		Ethnicity		DLN Country	
Address	72 E MAPLE RD	Ht.		Occupation/Grade	
CSZ	Troy, MI 48083	Wt.		Employer/School	
Complexion		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
		Facial Hair		Res. County	
				Res. Country	
				Resident Status	

Phone/Email Type Description

Supplemental IDs ID Type ID Number ID Issuer Name

Entity Notes Manager on duty at Priya.

NARRATIVE REPORT
WITNESS STATEMENT

01	DATE 10/02/08	DAY THU	SHIFT 02	PLAT 919	BADGE 1 65	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 08	INCIDENT # 24329
----	------------------	------------	-------------	-------------	---------------	---------	---	------------	------------	---------------------

02 Statement of: [Redacted] 89 Home Phone: (248) 524-3477

03 Address: (PLEASE PRINT) 500 W. Big Beaver Business Phone:

04 City: Troy State: MI Zip: 48064

05 At 7:35pm on October 2nd, 2008 I walked into Priya
 06 located on Maple in Troy, MI and was seated at a table.
 07 Once seated, I ordered a Sam Adams from my server, later
 08 identified as Abdul Hussain. My server never asked for
 09 any ID or a DoB and served me a Sam Adams. Officer
 10 Joseph Morgan was notified of the sale and I exited
 11 the restaurant.

12
 13 During this incident I did not have any ID on me,
 14 it was at the station in Troy PD custody.

15
16
17
18
19
20
21
22
23
24
25
26

27 X: [Redacted Signature]

28 Taken By: [Signature]

29 Place: Station Date: 10/2/08 Time: 2300

INVESTIGATING OFFICER(S) [Signature]	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
---	-------------	---------------------	--------------

State of Michigan
Uniform Law Citation

Ticket No. **724713** Victim Involved

US DOT # _____ Incident No. **08-34329** Dept. No. **784**

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

Local Use/Arrest No. _____ Defection Device _____

OF: **TROY** BAC _____ of _____

THE UNDERSIGNED SAYS THAT ON: Month **10** Day **2** Year **08** At approximately **7:35** A.M. P.M. Date Month **10** Day **2** Year **08**

State Operator/Chauvin Driver License Number _____ (4 digits)
 MZL CDL

Race **W** Sex **M** Ht _____

Name (First, Middle, Last) **ABDUL QADIR HUSSAIN**

Street **21880 MANA CT APT 1013**

City **FARMINGTON HILLS MI** State _____ Zip Code **48336**

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

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

UPON **72 WIMBOPRE**

AT OR NEAR **PRIMA**

WITHIN CITY VILLAGE TOWNSHIP OF **TROY**

COUNTY OF **OAKLAND** DID THE FOLLOWING Charge

Type	Ordinance	Description (include any bond amount collected on each charge)	No.
<input checked="" type="checkbox"/> Misd	<input checked="" type="checkbox"/> Fug	FAK TO EXHUME AS TO AGE	1
<input type="checkbox"/> CIL	<input type="checkbox"/> Warn	Authorization pend.	
<input type="checkbox"/> Misd	<input type="checkbox"/> Fug		2
<input type="checkbox"/> Fel	<input type="checkbox"/> Waiv		
<input type="checkbox"/> CIL	<input type="checkbox"/> Warn	Authorization pend.	
<input type="checkbox"/> Misd	<input type="checkbox"/> Fug		3
<input type="checkbox"/> Fel	<input type="checkbox"/> Waiv		

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

Offense Code(s) **1 2 3**

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

Remarks:

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate
Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
Appearance Date on or before **10/5/08** Contact Court

Hearing Date (if applicable) on _____ Formal Hearing Required. (Court will notify)

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**

Court Address & Phone Number
**520 W. BIG BEAVER RD.
TROY, MI 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.

Complainant's Signature and receipt if applicable _____
Officer's Name (printed) **MONA P. BUIS** Officer's ID No. **65748**
Month **10** Day **2** Year **08**

Agency ORI **MI-6378400** Agency Name **TROY POLICE DEPARTMENT**

UC-01a (rev. 6/05) COURT COPY 1

Ticket
724713

Name

Case No.

LCC Liquor Licensee History

Business Name: **Priya Restaurant**
 Address: 72 W. Maple (248) 269-0100
 Licensee: Priya Enterprise, Inc. (Lakshmi & Ramesh Kaza)
 License Type: **Class C Resort (41130-2008 SS)**
 Permits: Sunday Sales, Food
 Comments: License transferred from Waterford

Date	Troy Incident #	Type	Disposition	Date
5/5/97		Council approves request.		
12/17/97	97-45789	Sale to minor (Compliance Insp)	\$800. Fine	2/26/98
03/19/99	99-10344	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/24/99	99-24015	Compliance Test	PASSED	
11/23/99 05/15/00	99-44941	Sale to Minor (Compliance Test) 2 counts MLCC: Viol upheld	\$1100 Fine (\$600/500)	
07/25/00	none	Compliance Test	PASSED	
10/15/00	00-38241	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/19/00	00-38782	Compliance Test	PASSED	
11/16/00	00-42522	Compliance Test	PASSED	
02/04/01	01-04114	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/03/01		Compliance Test	PASSED	
08/10/01	01-28527	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
08/16/01	01-29482	Compliance Test	PASSED	
10/24/01	01-38372	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
11/01/01 03/22/02	MLCC	Sale to Minor (2x) (MLCC CT) MLCC: Violation upheld	pending \$1300 Fine (\$650 ea)	
01/02/02	02-00137	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/22/02	02-05694	Compliance Test	PASSED	
02/25/02	02-05998	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

05/20/02	02-15703	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/27/02	02-20605	Compliance Test	PASSED
07/29/02	02-24672	Liquor Inspection (Road Patrol)	NO VIOLATIONS
09/07/02	02-29609	Liquor Inspection (Road Patrol- Hill)	NO VIOLATIONS
10/8/02	02-33516	Compliance Test	PASSED
12/09/02	02-39867	Liquor Inspection (Road Patrol-Hill)	NO VIOLATIONS
01/12/03	03-1240	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS
02/16/03	03-4880	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS
04/24/03	03-12231	Compliance Test	PASSED
05/17/03	03-14724	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS
06/20/03	03-18701	Compliance Test	PASSED
06/21/03	03-18809	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS
07/28/03	03-23292	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS
10/28/03	03-33335	Compliance Test	PASSED
12/15/03	03-38176	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS
01/12/04	04-01106	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS
03/06/04	04-06702	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS
03/23/04	04-08532	Compliance Test	PASSED
04/08/04	04-10157	Liquor Inspection (Road Patrol-Block)	NO VIOLATIONS
06/30/04	04-19506	Compliance Test	PASSED
11/18/04	04-36699	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
01/27/05	05-03098	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
03/03/05	05-07246	Compliance Test	PASSED
03/23/05	05-09485	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
06/07/05	05-19185	Liquor Inspection (Road Patrol- Dungjen)	CLOSED
12/15/05	05-44141	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS
01/05/06	06-583	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS
07/26/06		Compliance Test	PASSED

09/21/06	06-36586	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS
12/12/06	06-46784	Liquor Inspection (Road Patrol-Stacey)	NO VIOLATIONS
01/18/07	07-2208	Liquor Inspection (Road Patrol-Stacey)	NO VIOLATIONS
01/24/07		Compliance Test	PASSED
06/21/07	07-17193	Sale to Minor (Compliance Test)	
07/11/07:		Dist Ct	P/G \$200 Fine
08/09/07:		MLCC Hearing,	Violation Upheld: \$700 Fine
02/20/08		Council orders TIPS / TAMS training	
05/11/08		Proofs Received	
09/05/07	07-34117	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
10/18/07	07-32206	Compliance Test	PASSED
12/13/07	07-45883	Compliance Test	PASSED
02/21/08	08-6638	Compliance Test	PASSED
04/17/08	08-13536	Liquor Inspection (Road Patrol- Cooney)	NO VIOLATIONS
05/21/08	08-17686	Compliance Test	PASSED
06/29/08	08-23001	Liquor Inspection (Road Patrol- Cooney)	NO VIOLATIONS
10/02/08	08-34329	Sale to Minor (Compliance Test)	
10/22/08		MLCC Hearing: Waived	\$900 Fine
12/30/08	08-44537	Compliance Test	PASSED

January 28, 2009

Priya Enterprise, Inc.
dba: Priya Restaurant
72 W. Maple Road
Troy, Michigan 48084

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

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 **Wednesday, February 18, 2009 at 7:30 PM**, or as soon thereafter as the agenda will permit, 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 beverage, for the following reasons:

License Type: Class C
License Number: 41130-2008 SS
Violation : Compliance Test - Sale to Minor
Violation Date(s): 10/2/2008

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

Barbara A. Pallotta, CMC
Deputy City Clerk

c: Attorney: Contact not on file.



