

BEFORE THE NEBRASKA LIQUOR CONTROL COMMISSION

In Re: Aldi Inc)
Aldi 43)
4801 N 30 Street)
Omaha NE 68111)
On Suspension, Cancellation or Revocation of)
Retail Class D-100719 Liquor License.)

ORDER

Now on the 10th day of July 2019, this matter came on for consideration before the Nebraska Liquor Control Commission, notice having been served upon the licensee to appear and respond to an administrative citation alleging that the license should be suspended, cancelled or revoked as more fully set out herein.

The applicant was present and represented by Attorney Michael Kelley. The Commission was represented by Milissa Johnson-Wiles, Assistant Attorney General.

Upon consideration of all the evidence in this case, the Nebraska Liquor Control Commission finds:
FINDING OF FACT:

1. That the licensee did, on or about March 1st, 2019, permit the selling, dispensing or giving away of alcoholic liquor, to or for an individual being less than 21 years of age.

CONCLUSION OF LAW:

1. That permitting the selling, dispensing, or giving away of alcoholic liquor, to or for an individual being less than 21 years of age, is in violation of Neb. Rev. Stat. Sec. 53-180 and/or 237-LCC6-019.01A of the Rules and Regulations of the Nebraska Liquor Control Commission.
2. That the license should be suspended for a period of five (5) days, with the option to pay a fine in lieu thereof.
3. That the licensee and all staff shall complete an approved alcohol server training program within sixty (60) days from the date of this Order and shall show certification with complying with the provision of 237-LCC14-004 of the Rules and Regulations of the Nebraska Liquor Control Commission.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the Retail Class D Liquor License of Aldi Inc, DBA – “Aldi 43”, 4801 N 30 Street, Omaha, Nebraska, should be, and the same hereby is, suspended for a period of five (5) days, such suspension to commence at the closing hour of business on the 15th day of September 2019, and to continue until the opening hour of business on the 21st day of September 2019, with the option to pay a fine in lieu thereof. Additionally, that the licensee and all staff shall complete an approved alcohol server training program within sixty (60) days from the date of this Order and shall show certification with complying with the provision of 237-LCC14-004 of the Rules and Regulations of the Nebraska Liquor Control Commission.

IT IS FURTHER ORDERED that the notice of suspension shall be posted upon the premises, said notice to remain posted throughout the term of said suspension.

IT IS FURTHER ORDERED that the Licensee shall pay costs of this action, assessed in the amount of \$113.44.

Dated this 5th day of August 2019.



NEBRASKA LIQUOR CONTROL COMMISSION

BY *[Signature]*
CHAIRMAN

I hereby certify this to be a true and correct copy of the original order entered herein, and further certify, that a copy was mailed by regular U.S. Mail to Aldi Inc, Aldi 43, 4801 N 30 Street, Omaha, NE 68111, and to Aldi Inc., 10505 S K-7 Highway, Olathe KS 66061 and to Attorney Michael Kelley, 2804 S 87th Street, Omaha NE 68124, on this 5th day of August 2019.

[Signature]
Executive Director