

## HEARING SCHEDULE

### Hearings set for Tuesday, August 22<sup>nd</sup>, 2017

<b>Type of Hearing</b>	<b>Name of Entity</b>	<b>Time</b>	<b>Class</b>
1) Show Cause	Elks Benevolent & Protect 963 "Elks Benevolent & Protect 963" 1417 Stone Street Falls City NE 68355	10:00	I-008531

whether the Manager's application for Benjamin Hullman should not be denied due to character and reputation and falsification of application, i.e., Benjamin Hullman failed to disclose:

- 2000- Theft by unlawful taking

### **DENIED**

2) Show Cause	Taylor Oil Company Inc. "Taylor Quik Pik" 1807 Washington Street Blair NE 68008	10:00	B-027431
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whether the Manager application for Sarah Borgelt should not be denied due to character and reputation, i.e. Sarah Borgelt disclosed:

- 12/10- DUI
- 4/11- Driving during suspension
- 8/14- Reckless driving

### **APPROVED**

<b>Type of Hearing</b>	<b>Name of Entity</b>	<b>Time</b>	<b>Class</b>
3) Show Cause	NCRDBLE LLC "The Get Down Ultra Lounge" 8509 N 30 <sup>th</sup> Street Omaha NE 68112	10:00	I-121663

whether the application for a Class I liquor license for "The Get Down Ultra Lounge" should not be denied due to character and reputation, and whether Thomas Lemon is eligible under Neb. Rev. Stat. Sec 53-125, i.e.

Thomas Lemon disclosed:

- 5/97- 3<sup>rd</sup> degree assault
- 7/97- Minor sell/dispense/possess liquor
- 3/98- Failure to appear
- 8/01- Dog license required
- 9/02- Animal restraint violation
- 8/12- Dog running at large
- 10/12- Failure to appear
- 8/16- Speeding
- 1/04-Speeding

Derrick Leeper disclosed:

- 2/91- Theft by unlawful taking
- 4/91- Theft by unlawful taking
- 4/91- Damage to property
- 7/94- Operate vehicle during revocation/suspension
- 8/94- Operate vehicle during revocation/suspension
- 3/96- Operate vehicle during revocation/suspension
- 1/97- Operate vehicle during revocation/suspension

**CONTINUED**

<b>Type of Hearing</b>	<b>Name of Entity</b>	<b>Time</b>	<b>Class</b>
4) Show Cause	Sugar Bee LLC "Sugar Bee" 6740 Woodland Blvd, Suite A Hickman NE 68372	11:15	CK-121729

whether the application for a Class CK liquor license for "Sugar Bee" should not be denied to character and reputation and falsification of application, and whether the applicants can comply with all the provisions, requirements, rules, and regulations adopted by the Liquor Control Act, i.e. Amanda Rekasis failed to disclose the following:

- 2005- Criminal Trespass
- 2003- Places operated to violate liquor act

Sarah Gray failed to disclose the following:

- 7/15- Speeding
- 3/03- Speeding
- 2001- Procure/sell alcohol to minor
- 11/00- Fail to yield right of way

Joan Ransom failed to disclose the following:

- 2013- No fishing permit
- 4/11- No Proof of insurance
- 2/11- Violate traffic signal
- 2/11- Improper vehicle registration
- 2/11- Improper vehicle registration
- 11/03- Places operated to violate liquor act
- 2/04- Warrant/lodged jailed for failure to apply payment

**APPROVED**

5) Sale to Minor (Formal Hearing)	American Legion Carl Morgensen "American Legion Supper Club" 805 Howard Avenue St Paul NE 68873	1:15	C-008455
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**PLEAD GUILTY- 10 DAYS SUSPENSION + TRAINING**

6) Purchase from non-wholesaler (Formal Hearing)	Terri Jorgensen "North Loup Saloon" 103 N Main Street North Loup NE 68859	1:15	CK-112140
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**FOUND GUILTY-7 DAYS SUSPENSION**