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. 107549-2008 SS Business ID 135639 File # D-68542; D132.5

1. Name of Licensee Cafe Sushi, LLC 2. Doing Business As Cafe Sushi

3. Mailing Address (street, city, zip code) 1933 West Maple Road; Troy, Michigan 48084

4. Township 5. County Oakland

6. Type of License(s) & Permit(s) Class C

7. Date of Violation: Thursday 10/02/08 8:46 AM or PM
(DAY) (DATE) (HOUR)

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

if MINOR: Birth date Was this a DECOY? [x] 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 # 2008-34307

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

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

Officer Signature [Signature] Name and Title (print) Frank Shuler, Police Officer

Department Name Troy Police Department Phone # 248-524-3477

WITNESSES

1. Name [REDACTED] Address 500 W Big Beaver Rd; Troy MI 48084

Will testify to: Purchased alcohol

2. Name Carmen Ka-Man Yan Address 3137 Winchester Rd; W Bloomfield MI

Will testify to: Sold alcohol to minor

3. Name Mako Yamakura Address 1933 W Maple Rd; Troy MI 48084

Will testify to: Manager of business

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain):

Call For Service

CFS Number: 080034307

Date: 10/1/2008

Call For Service

CFS Number	080034307	Complainant	
Date	10/1/2008	Address	1933 W Maple Rd
Dispatcher	00512 - Jelley, Renee	City, State, Zip	TROY, MI 48083
Call Source	0 - Telephone	Phone	
Received	11:05:18 PM	Call type	
Dispatched	11:05:18 PM	Reported Offense	C3309 - Liquor Inspection
Arrived		Verified Offense	4171 - Violation of Liquor Control Laws
Cleared	11:05:33 PM	Tow Company	
Location	1933 W Maple Rd	Vehicle	
City, State, Zip	TROY, MI 48083	Vehicle License	
Jurisdiction		Disposition	R - Report Taken
Grid		Priority	
Sector		Classification	
Map	0 - N/A	Agency	TR - Troy PD
X Coordinate	4097832	Case	0800008568
Y Coordinate	0117046		

Officers

00065 - Morgan, Joseph
Notes - C3309 LIQUOR INSPECT

00512 - 23:05:18 Original Location : CAFE SUSHI

Troy PD Arrest Report

Case No. 0800008568
Report No. 0800008568.1
Report Date: 10/3/2008

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

1

Page 1 of 3

Subject: 4171 violation of liquor laws

Case Report Status I - In Process
Agency County 63 - Oakland

Entered On 10/3/2008 3:01:32 PM
Entered By 00065 - Morgan, Joseph

Reporting Officer
00065 - Morgan,
Joseph

Agency City/Township 84 - Troy

Verified On

Assisted By

Occurred On 10/2/2008 8:46:00 PM

Verified By

00046 - Shuler, Frank

Or Between

Approved On

Business Name

Approved By

Agency Assisted

Location 1933 W Maple Rd
CSZ TROY, MI 48083

Related Cases

Disposition

Arrest

Census/Geo Code

Excp. Clear Reason

Call for Service #

080034307

Jurisdiction

Excp. Clear Date

Grid

Reporting Agency

Troy PD

Sector

Report Type

Arrest Report

Map

Division

Patrol

Call Source

0 - N/A
Telephone

Notified

Vehicle Activity

Related Cases

Dir. Veh. Traveling

Cross Street

Means

Motive

Report Narrative 2008-34307

Writer, Officer Morgan, and Police Service Aide [redacted] went to Cafe' Sushi located at 1933 W. Maple to conduct an L.C.C. inspection. [redacted] had no identification on him, it was being held at the Police Department. [redacted] proceeded inside Cafe' Sushi and was seated at the sushi bar. [redacted] ordered a bottle of Bud Light from his server, listed Carmen Ka-Man Yan. Yan never asked [redacted] for any identification or what his D.O.B. was. Yan served [redacted] the bottle of Bud Light. [redacted] notified Officer Shuler and I that he had been served.

A short time later Officer Shuler and I entered the business and made contact with manager Mako Yamakura. We explained the situation and issued Yan a citation for, "Fail to Inquire As to Age." (citation #710360) We gathered the required license information to complete a L.C.C. violation report and advised Yamakura what would be required by the business owners.

No further action taken by officers.

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws	Location Type	21 - Restaurant	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41001 - LIQUOR LICENSE -ESTABLISHMENT				
PACC					
Local Code					
Using					
Criminal Activity					
Force Level					
Weapons					

Troy PD Arrest Report

Case No. 0800008568
 Report No. 0800008568.1
 Report Date: 10/3/2008

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

2

Arrestee A1: Yan, Carmen Ka-Man

Arrestee Number	A1	DOB	1983	Place of Birth	
Name	Yan, Carmen Ka-Man	Age	24	SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	
Address	3137 WINCHESTER RD	Ht.		Occupation/Grade	
CSZ	West Bloomfield Twp, MI 48322	Wt.		Employer/School	
MO		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
Habitual Offender Status		Hair Style		Res. County	
		Hair Length		Res. Country	
		Facial Hair		Resident Status	C - Resides in the County but not the community where the offense occurred
		Complexion			
		Build			
		Teeth			

Phone/Email Type Description

Supplemental IDs ID Type ID Number ID Issuer Name

Physical Characteristics Type Descriptor Description

Arrest No.	710360	Arrested For	4171 - Violation of Liquor Control Laws	Booked On	
Arrest Type	S - Summoned/Cited	Count	1	Booked Location	
FBI No.		Fingerprints		Released Location	
Criminal Tracking Number CTN		Photos		Released On	
Transaction Control Number TCN		Miranda Read		Released By	
Person Control Number PCN		Miranda Waived		Release Reason	
State No.		Number of Warrants		Held For	
Armed With	01 - Unarmed	Juvenile Disposition		Date/Time Arrested	10/2/2008 8:46:00 PM
Multi. Clearance	N - Not Applicable	Adult Present		Arrest Location	
Multi. Clearance Offense		Detention Name			
Prev. Suspect No.					
Notified Name					
Arrest Notes					

Troy PD Arrest Report

Case No. 0800008568
Report No. 0800008568.1
Report Date: 10/3/2008

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

3

Page 3 of 3

Witness W1:

Witness Code	W1	DOB	1989	Place of Birth
Name		Age	19	SSN
Aliases		Sex	M - Male	DLN
Alert(s)		Race	W - White	DL State
		Ethnicity		DL Country
Address	500 W BIG BEAVER RD	Ht.		Occupation/Grade
CSZ	Troy, MI 48083	Wt.		Employer/School
Attire		Eye Color		Employer Address
		Hair Color		Employer CSZ
		Facial Hair		Res. County
		Complexion		Res. Country
				Resident Status
				Testify

Phone/Email
Type Description

Supplemental IDs
ID Type ID Number ID Issuer Name

Witness Notes Service Aide. Purchased bottle of Bud Light

Other Entity: O1 -- Yamakura, Mako

Entity No.	O1	DOB		Place of Birth
Entity Type	I - Person Interview	Age		SSN
Name	Yamakura, Mako	Sex	M - Male	DLN
AKA		Race	W - White	DLN State
Alert(s)		Ethnicity		DLN Country
Address	1933 W MAPLE RD	Ht.		Occupation/Grade
CSZ	Troy, MI 48083	Wt.		Employer/School
Complexion		Eye Color		Employer Address
Attire		Hair Color		Employer CSZ
		Facial Hair		Res. County
				Res. Country
				Resident Status

Phone/Email
Type Description

Supplemental IDs
ID Type ID Number ID Issuer Name

Entity Notes Manager of Cafe' Sushi.

NARRATIVE REPORT
 WITNESS STATEMENT

01	DATE	DAY	SHIFT	PLAT	BADGE 1	BADGE 2	INCIDENT STATUS	PRIM CLASS	YEAR	INCIDENT #
	10/02/08	TUW	02	919	65		<input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT		08	34307

02 Statement of: [Redacted] Home Phone: (248) 524-3477

03 Address: 500 W. Big Beaver Business Phone:

04 City: Troy State: MI Zip: 48064

05 At 8:46pm on October 2nd, 2008 I entered Cafe Sushi
 06 located on Maple Rd. in Troy, MI and was seated at
 07 the Sushi Bar. My server, later identified as Carmen Ka-Man Yan,
 08 took my order of a Bud Light. The server brought me the Bud
 09 Light and never asked for any ID or a DoB. Officer
 10 Morgan was notified of the sale and I exited the
 11 restaurant.

12
 13 During this incident I had no ID on my person, it
 14 was at the station

15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26

27
 28 Taken By: [Redacted Signature] X: [Redacted Signature]
 (SIGNATURE) (SIGNATURE)
 29 Place: Station Date: 10-20-08 Time: 2300

INVESTIGATING OFFICER(S) <u>Morgan</u>	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
---	-------------	---------------------	--------------

State of Michigan
Uniform Law Citation

Ticket No. 710360

Victim Involved

US DOT # _____ Incident No. 200834307

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

Local Use/Arrest No. 784

OF: TROY BAC 1 of 1

THE UNDERSIGNED SAYS THAT ON: 10 2 08 At approximately 8:46 P.M. Date of Birth 83
State of Michigan License Number (4 digits)

Race W F Sex Helg

Name (First, Middle, Last) CARMEN KA-MAN YAN

Street 3137 WINCHESTER

City WEST BLOOMFIELD State MI Zip Code 48322

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

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

UPON 1933 WINDYBROOK

AT OR NEAR CAFE SUSHI

WITHIN CITY VILLAGE TOWNSHIP OF TROY

COUNTY OF OAKLAND DID THE FOLLOWING

Type	Ordinance	Description (Include any bond amount collected on each charge)	Charge No.
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.	981011	FAIL TO INQUIRE AS TO AGE	1
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			3
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			
<input type="checkbox"/> Fel <input type="checkbox"/> Waiv			

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

Offense Code(s) 1 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:

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate

Person in Active Military Service Yes No None

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

Appearance Date on or before 10/20/08
Hearing Date (if applicable) on _____
 Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the 52-4 DISTRICT Court of OAKLAND COUNTY

Court Address & Phone Number 520 W. BIG BEAVER RD.
TROY, MI 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.

Complainant's Signature and receipt if applicable _____ Month 10 Day 2 Year 08

Officer's Name (printed) _____ Officer's ID No. 65146

Agency ORI _____ Agency Name TROY POLICE DEPARTMENT

Mi- 6378400 UC-01a (rev. 6/05) COURT COPY 1

Ticket
710360

Name

Case No.

LCC

Liquor Licensee History

Business Name: **Café Sushi**

Address: 1933 W. Maple Rd. 5D

Licensee: Café Sushi, L.L.C.

License Type: **Class C (107549-2008 SS)**

Permits: Sunday Sales, *Entertainment, Outdoor Service*

Comments: Shigeru Yamada, Fari Sanatgar, and Yoshihiro Nakashima, Owners

Date	Troy Incident #	Type	Disposition	Date
10/23/01	01-38249	Liquor Inspection (Road Patrol)	Still under construction	
01/27/02(est)		Business Opens		
02/22/02	02-05691	Compliance Test	PASSED	
03/05/02	02-06880	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/17/02	02-11771	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/20/02	02-19554	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/27/02	02-20603	Compliance Test	PASSED	
09/12/02	02-30135	Liquor Inspection (Road Patrol- Bodek)	NO VIOLATIONS	
10/8/02	02-33519	Compliance Test	PASSED	
12/17/02	02-40718	Liquor Inspection (Road Patrol- Hamzey)	NO VIOLATIONS	
01/15/03	03-1483	Liquor Inspection (Road Patrol- Hamzey)	NO VIOLATIONS	
02/04/03	03-3636	Liquor Inspection (Road Patrol- Hamzey)	NO VIOLATIONS	
04/18/03	03-11532	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS	
04/24/03	03-12230	Compliance Test	PASSED	
06/20/03	03-18703	Compliance Test	PASSED	
08/02/03	03-23854	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS	
08/22/03	03-26253	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS	

10/28/03	03-33307	Compliance Test	PASSED	
11/20/03	03-35675	Liquor Inspection (Road Patrol-Trainer)	NO VIOLATIONS	
02/18/04	04-04994	Liquor Inspection (Road Patrol-Trainer)	NO VIOLATIONS	
03/06/04	04-06671	Liquor Inspection (Road Patrol-Trainer)	NO VIOLATIONS	
03/23/03	04-08527	Compliance Test	PASSED	
06/30/04	04-19501	Compliance Test	PASSED	
08/19/04	04-25359	Liquor Inspection (Road Patrol-Trainer)	NO VIOLATIONS	
02/04/05	05-03939	Liquor Inspection (Road Patrol-Dyjewski)	NO VIOLATIONS	
03/03/05	05-07149	Sale to Minor (Compliance Test)	\$300 fine	06/20/05
03/04/05	05-07255	Liquor Inspection (Road Patrol-Dyjewski)	NO VIOLATIONS	
06/11/05	05-19728	Liquor Inspection (Road Patrol-Schehr)	NO VIOLATIONS	
08/01/05	05-26718	Liquor Inspection (Road Patrol-Schehr)	NO VIOLATIONS	
08/29/05	05-30526	Liquor Inspection (Road Patrol-Schehr)	NO VIOLATIONS	
01/11/06	06-1348	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS	
02/15/06	Council	Resolution by Council that all food and beverage employees attend TIPS/TAMS training with 90 days.		
03/04/06	06-8421	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS	
03/18/06	06-10367	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS	
04/18/06		Proof Received		
06/15/06	06-22631	Liquor Inspection (Road Patrol-Redmond)	NO VIOLATIONS	
07/26/06		Compliance Test	PASSED	
08/05/06	06-30098	Liquor Inspection (Road Patrol-Redmond)	NO VIOLATIONS	
01/24/07		Compliance Test	PASSED	
01/31/07	07-3831	Liquor Inspection (Road Patrol-McWilliams)	NO VIOLATIONS	
03/21/07	07-10474	Liquor Inspection (Road Patrol-McWilliams)	NO VIOLATIONS	
05/10/07	07-17179	Compliance Test	PASSED	
07/21/07	07-27405	Liquor Inspection (Road Patrol-McWilliams)	NO VIOLATIONS	
08/22/07	07-31970	Liquor Inspection (Road Patrol-McWilliams)	NO VIOLATIONS	

09/19/07	07-35852	Liquor Inspection (Road Patrol-McWilliams)	NO VIOLATIONS
10/18/07	07-32176	Compliance Test	PASSED
11/29/07	07-44970	Liquor Inspection (Road Patrol-McWilliams)	No Violations
12/13/07	07-45860	Compliance Test	PASSED
02/14/08	08-5662	Liquor Inspection (Road Patrol- McWilliams)	NO VIOLATIONS
02/21/08	08-6613	Compliance Test	PASSED
03/14/08	08-9420	Liquor Inspection (Road Patrol- McWilliams)	NO VIOLATIONS
05/05/08	08-15752	Liquor Inspection (Road Patrol-Rushton)	NO VIOLATIONS
05/21/08	08-17665	Compliance Test	PASSED
07/28/08	08-26884	Liquor Inspection (Road Patrol-Rushton)	NO VIOLATIONS
09/06/08	08-31304	Liquor Inspection (Road Patrol- Rushton)	NO VIOLATIONS
10/02/08 11/13/08	08-34307	Compliance Test (DPU) Sale to Minor MLCC: Violation Upheld	VIOLATION \$600 Fine
12/30/08	08-44576	Compliance Test	PASSED

January 28, 2009

Café Sushi, LLC
dba: Café Sushi
1933 West Maple Road
Troy, Michigan 48084

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

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 **Wednesday, February 18, 2009 at 7:30 PM**, or as soon thereafter as the agenda will permit, 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 beverage, for the following reasons:

License Type: Class C
License Number: 107549-2008 SS
Violation : Compliance Test (DPU) - Sale to Minor
Violation Date(s): 10/2/2008

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

Barbara A. Pallotta, CMC
Deputy City Clerk

c: Attorney: Contact not on file.



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. 75063-2007 SS Business ID 98485 199273 File #

1. Name of Licensee HOSPITALITY VENTURES MGMT, LLC / RBHJ, TROY, LLC
DJONT/JPM Troy Leasing, LLC 2. Doing Business As Troy Embassy Suites

3. Mailing Address (street, city, zip code) 850 Tower Drive; Troy, Michigan 48098

4. Township 5. County Oakland

6. Type of License(s) & Permit(s) B-Hotel

7. Date of Violation: Thursday 10/09/08 6:40 AM or PM
(DAY) (DATE) (HOUR)

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

if MINOR: Birth date Was this a DECOY? [x] 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 # 08-34262

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

Officer Signature [Signature] Name and Title (print) Timothy Daniels, Police Officer

Officer Signature [Signature] Name and Title (print) Matthew Redmond, Police Officer

Department Name Troy Police Department Phone # 248-527-3477

WITNESSES

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

Will testify to: Purchased alcoholic beverage

2. Name Patti Evangle Steele Address 76 N Astor St; Pontiac MI 48342

Will testify to: Sold alcoholic beverage to minor

3. Name Rosa Sacco Address 850 Tower Dr; Troy MI 48098

Will testify to: Manager on duty

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain):

Case #0800008805

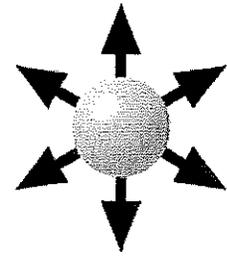
Face Sheet Printed: 10/9/2008 8:59:14 PM

Case Open Date: 10/9/2008

Case Close Date: N/A

Case Subject: C3309 - Liquor Inspection

Agency: TR - Troy PD

**Status: OPEN**

CR No: 0800008805.1 Status: I - In Process**Involved Entities**

Entity Type	Entity Name	Offense
Arrestee	Steele, Patti Evangle	Violation of Liquor Control Laws

Call for Service Information

CFS Number: **080034262**CFS Date: **10/1/2008**Time Received: **10:32:31 PM**

Time Arrived:

Location: **850 Tower**City: **TROY**Disposition: **No Report**Reported Offense: **C3309 - Liquor Inspection**Verified Offense: **C3309 - Liquor Inspection**Officers: **00065 - Morgan, Joseph****Assignment History**

Officer: **00065 - Morgan, Joseph**Date Assigned: **10/9/2008 8:31:10 PM**Date Unassigned: **N/A**

Troy PD Arrest Report

Case No. 0800008805
Report No. 0800008805.1
Report Date: 10/9/2008

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

1

Page 1 of 3

Subject: C3309 - Liquor Inspection

Case Report Status: I - In Process
Agency County: 63 - Oakland

Entered On: 10/9/2008 8:32:16 PM
Entered By: 00080 - Daniels, Timothy

Reporting Officer: 00065 - Morgan, Joseph

Agency City/Township: 84 - Troy

Verified On:

Verified By:

Assisted By:

Occurred On: 10/9/2008 6:40:00 PM

Approved On:

00048 - Redmond, Matthew

Or Between:

Approved By:

Business Name: Embassy Suites
Location: 850 Tower
CSZ: TROY, MI 48083

Related Cases:

Disposition: Arrest

Agency Assisted:

Census/Geo Code:

Excp. Clear Reason:

Call for Service #:

080034262

Jurisdiction:

Excp. Clear Date:

Reporting Agency:

Troy PD
Arrest Report
Patrol

Grid:

Report Type:

Sector:

Division:

Map:

Notified:

Call Source:

0 - N/A
Telephone

Related Cases:

Vehicle Activity:

Dir. Veh. Traveling:

Cross Street:

Means:

Motive:

Report Narrative: 08-34262

This officer along with Officer M. Redmond and student enforcement aid conducted L.C.C. inspections on 10/09/08. Officers held identification at the Police Dept. while the L.C.C. inspections took place. entered the Embassy Suites hotel located at 850 Tower. approached the bar and ordered a Bud Light draft beer. The bartender, later identified as Patti Steele, asked for her room key, informed her that she was not staying at the hotel. Steele charged paid. At no point did Steele inquire as to age or ask for identification. contacted Officers who made contact with Steele and requested she contact her supervisor (Rosa Sacco). Officers issued citation #720298 to Steele and completed the L.C.C. Violation Report. Steele admitted to officers that she did not request identification from

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description: 4171 - Violation of Liquor Control Laws

IBR Code: 90G - Liquor Law Violations

Location Type: 14 - Hotel/Motel/Etc.