7) Show Cause	Kinkaider Brewing Company LLC "Kinkaider Brewing Company" 316-22 N Pine Street Grand Island NE 68801	1:15	CK-121566
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why the license should not be suspended, cancelled, or revoked, due to character and reputation, Danny Hodges self-reported:

- 3/17- Willful reckless driving (Originally a DUI)

**CONDITION PLACED ON LICENSE THAT DANNY HODGES WILL HAVE NO PERSONAL ALCOHOL RELATED OFFENSES FOR (1) YEAR FROM THE DATE OF THE ORDER**

<b>Type of Hearing</b>	<b>Name of Entity</b>	<b>Time</b>	<b>Class</b>
8) Show Cause	Kinkaidier Brewing Company LLC "Kinkaidier Brewing Company" 43860 Paulsen Road Broken Bow NE 68822	1:15	L-108536

why the license should not be suspended, cancelled, or revoked, due to character and reputation, Danny Hodges self-reported:

- 3/17- Willful reckless driving (Originally a DUI)

**CONDITION PLACED ON LICENSE THAT DANNY HODGES WILL HAVE NO PERSONAL ALCOHOL RELATED OFFENSES FOR (1) YEAR FROM THE DATE OF THE ORDER**

9) Show Cause	American Legion Post 251 "American Legion Post 251" 130 W Bridge Road Arcadia NE 68815	1:15	I-003587
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whether the Manager's application for Ashley Allen should not be denied due to character and reputation, i.e., Ashley Allen disclosed:

- 2011- Bad Check

Matthew Allen disclosed:

- 2004- Disturbing the peace
- 8/06- 3<sup>rd</sup> degree assault (class 2 misd.)
- 2011- Speeding
- 2012- Speeding
- 2013- Speeding

**APPROVED**

10) Show Cause	Chelsea MacCann "MacCann's" 212 W 2 <sup>nd</sup> Street Hastings NE 68901	1:15	C-121843
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whether the application should be approved and a license issued due to character and reputation and falsification of the application, i.e., applicant disclosed:

- 7/14 – Speeding

However, applicant failed to disclose:

- 4/17 – Shoplifting

Additionally, Investigator has concern about possible false application, i.e., hidden ownership.

**CONTINUED**

11) 1.Delay Entry 2. Open container after hours 3. Disturbance	Blue Mango Holdings LLC "El Charro" 221 S 9 <sup>th</sup> Street Lincoln NE 68508	1:15	C-105588
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PLEAD/RECONSIDERATION OF PENTALTY ONLY

20 DAYS SUSPENSION ON CHRAGE 1/CHARGE 2 DISMISSED/10 DAYS SUSPENSION ON CHARGE 3

12) Sale to Minor (Formal Hearing)	Safeway of Western NE Inc. "Safeway 2555" 1944 Illinois Avenue Sidney NE 69162	2:30	C-102341
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**CONTINUED**

13) Sale to Minor (Formal Hearing)	Dhaliwal Ventures Inc. "Big Springs Truck & Travel" 100 Frontage Road Big Springs NE 69122	2:30	D-092620
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**CONTINUED**

Type of Hearing	Name of Entity	Time	Class
14) Sale to Minor (PLEAD) (Informal Meeting)	Cheema Capital LLC "Cheema's Gas & Liquor" 2002 Avenue I Scottsbluff NE 69361	2:30	D-043400

**12 DAYS MANDATORY SUSPENSION +42 DAYS SUSPENSION + TRAINING**

15) Show Cause	San Pedro JC LLC "San Pedro Mexican Restaurant" 23 West 27 <sup>th</sup> Street Scottsbluff NE 69361	2:30	C-116251
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why the license should not be suspended, cancelled, or revoked, for failure to comply with specific Order of the Commission, i.e., "No alcohol violations, both personal and business related for one (1) year from the date of the Order dated May 11<sup>th</sup>, 2016, in violation of 237-LCC1-005.01 of the Rules and Regulations of the Nebraska Liquor Control Commission.