IBR Group: B

Offense Completed?: Yes

No. Prem. Entered:

Crime Against: SO

Hate/Bias: 00 - None (No Bias)

Entry Method:

Offense File Class: 41001 - LIQUOR LICENSE -ESTABLISHMENT

Domestic Violence:

No

Type Security:

PACC:

Tools Used:

Local Code:

Using:

Criminal Activity:

Force Level:

Weapons:

Arrestee A1: Steele, Patti Evangle

Troy PD Arrest Report

Case No. 0800008805
 Report No. 0800008805.1
 Report Date: 10/9/2008

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

2

Arrestee Number	A1	DOB	1959	Place of Birth	
Name	Steele, Patti Evangle	Age	49	SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	B - Black	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	
Address	76 N. Astor St, pontiac, MI 48342	Ht.		Occupation/Grade	
CSZ		Wt.		Employer/School	
MO		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
Habitual Offender Status		Hair Style		Res. County	
		Hair Length		Res. Country	
		Facial Hair		Resident Status	C - Resides in the County but not the community where the offense occurred
		Complexion			
		Build			
		Teeth			

Phone/Email
 Type Description

Supplemental IDs
 ID Type ID Number ID Issuer Name

Physical Characteristics
 Type Descriptor Description

Arrest No.	720298	Arrested For	4171 - Violation of Liquor Control Laws
Arrest Type	S - Summoned/Cited	Count	
FBI No.		Fingerprints	Booked On
Criminal Tracking Number CTN		Photos	Booked Location
Transaction Control Number TCN		Miranda Read	Released Location
Person Control Number PCN		Miranda Waived	Released On
State No.		Number of Warrants	Released By
Armed With	01 - Unarmed	Juvenile Disposition	Release Reason
Multi. Clearance	N - Not Applicable	Adult Present	Held For
Multi. Clearance Offense		Arrest Notes	Date/Time Arrested
Prev. Suspect No.		Detention Name	10/9/2008 6:50:00 PM
Notified Name			Arrest Location

Other Entity: 01 -- Sacco, Rosa

Entity No. **01**
 Entity Type **I - Person Interview**

Name	Sacco, Rosa	DOB		Place of Birth	
AKA		Age		SSN	

Troy PD Arrest Report

Case No. 0800008805
Report No. 0800008805.1
Report Date: 10/9/2008

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

3

Page 3 of 3

Alert(s)		Sex	F - Female	DLN	
		Race		DLN State	
Address	850 TOWER DR	Ethnicity		DLN Country	
CSZ	Troy, MI 48083	Ht.		Occupation/Grade	
Complexion		Wt.		Employer/School	
Attire		Eye Color		Employer Address	
		Hair Color		Employer CSZ	
		Facial Hair		Res. County	
				Res. Country	
				Resident Status	

<u>Phone/Email</u> Type	Description
----------------------------	-------------

<u>Supplemental IDs</u> ID Type	ID Number	ID Issuer	Name
------------------------------------	-----------	-----------	------

Entity Notes Patti Steele's supervisor

**NARRATIVE REPORT
 WITNESS STATEMENT**

01	DATE 10/09/08	DAY THU	SHIFT 02	PLAT 99	BADGE 1 48	BADGE 2 96	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 08	INCIDENT # 3426
----	------------------	------------	-------------	------------	---------------	---------------	---	------------	------------	--------------------

02 Name: _____ DOB: **E** Home Phone: _____

03 Address: _____ Business Phone: _____

04 City: _____ State: MI Zip: _____

05 E-mail: _____ Cell Phone: _____

06 I walked into Embassy Suites ~~Hotel~~ Hotel and
 07 approached the bar and ordered a Bud Light. Patti
 08 gave me the beer and asked for my room card but
 09 did not ask me for any identification. I paid for the
 10 drink and called Officer Daniels and Officer Redmond
 11 to come in.

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18 _____

19 _____

20 _____

21 _____

22 _____

23 _____

24 _____

25 _____

26 _____

27 _____

28 Taken By: MM #48 (SIGNATURE) _____

29 Place: 500 W Big Beaver Troy, MI 48084 Date: 10-9-08 Time: 0000

INVESTIGATING OFFICER(S) M. Redmond/Daniels REVIEWED BY _____ ASSIGNED TO / BADGE _____ ATTENTION TO _____

State of Michigan
Uniform Law Citation

Ticket No. **720298** Victim Involved

US DOT # _____ Incident No. **08-34260** Dept. No. **784**

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

Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC _____ 1 of 1

THE UNDERSIGNED SAYS THAT ON: Month **10** Day **9** Year **08** At approximately A.M. P.M. Date of Birth Month **1** Day **1** Year **59**

State Oper./Chauff. Driver License Number _____ (4 digits)
 CDL

Race _____ Sex **F** Height _____

Name (First, Middle, Last) **Patti Evangline Steele**

Street **76N Astor St**

City **Pontiac** State **MI** Zip Code **48341**

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

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

UPON **850 Tower Dr**

AT OR NEAR **Embassy Suites**

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.
<input checked="" type="checkbox"/> Misd	98-10-04	Fail to inquire as to age	1
<input type="checkbox"/> C/I			2
<input type="checkbox"/> Misd			3

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

Offense Code(s) **1 43617011-A 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: _____

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate
Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
Appearance Date on or before **10-22-08**
Hearing Date (if applicable) on _____ Contact Court
 Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**

Court Address & Phone Number
**520 W. BIG BEAVER RD.
TROY, MI 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.

Complainant's Signature and receipt if applicable _____ Month **10** Day **9** Year **08**

Officer's Name (printed) _____ Officer's ID No. _____

Ticket No. **720298**
Name _____
Case No. _____

LCC

Liquor Licensee History

Business name: **EMBASSY SUITES HOTEL**
Address: 850 Tower
Licensee: Hospitality Ventures Mgmt / RBHV Troy
License type: B-Hotel
Permits: Dance, Food, Outdoor (1 Area), Direct Connection (1), Additional Bar (3)
Comments: John Carlin

Date	Troy Incident #	Type	Disposition	Date
12/03/07		Council Approves Transfer		
02/21/08	08-6586	Compliance Test	PASSED	
05/21/08	08-17722	Compliance Test	PASSED	
06/06/08	08-19953	Liquor Inspection (Road Patrol-Giovannoni)	NO VIOLATIONS	
08/23/08	08-29631	Liquor Inspection (Road Patrol- Giovannoni)	NO VIOLATIONS	
10/09/08	08-34262	Sale to Minor Compliance Test	VIOLATION	
10/20/08		Council Approves SDM		
12/30/08	08-44449	Compliance Test	PASSED	

January 28, 2009

Hospitality Ventures Management, Inc./RBHV Troy, LLC
dba: Embassy Suites Hotel
850 Tower Drive
Troy, Michigan 48098

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

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 **Wednesday, February 18, 2009 at 7:30 PM**, or as soon thereafter as the agenda will permit, 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 beverage, for the following reasons:

License Type: B-Hotel
License Number: 75063-2007 SS
Violation : Compliance Test - Sale to Minor
Violation Date(s): 10/9/2008

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

Barbara A. Pallotta, CMC
Deputy City Clerk

c: John Carlin
Carlin, Edwards, Brown & Howe. PLLC
6017 W. St. Joe Highway - Suite 202
Lansing, MI 48919



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. 173579-2008 SS Business ID 201794 File # D-72120; D132.5

1. Name of Licensee C J Mahoney's of Troy LLC 2. Doing Business As C J Mahoney's of Troy

3. Mailing Address (street, city, zip code) 2511 Livernois; Troy, Michigan 48084

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) Class C

7. Date of Violation: Thursday 10/02/08 6:15 AM or PM
 (DAY) (DATE) (HOUR)

8. Violation Type: Minor
 Intoxicated Person After hours sales/consumption
 Gambling Fighting (must be inside licensed premises)
 Controlled Substances Failure to Cooperate
 Prohibited Conduct 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 # 2008-34309

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

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

Officer Signature [Signature] Name and Title (print) John Schaufler, Police Sergeant

Department Name Troy Police Department Phone # 248-524-3477

WITNESSES

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

Will testify to: Purchased alcohol

2. Name Kristen Japowicz Address 54616 Mahogany Dr; Macomb MI

Will testify to: Sold alcohol to minor

3. Name Tom Everson Address 2511 Livernois; Troy MI 48084

Will testify to: Manager of business

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain):

Troy PD Arrest Report

Case No. 0800008577
Report No. 0800008577.1
Report Date: 10/3/2008

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

1

Page 1 of 3

Subject: 4171 violation of liquor laws

Case Report Status	I - In Process	Entered On	10/3/2008 4:22:11 PM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00065 - Morgan, Joseph	Assisted By	00201 - Schaufler, John
Agency City/Township	84 - Troy	Verified On		Agency Assisted	
Occurred On Or Between	10/2/2008 6:15:00 PM	Verified By		Call for Service #	080034309
Business Name		Approved On			
Location	2511 Livernois Ave	Approved By			
CSZ	TROY, MI 48083	Related Cases			
Census/Geo Code		Disposition	Arrest		
Jurisdiction		Excp. Clear Reason			
Grid		Excp. Clear Date			
Sector		Reporting Agency	Troy PD		
Map	0 - N/A	Report Type	Arrest Report		
Call Source	Telephone	Division	Patrol		
Vehicle Activity		Notified			
Dir. Veh. Traveling		Related Cases			
Cross Street					
Means					
Motive					

Report Narrative 2008-34309

Writer, Officer Morgan, and Police Service Aide _____ went to CJ Mahoney's located at 2511 Livernois to conduct an L.C.C. inspection. _____ had no identification on him, it was being held at the Police Department. _____ proceeded inside CJ Mahoney's and sat at the main bar. _____ ordered a Jack & Coke from the bartender, listed Kristen Japowicz. Japowicz never asked _____ for any identification or what his D.O.B. was. Japowicz served a Jack & Coke. The cost of the drink cost \$5.50 and _____ presented a \$20 for payment. _____ notified Officer Shuler and I that he had been served. I then contacted Sgt. Schaufler and advised him of same.

A short time later Sgt. Schaufler and I entered the business and made contact with owner Tom Everson. We explained the situation and issued Japowicz a citation for, "Fail to Inquire As to Age." (citation #710346) We gathered the required license information to complete a L.C.C. violation report and advised Everson what would be required by the business.

No further action taken by officers.

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws	Location Type	21 - Restaurant	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41001 - LIQUOR LICENSE -ESTABLISHMENT				
PACC					
Local Code					
Using					
Criminal Activity					

Call For Service

CFS Number: 080034309

Date: 10/1/2008

Call For Service

CFS Number	080034309	Complainant	
Date	10/1/2008	Address	2511 Livernois Ave
Dispatcher	00512 - Jelley, Renee	City, State, Zip	TROY, MI 48083
Call Source	0 - Telephone	Phone	
Received	11:06:24 PM	Call type	
Dispatched	11:06:24 PM	Reported Offense	C3309 - Liquor Inspection
Arrived		Verified Offense	4171 - Violation of Liquor Control Laws
Cleared	11:06:49 PM	Tow Company	
Location	2511 Livernois Ave	Vehicle	
City, State, Zip	TROY, MI 48083	Vehicle License	
Jurisdiction		Disposition	R - Report Taken
Grid		Priority	
Sector		Classification	
Map	0 - N/A	Agency	TR - Troy PD
X Coordinate	4100094	Case	0800008577
Y Coordinate	0118217		

Officers

00065 - Morgan, Joseph

Notes - C3309 LIQUOR INSPECT

00512 - 23:06:24 Original Location : CJ MAHONEYS

Troy PD Arrest Report

Case No. 0800008577
 Report No. 0800008577.1
 Report Date: 10/3/2008

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

2

Force Level
 Weapons

Arrestee A1: Japowicz, Kristen Marie

Arrestee Number	A1	DOB	1982	Place of Birth	
Name	Japowicz, Kristen Marie	Age	25	SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	
Address	54616 Mohagan dr	Ht.		Occupation/Grade	
CSZ	Macomb Twp, MI 48042	Wt.		Employer/School	
MO		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
Habitual Offender Status		Hair Style		Res. County	
		Hair Length		Res. Country	
		Facial Hair		Resident Status	S - Resides in the State but not the county or community where the offense occurred
		Complexion			
		Build			
		Teeth			

Phone/Email
 Type

Description

Supplemental IDs

ID Type	ID Number	ID Issuer	Name
---------	-----------	-----------	------

Physical Characteristics

Type	Descriptor	Description
------	------------	-------------

Arrest No. **710346**
 Arrest Type **S - Summoned/Cited**
 FBI No.

Criminal Tracking
 Number CTN
 Transaction Control
 Number TCN
 Person Control
 Number PCN
 State No.

Arrested For **4171 - Violation of Liquor Control Laws**

Count **1**

Armed With **01 - Unarmed**
 Multi. Clearance **N - Not Applicable**

Multi. Clearance
 Offense
 Prev. Suspect No.

Fingerprints
 Photos
 Miranda Read
 Miranda Waived
 Number of Warrants

Booked On
 Booked Location
 Released Location
 Released On
 Released By
 Release Reason

Juvenile Disposition
 Adult Present

Held For
 Date/Time Arrested **10/2/2008 6:15:00 PM**

Arrest Notes

Detention Name

Arrest Location

Troy PD Arrest Report

Case No. 0800008577
Report No. 0800008577.1
Report Date: 10/3/2008

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

3

Page 3 of 3

Witness W1:

Witness Code	W1	DOB	_/1989	Place of Birth	
Name		Age	19	SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	
		Ethnicity		DL Country	
Address	500 W BIG BEAVER RD	Ht.		Occupation/Grade	
CSZ	Troy, MI 48083	Wt.		Employer/School	
Attire		Eye Color		Employer Address	
		Hair Color		Employer CSZ	
		Facial Hair		Res. County	
		Complexion		Res. Country	
				Resident Status	
				Testify	

Phone/Email Type Description

Supplemental IDs ID Type ID Number ID Issuer Name

Witness Notes Student Enforcement Aide

Other Entity: O1 -- Everson, Tom

Entity No.	O1	DOB		Place of Birth	
Entity Type	I - Person Interview	Age		SSN	
Name	Everson, Tom	Sex	M - Male	DLN	
AKA		Race	W - White	DLN State	
Alert(s)		Ethnicity		DLN Country	
Address	2511 LIVERNOIS AVE	Ht.		Occupation/Grade	
CSZ	Troy, MI 48083	Wt.		Employer/School	
Complexion		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
		Facial Hair		Res. County	
				Res. Country	
				Resident Status	

Phone/Email Type Description

Supplemental IDs ID Type ID Number ID Issuer Name

Entity Notes Owner of CJ Mahoney's

**NARRATIVE REPORT
 WITNESS STATEMENT**

01	DATE 10/02/08	DAY W	SHIFT 02	PLAT 99	BADGE 1 65	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 08	INCIDENT # 34309
----	------------------	----------	-------------	------------	---------------	---------	---	------------	------------	---------------------

02 Statement of: _____ Home Phone: (248) 524-3477

03 Address: ^(PLEASE PRINT) 500 ~~W~~ Big Beaver Business Phone:

04 City: Troy State: MI Zip: 48084

05 At _____ on October 2nd, 2008 I walked into C.J.
 06 Mahoney's located on Livernois in Troy, MI and approached
 07 the bar. One of the bartender, later identified as Kristen
 08 Japowicz, took my order of a Jack and Coke. The cost
 09 of the drink was \$5.50 and I paid with a \$20 bill. The
 10 bartender never asked for any ID or a DOB. I was served the
 11 drink and notified Officer Joseph Morgan of the sale.

13 During the incident I did not have any ID on me, it
 14 was at the station in Troy PD custody.

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27 X: _____
 (SIGNATURE)

28 Taken By: _____
 (SIGNATURE)

29 Place: STAN Date: 10/20/08 Time: 2321

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

State of Michigan
Uniform Law Citation

Ticket No. **710346** Victim Involved

US DOT # _____ In No. **08-34309** Dept. No. **184**

The People of the State of Michigan
 Township City Village County

OF: **TROY** BAC _____ 1 of _____

THE UNDERSIGNED SAYS THAT ON: Month **10** Day **02** Year **08** At approximately **6:15** A.M. P.M.

State Oper./Chauff. CDL **22** (gits)

Race Sex He **W F**

Name (First, Middle, Last) **KRISTEN MARIE JAPOWICZ**

Street **54616 MOHAGANY DR**

City **MACOMB MI** State **MI** Zip Code **48042**

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

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

UPON **2511 LIVERNOIS**

AT OR NEAR **CJ MAHONEY'S**

WITHIN CITY VILLAGE TOWNSHIP OF **TROY**

COUNTY OF **OAKLAND** DID THE FOLLOWING

Type	Ordinance	Description (include any bond amount collected on each charge)	No.
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Authorization pend. <input type="checkbox"/> Fug <input type="checkbox"/> Waiv	FURNISH/SELL ALCOHOL TO A MINOR	1
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Authorization pend. <input type="checkbox"/> Fug <input type="checkbox"/> Waiv	98,10,06	2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Authorization pend. <input type="checkbox"/> Fug <input type="checkbox"/> Waiv		3

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

Offense Code(s) _____
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: **SOLD MIXED DRINK TO POLICE DECOY**

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate
Person in Active Military Service Yes No None

SEE DATE BELOW SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
Appearance Date on or before **10/15/08**
Hearing Date (if applicable) on **8:30 AM** Contact Court
 Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**
Court Address & Phone Number **520 W. BIG BEAVER RD.
TROY, MI 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.

Complainant's Signature and receipt if applicable **[Signature]** Month **10** Day **02** Year **08**
Officer's Name (printed) **Schubler** Officer's ID No. **201**

Agency OR # **6378400** Agency Name **TROY POLICE DEPARTMENT**

MI-UC-01a (rev. 6/05) COURT COPY 1

Ticket No. **710346**

Name

Case No.