**CANCELLED**

16) Show Cause	Denise & Gregory Willhite "Burger Baskets and More" 101 Howard Street Stratton NE 69043	2:30	C-121354
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whether the application for a Class C Liquor License for "Burger Baskets and More" should not be denied due to character and reputation, falsification of application, and whether Gregory Willhite is eligible under Neb. Rev. Stat. Sec 53-125, Gregory Willhite disclosed:

- 1978- Traffic violation
- 1984- Drug Offense (felony)
- 1990's- Speeding tickets
- 2015- Driving offense

Additionally, Gregory Willhite failed to disclose

- 2012- Disorderly conduct

**CONTINUED**

17) Show Cause	Lyle Laverack & Sharla Laverack "Club Paradise" 1006 W B Street McCook NE 69001	2:30	IB-118114
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why the license should not be suspended, cancelled, or revoked, due to character and reputation, Lyle Laverack did not disclose to the Commission:

- 1/19/2017-Disturbing the peace (original charge was Assault)

**CONDITION PLACED ON LICENSE OF NO PERSONAL OR BUSINESS RELATED VIOLATIONS FOR 24 MONTHS FROM THE DATE OF THE ORDER**

**Hearings set for Wednesday, August 23<sup>rd</sup>, 2017**

<b>Type of Hearing</b>	<b>Name of Entity</b>	<b>Time</b>	<b>Class</b>
<b>18) Mandatory Meeting</b> RE: Intoxicated	Press Box Inc. “The Press Box” 5601 S 56 Street Lincoln NE 68516	9:00	I-086891
<b>19) Show Cause</b>	Forte Music Hall LLC “Forte Omaha” 4727 S 96 Street Omaha NE 68127	9:00	C-121728

whether the application for a Class C liquor license for “Forte Omaha” should not be denied due to character and reputation, i.e. Robert Hall disclosed:

- 2001- DUI
- 2002- DUI
- 8/05- DUS
- 8/05- Fail to comply with citation
- 10/05- Speeding
- 10/05- No proof of insurance
- 10/05- DUS
- 12/05- No valid operator’s license
- 12/05- DUS
- 2009-DUI

**APPROVED**

<b>20) Mandatory Meeting</b> RE: Intoxicated	Grandview Café and Lounge LLC “Grandview Café and Lounge LLC” 1111 L Street Aurora NE 68818	10:15	CK-087915
<b>21) Mandatory Meeting</b> RE: Disturbance	Rhythmz LLC “Rhythmz Lounge and Bistro” 10841 Q Street Omaha NE 68134	10:15	C-106648

<b>Type of Hearing</b>	<b>Name of Entity</b>	<b>Time</b>	<b>Class</b>
<b>22) Show Cause</b>	Ichiban Sichuan Haymarket LLC "Ichiban Sichuan" 151 N 8 <sup>th</sup> Street, Suite 100 Lincoln NE 68508	10:15	I-121721

whether the application for a Class I liquor license for "Ichiban Sichuan" should not be denied due to character and reputation, i.e. Jason Diong disclosed:

- 10 + Speeding and parking tickets since 1992
- 10/15- Speeding
- 10/15- Speeding
- 10/15- Speeding
- 12/15- Disorderly Conduct
- 3/16- Bench warrant for failure to pay child support

Additionally, Investigator requested a show cause hearing due to earlier applications discrepancies, applicant's history of noncompliance with child support, disregard for traffic and motor vehicle laws, parking ordinances, and failure to resolve violations when charged.

Furthermore, the previous application was denied by the Commission.