LCC Liquor Licensee History

Business Name: **C.J. MAHONEY'S OF TROY**
Address: 2511 Livernois
Licensee: C J Mahoney's of Troy, LLC
License Type: **Class C (173579-2008 SS)**
(Transferred from Southfield)
Permits: Sunday Sales, Entertainment, Dance, Outdoor Service
Comments: Thomas W. Everson-Member / Curtiss E. Pagels-Member

Date	Troy Incident #	Type	Disposition	Date
06/02/08		Council approves license		
06/30/08		MLCC notice of deficiency received		
09/02/08		Final inspection complete		
10/02/08	08-34309	Compliance Test (DPU) Sale to Minor	VIOLATION	
12/30/08	08-44571	Compliance Test	PASSED	

January 28, 2009

C J Mahoney's of Troy, LLC
dba: C J Mahoney's of Troy
2511 Livernois
Troy, Michigan 48084

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

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 **Wednesday, February 18, 2009 at 7:30 PM**, or as soon thereafter as the agenda will permit, 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 beverage, for the following reasons:

License Type: Class C
License Number: 173579-2008 SS
Violation : Compliance Test (DPU) - Sale to Minor
Violation Date(s): 10/2/2008

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

Barbara A. Pallotta, CMC
Deputy City Clerk

c: Attorney: Contact not on file.



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. SDM 169707-2008 Business ID 202644 File #

1. Name of Licensee Cameron Mitchell Restaurants LLC 2. Doing Business As Ocean Prime

3. Mailing Address (street, city, zip code) 2915 Coolidge Highway; Troy, Michigan 48084

4. Township 5. County Oakland

6. Type of License(s) & Permit(s) Class C

7. Date of Violation: Tuesday 12/30/08 8:23 AM or PM
(DAY) (DATE) (HOUR)

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

if MINOR: Birth date Was this a DECOY? [x] 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 # 08-44540

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

Officer Signature [Signature] Name and Title (print) Officer Frank Shuler

Officer Signature Name and Title (print)

Department Name Troy Police Department Phone # 248-524-3477

WITNESSES

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

Will testify to: Purchased alcohol (6-pack of Bud Light)

2. Name Lisa Marie Bye Address 14562 Vauxhall; Sterling Hts MI 48313

Will testify to: Served alcohol to minor

3. Name Shamsur Chowdhury Address 11330 Conant; Hamtramck MI 48212

Will testify to: Received order of alcohol from minor

4. Name Mark Weiss Address 2915 Coolidge; Troy MI 48084

Will testify to: Restaurant manager

5. Name _____ Address _____

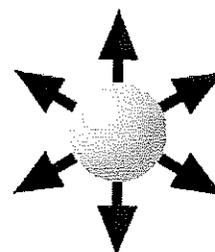
Will testify to:

EVIDENCE

Location Held (Explain):

Case #0900000037

Face Sheet Printed: 1/2/2009 1:01:48 PM
 Case Open Date: 1/2/2009
 Case Close Date: N/A
 Case Subject: 4171 - Violation of Liquor Control Laws
 Agency: TR - Troy PD

**Status: OPEN****CR No: 0900000037.1 Status: S - Submitted****Involved Entities**

Entity Type	Entity Name	Offense
Arrestee	Bye, Lisa Marie	Violation of Liquor Control Laws
Arrestee	Chowdhury, Shamsur Rahman	Violation of Liquor Control Laws

Call for Service InformationCFS Number: **080044540**CFS Date: **12/29/2008**Time Received: **5:35:02 PM**

Time Arrived:

Location: **2917 Coolidge Hwy**
 City: **TROY**

Disposition: **Report Taken**Reported Offense: **C3309 - Liquor Inspection**Verified Offense: **4171 - Violation of Liquor Control Laws**Officers: **00046 - Shuler, Frank****Assignment History**Officer: **00046 - Shuler, Frank**Date Assigned: **1/2/2009 12:25:40 PM**Date Unassigned: **N/A**

Troy PD Arrest Report

Case No. 0900000037
Report No. 0900000037.1
Report Date: 12/30/2008 8:23:00 PM

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

1

Page 1 of 4

Subject: 4171 - Violation of Liquor Control Laws

Case Report Status	I - In Process	Entered On	1/2/2009 12:26:18 PM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00046 - Shuler, Frank	Assisted By	00046 - Shuler, Frank
Agency City/Township	84 - Troy	Verified On		Agency Assisted	
Occurred On	12/30/2008 8:23:00 PM	Verified By		Call for Service #	080044540
Or Between		Approved On		Report Type	Arrest Report
Business Name		Approved By		Division	Patrol
Location	2915 COOLIDGE HWY	Related Cases		Notified	
CSZ	Troy, MI 48083	Disposition	Arrest	Related Cases	
Census/Geo Code		Excp. Clear Reason			
Jurisdiction		Excp. Clear Date			
Grid		Reporting Agency	Troy PD		
Sector		Report Type	Arrest Report		
Map		Division	Patrol		
Call Source	Telephone	Notified			
Vehicle Activity		Related Cases			
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					
Report Narrative	08-44540				

I (Ofc Frank Shuler), along with Student Enforcement Aide _____, went to Ocean Prime located at 2915 Coolidge Hwy to conduct an L.C.C. inspection. _____ had no identification with her it was being held at the Police Department. _____ then entered the business, sat at a table near the bar and ordered a glass of Chardonnay, Rodney Strong. _____ ordered the glass from bust boy, Shamsur Chowdhury, who relayed the information to server, Lisa Bye. Bye brought the glass of Chardonnay to _____ neither Chowdhury nor Bye requested any form of identification from _____ notified me of the transaction. A short time later, I entered the business and made contact with Bye, who went and found a manager. I spoke to manager, Mark Weiss who called Bye and Chowdhury over to me. Apparently, Chowdhury was not suppose to take orders from customers but at the same time Bye never asked for any ID. I explained the situation and issued citations to Chowdhury (737867) and Bye (737866) for "Furnish/Sell Alcohol to a person under 21." I gathered the required license information to complete a L.C.C. violation report and advised Weiss what would be required of him.

No further action taken.

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws	Location Type	21 - Restaurant	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41001 - LIQUOR LICENSE -ESTABLISHMENT				
PACC					
Local Code					
Using					
Criminal Activity					
Force Level					
Weapons					

Troy PD Arrest Report

Case No. 0900000037
Report No. 0900000037.1
Report Date: 12/30/2008 8:23:00 PM

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

2

Page 2 of 4

Arrestee A1: Bye, Lisa Marie

Arrestee Number	A1	DOB	1977	Place of Birth	
Name	Bye, Lisa Marie	Age	31	SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	
Address	14562 VAUXHALL DR	Ht.		Occupation/Grade	
CSZ	Sterling Heights, MI 48313	Wt.		Employer/School	
MO		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
Habitual Offender Status		Hair Style		Res. County	
		Hair Length		Res. Country	
		Facial Hair		Resident Status	S - Resides in the State but not the county or community where the offense occurred
		Complexion			
		Build			
		Teeth			

Phone/Email Type

Description

Supplemental IDs ID Type

ID Number

ID Issuer

Name

Physical Characteristics Type

Descriptor

Description

Arrest No. **737866**
Arrest Type **S - Summoned/Cited**
FBI No.
Criminal Tracking Number CTN
Transaction Control Number TCN
Person Control Number PCN
State No.
Armed With **01 - Unarmed**
Multi. Clearance **N - Not Applicable**
Multi. Clearance Offense
Prev. Suspect No.
Notified Name

Arrested For **4171 - Violation of Liquor Control Laws**
Count **1**
Fingerprints
Photos
Miranda Read
Miranda Waived
Number of Warrants
Juvenile Disposition
Adult Present
Detention Name

Booked On
Booked Location
Released Location
Released On
Released By
Release Reason
Held For
Date/Time Arrested **12/30/2008 8:40:00 PM**
Arrest Location

Arrest Notes

Arrestee A2: Chowdhury, Shamsur Rahman

Troy PD Arrest Report

Case No. 0900000037
Report No. 0900000037.1
Report Date: 12/30/2008 8:23:00 PM

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

3

Page 3 of 4

Arrestee Number **A2**
Name **Chowdhury, Shamsur Rahman**
Aliases
Alert(s)
Address **11330 CONANT ST**
CSZ **Hamtramck, MI 48212**
MO
Attire
Habitual Offender Status

DOB **/1987**
Age **21**
Sex **M - Male**
Race **U - Unknown**
Ethnicity **U - Unknown**
HI.
Wt.
Eye Color
Hair Color
Hair Style
Hair Length
Facial Hair

Place of Birth
SSN
DLN
DL State **MI - Michigan**
DL Country
Occupation/Grade
Employer/School
Employer Address
Employer CSZ
Res. County
Res. Country
Resident Status **S - Resides in the State but not the county or community where the offense occurred**

Complexion
Build
Teeth

Phone/Email
Type Description

Supplemental IDs
ID Type ID Number ID Issuer Name

Physical Characteristics
Type Descriptor Description

Arrest No. **737867**
Arrest Type **S - Summoned/Cited**
FBI No.
Criminal Tracking Number CTN
Transaction Control Number TCN
Person Control Number PCN
State No.
Armed With **01 - Unarmed**
Multi. Clearance **N - Not Applicable**
Multi. Clearance Offense
Prev. Suspect No.
Notified Name

Arrested For **4171 - Violation of Liquor Control Laws**
Count **1**
Fingerprints
Photos
Miranda Read
Miranda Waived
Number of Warrants
Juvenile Disposition
Adult Present

Booked On
Booked Location
Released Location
Released On
Released By
Release Reason
Held For
Date/Time Arrested **12/30/2008 8:40:00 PM**
Arrest Location

Arrest Notes Detention Name

Witness W1: /

Witness Code **W1**
Name
Aliases

DOB **1989**
Age **18**
Sex **F - Female**

Place of Birth
SSN
DLN

Troy PD Arrest Report

Case No. 0900000037
Report No. 0900000037.1
Report Date: 12/30/2008 8:23:00 PM

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

4

Page 4 of 4

Alert(s)	Race	W - White	DL State
Address	Ethnicity		DL Country
CSZ	Ht.		Occupation/Grade
Attire	Wt.		Employer/School
	Eye Color		Employer Address
	Hair Color		Employer CSZ
	Facial Hair		Res. County
	Complexion		Res. Country
			Resident Status
			Testify

Phone/Email
Type Description

Supplemental IDs
ID Type ID Number ID Issuer Name

Witness Notes

Other Entity: O1 -- Weiss, Mark

Entity No. O1
Entity Type I - Person Interview

Name	Weiss, Mark	DOB	Place of Birth
AKA		Age	SSN
Alert(s)		Sex	DLN
Address	2915 COOLIDGE HWY	Race	DLN State
CSZ	Troy, MI 48084	Ethnicity	DLN Country
Complexion		Ht.	Occupation/Grade
Attire		Wt.	Employer/School
		Eye Color	Employer Address
		Hair Color	Employer CSZ
		Facial Hair	Res. County
			Res. Country
			Resident Status

Phone/Email
Type Description

Supplemental IDs
ID Type ID Number ID Issuer Name

Entity Notes Regional Director.