**CONTINUED**

<b>23) Show Cause</b>	Endgame Operating Group LLC "Big Red Restaurant & Sports Bar" 2101 W Pasewalk Avenue Norfolk NE 68701	10:15	C-088342
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whether the Manager application for Andrew McCarthy should not be denied due to character and reputation and whether the applicant can comply with all the provisions, requirements, rules, and regulations adopted by the Liquor Control Act, i.e. Andrew McCarthy disclosed:

- 2002- Leaving the scene of an accident
- 2004- MIP
- 2004- MIP
- 2005- MIP
- 2006- Theft of services
- 2007- Assault of mutual consent
- 2007- DUI
- 2008- Disturbing the peace
- 2014- Speeding
- 2014- Speeding

**APPROVED**

<b>24) Show Cause</b>	Patriarch Distillers LLC "Patriarch Distillers" 12251 Cary Circle, Suite 100 LaVista NE 68128	11:30	Z-105099
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why the license should not be suspended, cancelled or revoked for failure to comply with a specific Order of the Commission, i.e., no late filings of excise tax reports for (1) one year, in Commission Order dated December 22<sup>nd</sup>, 2016, in violation of 237-LCC1-005.01 of the Rules and Regulations of the Nebraska Liquor Control Commission.

**EXTEND RESTRICTION FOR 1 YEAR FROM HEARING DATE**

25) Sale to Minor (Formal Hearing)	Scotty's Ranchland Foods LLC "Scotty's Ranchland Foods" 108 W Hwy 20 Valentine NE 69201	1:15	D-084362
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**PLEAD GUILTY-10 DAYS SUSPENSION+ TRAINING**

Type of Hearing	Name of Entity	Time	Class
26) Show Cause	OGC Country Club "O'Neill Country Club" 49175 W Hynes Street O'Neill NE 68763	1:15	I-114780

whether the Manager's application for Ryan Hickey should not be denied due to character and reputation, and falsification of application, i.e., Ryan Hickey disclosed:

- Prior to 2007- Speeding tickets
- 5/07- DUI
- 2010- Possession of paraphernalia
- 1/13- Speeding
- 2/13- Speeding
- 2014- Failure to yield
- 11/14- DUI
- 11/16- Speeding

Ryan Hickey failed to disclose:

- 2004- Zero tolerance infraction
- 2009- Speeding/No seat belt
- 2009- Speeding
- 2009- Speeding
- 2009- Violate boating regulations
- 2010- Straddling lane lines/ DUS

Additionally, Investigator is requesting a show cause hearing due to past criminal history convictions.

**APPROVED**

27) Intoxicated (Formal Hearing)	Atemajac Inc. "La Cabana" 3223 Cornhusker Hwy Lincoln NE 68504	1:15	I-118089
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**FOUND GUILTY- 22 DAYS SUSPENSION**

28) Intoxicated (2/18/17) (Formal Hearing)	Richmond Rollins LLC "Barry's" 235 N 9 Street Lincoln NE 68508	2:30	CK-099264
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**DISMISSED**

29) 1. Allow minor to Consume/possess/ 2. Intoxicated (4/20/17) (Formal Hearing)	Richmond Rollins LLC "Barry's" 235 N 9 Street Lincoln NE 68508	2:30	CK-099264
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**PLEAD GUILTY- 40 DAYS SUSPENSION ON CHARGE 1/40 DAYS SUSPENSION ON CHARGE 2**



<b>30)</b> Open container leave premise (4/22/17) (Formal Hearing)	Richmond Rollins LLC "Barry's" 235 N 9 Street Lincoln NE 68508	2:30	CK-099264
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**DISMISSED**

<b>31)</b> Mandatory Meeting RE: 1.Sale to minor 2. Intoxicated (4/7/16)	Richmond Rollins LLC "Barry's" 235 N 9 Street Lincoln NE 68508	2:30	CK-099264
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<b>Type of Hearing</b>	<b>Name of Entity</b>	<b>Time</b>	<b>Class</b>
<b>32)</b> Mandatory Meeting RE: Open container leave premise (5/30/16)	Richmond Rollins LLC "Barry's" 235 N 9 Street Lincoln NE 68508	2:30	CK-099264
<b>33)</b> Mandatory Meeting RE: Intoxicated (10/22/16)	Richmond Rollins LLC "Barry's" 235 N 9 Street Lincoln NE 68508	2:30	CK-099264
<b>34)</b> Mandatory Meeting RE: Intoxicated (10/22/16)	Richmond Rollins LLC "Barry's" 235 N 9 Street Lincoln NE 68508	2:30	CK-099264