NARRATIVE REPORT WITNESS STATEMENT

01	DATE 12/30/08	DAY Tue	SHIFT 54	PLAT 54	BADGE 1 046	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 08	INCIDENT # 44540
----	------------------	------------	-------------	------------	----------------	---------	---	------------	------------	---------------------

02 Name: _____ Home Phone: _____

03 Address: _____ Business Phone: _____

04 City: _____ State: MI Zip: 48362

05 E-mail Address: _____ Cell Phone: _____

06 I walked into Ocean Prime, with no form of
 07 identification. I sat down and ordered Chardonnay, Rodney
 08 Strong in a glass. Shamsur Chowdhury took the order
 09 and did not ask for any identification. Then Lisa Bye
 10 brought the glass of wine to me, neither of them
 11 checked for identification. I then called officer Shuler
 12 and he came in, and I pointed out the servers, and I went
 13 back to the car.

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27 _____ X: _____ (SIGNATURE)

28 Taken By: _____ (SIGNATURE)

29 Place: STATION Date: 12/30/08 Time: 2210

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

Shuler 46

State of Michigan Uniform Law Citation Ticket No. **731866** Victim Involved

US DOT # Incident No. **08-44570** Dept. No. **724**

The People of: the State of Michigan Township City Village County Local Use/Arrest No. Detection Device

OF: **TROY** BAC **1** of **1**

THE UNDERSIGNED SAYS THAT ON: Month **12** Day **30** Year **08** At approximately **0003** A.M. P.M. (4 digits)

State Operator/Charger Driver License CDL

Race **W** Sex **F**

Name (First, Middle, Last) **LISA MARIE BYE**

Street **14562 VAUXHALL AK**

City **STERLING HEIGHT MI** State **MI** Zip Code **48313**

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

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

UPON **2915 COOLIDGE**

AT OR NEAR **OCEAN FRONT**

WITHIN CITY VILLAGE TOWNSHIP OF **TROY**

COUNTY OF **OAKLAND** DID THE FOLLOWING Charge

Type	MCL Cite/PACC Code/ Ordinance	Description (include any bond amount collected on each charge)	No.
<input checked="" type="checkbox"/> Warn		FURNISH RESCU	1
<input type="checkbox"/> Misd		98.10.06 ALCOHOL TO A PERSON	1
<input type="checkbox"/> Fel		UNDER 21	2
<input type="checkbox"/> C/I			
<input type="checkbox"/> Misd			
<input type="checkbox"/> Fel			
<input type="checkbox"/> C/I			
<input type="checkbox"/> Misd			
<input type="checkbox"/> Fel			

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

Offense Code(s) **1 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: **DR COY OPERATED**

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$

Vehicle Impounded Injury License Posted in Lieu of Bond

Traffic Crash Death Appearance Certificate

Person in Active Military Service Yes No

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

Appearance Date on or before **1/14/09**

Hearing Date (if applicable) on **1/14/09** Contact Court

Informal Hearing Required (Court will Notify) Formal Hearing Required (Court will Notify)

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**

Court Address & Phone Number **520 W. BIG BEAVER RD. TROY, MI 48084. PHONE (248) 528-0400**

I received 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.

Complainant's Signature and receipt if applicable **[Signature]** Month **12** Day **30** Year **08**

Officer's Name (printed) **STHUR** Officer's I.D. No. **976**

Agency ORI **MI-6378400** Agency Name **TROY POLICE DEPARTMENT**

UC-01a (rev. 6/05) **COURT COPY 1**

Ticket **731866** Name Case No.

State of Michigan
Uniform Law Citation

Ticket No. 131861 Victim Involved

US DOT # Incident No. 08-44840 Dept. No. 284

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

Local Use/Arrest No. Detection Device

OF: TROY BAC 1 of 1

THE UNDERSIGNED SAYS THAT ON: Month 12 Day 30 Year 2008 At approximately 10:00 P.M. Date of Birth 1/28/87

State of Michigan Oper./Chauff. CDL MDL CDL

Race Male Sex Male

Name (First, Middle, Last) SHAMSUR RAHMAN CHOWDHURY

Street 11330 CONANT ST

City HAMTRAMCK MI State MI Zip Code 48212

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

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

UPON 2915 COOLIDGE

AT OR NEAR OCEAN PRIME

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.
<input checked="" type="checkbox"/> Fel		<input type="checkbox"/> Authorization pend.	FURNISH OR SELL	1
<input checked="" type="checkbox"/> Fel		<input type="checkbox"/> Waiv	98.10.06 ALCOHOL TO A PERSON UNDER 21	2
<input type="checkbox"/> Misd		<input type="checkbox"/> Fug		3
<input type="checkbox"/> Fel		<input type="checkbox"/> Waiv		

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

Offense Code(s) 1 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: DR COY OPERATION

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate

Person in Active Military Service Yes No

SEE DATE BELOW: SEE BACK OF CITATION FOR FURTHER DATES AND INSTRUCTIONS
Appearance Date on or before 1/27/09
Hearing Date (if applicable) on Contact Court
 Juvenile Traffic Misd.: (Court will Notify) Formal Hearing Required: (Court will Notify)

In the 52-4 DISTRICT Court of OAKLAND COUNTY

Court Address & Phone Number 520 W. BIG-BEAVER RD.
TROY, MI 48064
PHONE (248) 528-0400

I have read 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.

Complainant's Signature and receipt if applicable Month 12 Day 30 Year 08

Officer's Name (printed) SHANKR Officer's ID No. 46

Agency ORI MI 6378400 Agency Name TROY POLICE DEPARTMENT

UC-01a (rev. 8/05) COURT COPY 1

Ticket 737867

Name

Case No.

LCC Liquor Licensee History

Business Name: **OCEAN PRIME**
Address: 2917 Coolidge
Licensee: Cameron Mitchell Restaurants, LLC
License Type: **Class C Quota (SDM 169707-2008)**
Permits: Sunday Sales / Entertainment
Comments: John Carlin - Attorney

Date	Troy Incident #	Type	Disposition	Date
01/28/08		Council approves transfer		
05/28/08		Final building approval		
05/31/08		Open		
10/02/08	08-34326	Compliance Test	PASSED	
12/30/08	08-44540	Sale to Minor – Compliance Test	VIOLATION	

January 28, 2009

Cameron Mitchell Restaurants, LLC
dba: Ocean Prime
2915 Coolidge Highway
Troy, Michigan 48084

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

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 **Wednesday, February 18, 2009 at 7:30 PM**, or as soon thereafter as the agenda will permit, 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 beverage, for the following reasons:

License Type: Class C Resort
License Number: 169707-2008 SDM
Violation : Compliance Test - Sale to Minor
Violation Date(s): 12/30/2008

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

Barbara A. Pallotta, CMC
Deputy City Clerk

c: John Carlin
Carlin, Edwards, Brown & Howe. PLLC
6017 W. St. Joe Highway - Suite 202
Lansing, MI 48919



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. 20523-2008 Business ID 8480 File #

1. Name of Licensee Charles Edward American Legion Post 14 2. Doing Business As

3. Mailing Address (street, city, zip code) 1340 West Maple Road; Troy, Michigan 48084

4. Township 5. County Oakland

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

7. Date of Violation: 10/25/07; 11/5/07; 11/8/07; 11/20/07; 5/8/08; 5/27/08; 5/28/08 AM or PM

8. Violation Type: Minor, Intoxicated Person, Gambling, Controlled Substances, Prohibited Conduct, After hours sales/consumption, Fighting, Failure to Cooperate, OTHER: Violation of MLCC R 436.1013(1) and R 436.1013(2)

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 # 07-36984

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

Officer Signature [Signature] Name and Title (print) Detective Pietro Pizzorni

Officer Signature Name and Title (print)

Department Name Troy Police Department Phone # 248-680-7280

WITNESSES

1. Name Detective Jim Hall Address 37985 Groesbeck; Clinton Twp MI

Will testify to: Gambling via video machines and receiving payoffs

2. Name Detective Pietro Pizzorni Address 500 West Big Beaver Road; Troy MI

Will testify to: Officer in charge; recovery of gambling records and receipts

3. Name Det/Sgt. Robert Redmond Address 500 West Big Beaver Road; Troy MI

Will testify to: Recovery of gambling proceeds and records

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain):

STATE OF MICHIGAN

THE DISTRICT COURT-JUDICIAL DISTRICT NO. 52/4
County of OAKLAND

PROS. ORDER NO. 08-48525

COMPLAINT/GENERAL INFORMATION 08-003274 F.

THE PEOPLE OF THE STATE OF MICHIGAN VS.

EDWIN EUGENE BEAUREGARD /63-08-048525-01
1549 N Bywood Ave
Clawson, MI 48017

MICHELLE ANN OLIVERIO /63-08-048525-02
12072 15 Mile Rd
Sterling Height, MI 48313

Date of Offense: SEPTEMBER 2007 THROUGH MAY 2008

Location: CITY OF TROY

Complainant: DET. PIZZORNI

Complaining Witness: DET. PIZZORNI

Defendant(s)

WITNESSES

DET. PIZZORNI, c/o TROY POLICE DEPT.
DET. ENGLISH
DET. HALL
OFC. REDMOND
SPECIAL AGENT STEPHEN REMNER

STATE OF MICHIGAN, COUNTY OF OAKLAND

The COMPLAINING WITNESS says that on the date and at the location described, the defendant, contrary to law, did, for hire, gain, or reward, keep or maintain a gaming room, or a gaming table, or any game of skill or chance, or partly of chance, or partly of skill and partly of chance, used for gaming; Contrary to the statute in such case made and provided and against the peace and dignity of the People of the State of Michigan. Sec. 750.303, C.L. 1979; M.S.A. 28.535. [750.303-A]. MISDEMEANOR: 2 Years or \$1,000.00

GAMBLING HOUSE - MAINTAINING FOR GAIN

WARRANT AUTHORIZED BY THE OAKLAND COUNTY PROSECUTING ATTORNEY

Just M. Dan
Assistant Prosecuting Attorney

The complaining witness asks that defendant be apprehended and dealt with according to law.

Subscribed and Sworn to on this day by

Dated: JUL 14 2008

No:

[Signature]
Complaining Witness
[Signature]
Before the above-named District Judge/Deputy Clerk/Magistrate

STATE OF MICHIGAN

PROS. ORDER NO. 08-48525

THE DISTRICT COURT-JUDICIAL DISTRICT NO. 52/4

County of OAKLAND

WARRANT

THE PEOPLE OF THE STATE OF MICHIGAN VS.

Date of Offense: SEPTEMBER 2007 THROUGH MAY 2008

EDWIN EUGENE BEAUREGARD /63-08-048525-01 1549 N Bywood Ave Clawson, MI 48017

Location: CITY OF TROY

Complainant: DET. PIZZORNI

MICHELLE ANN OLIVERIO /63-08-048525-02 12072 15 Mile Rd Sterling Height, MI 48313

Complaining Witness: DET. PIZZORNI

Defendant(s)

WITNESSES

DET. PIZZORNI, c/o TROY POLICE DEPT. DET. ENGLISH DET. HALL OFC. REDMOND SPECIAL AGENT STEPHEN REMNER

STATE OF MICHIGAN, COUNTY OF OAKLAND

To any peace officer or court officer authorized to make arrest: The complaining witness has filed a sworn complaint in this court stating that on the date and the location described, the defendant, contrary to law,

did, for hire, gain, or reward, keep or maintain a gaming room, or a gaming table, or any game of skill or chance, or partly of chance, or partly of skill and partly of chance, used for gaming; Contrary to the statute in such case made and provided and against the peace and dignity of the People of the State of Michigan. Sec. 750.303, C.L. 1979; M.S.A. 28.535. [750.303-A]. MISDEMEANOR: 2 Years or \$1,000.00

GAMBLING HOUSE - MAINTAINING FOR GAIN

WHEREAS on examination of said sworn COMPLAINT by me, it appears to me that said offense has been committed and there is just cause to suspect that said Defendant(s) are guilty thereof. THEREFORE IN THE NAME OF THE PEOPLE OF THE STATE OF MICHIGAN, you and each of you are hereby commanded forthwith to take the said Defendant(s) and bring them before this Court, to be dealt with according to law.

Dated: JUL 11 2008

[Signature] District Judge/Magistrate

No. _____

RETURN ON WARRANT

BY VIRTUE OF THIS WARRANT, I HEREBY CERTIFY AND RETURN THAT I HAVE TAKEN THE SAID DEFENDANT BEFORE THE SAID DISTRICT COURT, AS COMMANDED

Dated: _____, 20 _____

SIGNED: _____ DEPUTY SHERIFF, COURT OFFICER OR POLICE OFFICER

LCC Liquor Licensee History

Business name: **American Legion Charles Edward Post 14**
 Address: 1340 W. Maple (248) 362-2077
 Licensee: American Legion Charles Edward Post 14
 License type: **Club** (20523-2008)
 Permits: Sunday Sales, Dance, Outdoor Service
 Comments:

Date	Troy Incident #	Type	Disposition	Date
04/19/79	79-08099	Sale to Non-member	\$300 fine	
04/25/86	MLCC	Sale to Non-member Refuse to cooperate w/MLCC Assault/Hinder MLCCC Investigator	License Suspended 06/11/86 until 11/30/86 \$900 fine	
02/04/88	MLCC	Gambling/Gambling devices on premises	\$600	09/13/88
01/10/99	99-01396	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
03/07/99	99-08786	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/03/00	00-15048	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/10/00	MLCC	Approves temporary Outdoor Service Permit for 05/21/00		
06/19/00		Council approves Outdoor Service Permit (permanent)		
06/28/00	00-23062	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/19/00	00-26058	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
08/08/00	MLCC	Approves Outdoor Service Permit		
10/18/00	00-38635	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/10/01	01-12185	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/05/01	01-19650	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
08/30/01	01-31219	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/23/02	02-12541	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/03/02	02-21410	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

08/21/02	02-27515	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS
11/21/02	02-37855	Liquor Inspection (Road Patrol-Block)	NO VIOLATIONS
01/23/03	03-2356	Liquor Inspection (Road Patrol-Block)	NO VIOLATIONS
02/13/03	03-4592	Liquor Inspection (Road Patrol-Block)	NO VIOLATIONS
04/24/03	03-12184	Liquor Inspection (Road Patrol-Block)	NO VIOLATIONS
07/28/03	03-23304	Liquor Inspection (Road Patrol-Block)	NO VIOLATIONS
09/09/03	03-28132	Liquor Inspection (Road Patrol-Block)	NO VIOLATIONS
12/10/03	03-37693	Liquor Inspection (Road Patrol-Block)	NO VIOLATIONS
01/07/04	04-000624	Liquor Inspection (Road Patrol-Block)	NO VIOLATIONS
03/01/04	04-06159	Liquor Inspection (Road Patrol-Block)	NO VIOLATIONS
03/23/04	04-08531	Compliance Test	PASSED
04/08/04	04-10159	Liquor Inspection (Road Patrol-Block)	NO VIOLATIONS
06/30/04	04-19504	Compliance Test	PASSED
01/03/05	05-00215	Liquor Inspection (Road Patrol- Pizzorni)	NO VIOLATIONS
02/07/05	05-04276	Liquor Inspection (Road Patrol- Pizzorni)	NO VIOLATIONS
03/03/05	05-07119	Liquor Inspection (Road Patrol- Pizzorni)	NO VIOLATIONS
04/25/05	05-13531	Liquor Inspection (Road Patrol- Pizzorni)	NO VIOLATIONS
06/02/05	05-18422	Liquor Inspection (Road Patrol- Pizzorni)	NO VIOLATIONS
07/06/05	05-23184	Liquor Inspection (Road Patrol- Pizzorni)	NO VIOLATIONS
11/28/05	05-41905	Liquor Inspection (Road Patrol- Pizzorni)	NO VIOLATIONS
01/30/06	06-1340	Liquor Inspection (Road Patrol- Pizzorni)	NO VIOLATIONS
03/08/06	06-8932	Liquor Inspection (Road Patrol- Pizzorni)	NO VIOLATIONS
05/25/06	06-19626	Liquor Inspection (Road Patrol- Kerezi)	NO VIOLATIONS
09/11/06	06-35262	Liquor Inspection (Road Patrol- Kerezi)	NO VIOLATIONS
11/14/06	06-43265	Liquor Inspection (Road Patrol- Kerezi)	NO VIOLATIONS
01/09/07	07-1064	Liquor Inspection (Road Patrol- Kerezi)	NO VIOLATIONS
05/10/07	07-17175	Liquor Inspection (DPU - Schaufler)	NO VIOLATIONS
10/03/07	07-37686	Liquor Inspection (Road Patrol- Klute)	NO VIOLATIONS

10/18/07	07-32172	Compliance Test	PASSED
12/05/07	07-45729	Liquor Inspection (Road Patrol- Klute)	NO VIOLATIONS
12/13/07	07-45856	Compliance Test	PASSED
03/07/08	08-8493	Liquor Inspection (Road Patrol-Huck)	NO VIOLATIONS
02/21/08	08-6608	Compliance Test	PASSED
04/25/08	08-14558	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS
05/21/08	08-17661	Compliance Test	PASSED
06/27/08	08-22748	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS
07/01/08 10/14/08	07-36984	Gambling Violation (CIU) MLCC Hearing: Plea Responsible (x8)	PENDING \$800 Fine
08/28/08	08-30203	Liquor Inspection (Road Patrol- Lamilza)	NO VIOLATIONS
10/02/08	08-34303	Compliance Test	PASSED
12/30/08	08-44580	Compliance Test	PASSED

January 28, 2009

American Legion Charles Edward Post 14
1340 W. Maple Road
Troy, Michigan 48084

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

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 **Wednesday, February 18, 2009 at 7:30 PM**, or as soon thereafter as the agenda will permit, 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 beverage, for the following reasons:

License Type: Club
License Number: 20523-2008
Violation : Gambling Violation - CIU
Violation Date(s): 7/1/2008

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

Barbara A. Pallotta, CMC
Deputy City Clerk

c: Attorney: Contact not on file.