

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA – FOURTH MEETING

THURSDAY, JULY 23, 2009
4:00 P.M.

PUBLIC HEARINGS:

1. Appl. No. 117 from Sachie Ohana LLC, dba The Element Lounge, 1661 Kapiolani Boulevard (set back approximately 75 feet makai of Kapiolani Boulevard; approximately 400 feet Ewa of the intersection of Kapiolani Boulevard and Atkinson Drive) For a Dispenser General license (Category No. 3 - Live entertainment or Recorded Music and Dancing) (Prelim. Hrg. 5/28/09)
2. Appl. No. 1575 from Yuzen Japanese Cuisine and Sushi Bar LLC, dba Yuzen Japanese Cuisine and Sushi Bar LLC, 1518 Makaloa Street (mauka side of Makaloa Street; approximately 150 feet Kokohead of Keeaumoku Street) For a Restaurant General license (Category No. 1 - Standard Bar) (Prelim. Hrg. 5/28/09)

PRELIMINARY HEARINGS:

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| 3. | Trans. Appl. No. 09-37 from Incha Yang | For the transfer of the business and Retail General license of Harvey Kwon, dba Mokauea Mart, 414-E Mokauea Street |
| 4. | Appl. No. 42 from JB Unlimited, Inc., dba Nolbunae Chicken, 1526 Makaloa Street (Makaloa Plaza; 256 feet Kokohead of the intersection of Keeaumoku and Makaloa Streets) | For a Restaurant General license (Category No. 1 - Standard Bar) |
| 5. | Appl. No. 585 from MNS, Ltd., dba Island Country Markets, 92-1048 Olani Street, Suite 4-101, Kapolei (northeast corner of Ko Olina Station shopping complex; approximately 129 feet north of the northeast corner of Olani Street and Ali`inui Drive) | For a Retail General license |
| 6. | Appl. No. 703 from RDR, LLC, dba RDR, LLC, 508 Waiakamilo Road, #508-1 (approximately 90 feet makai of the corner of Waiakamilo Road and Colburn Street, Ewa side) | For a Dispenser General license (Categories No. 3 and 4 - Live entertainment or Recorded Music and Dancing; and Hostess)

(Amended to Dispenser General license (Category No. 3)) |

(Continued from July 16, 2009)

LICENSE APPLICATIONS:

Temporary License Applications:

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| 7. | Appl. No. T-0794 from Gold Mountain, Inc., dba Won Kee Seafood Restaurant | For a Stand-alone Temporary Dispenser General license (Category No. 1 - Standard Bar) at 100 N. Beretania Street, the current site of Won Kee Seafood Restaurant |
| 8. | Appl. No. T-1392 from J.A. SOS, Inc., dba J.A. SOS, Inc. | For a Stand-alone Temporary Restaurant General license (Category No. 2 - Live entertainment or Recorded Music and Dancing) at 1380 S. King Street, the former site of King St Café/Just One |

REQUESTS:

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| 9. | 939 Entertainment LLC, dba Club 939, Dispenser General license (Categories No. 2 and 4 — Nudity; and Hostess), 939 Keeaumoku Street (E0270) | For approval of the transfer of membership interest and notification of withdrawal of member, and admission of new member and membership holder

(Continued from July 16, 2009) |
| 10. | C 'N N Mini Mart & Liquors, Inc., dba C 'N N Mini Mart & Liquors, Retail General license, 99-115 Aiea Heights Drive, #231, Aiea (D0624) | Requesting waiver of Rule 3-82-31.4 to allow late filing of its liquor license renewal application for fiscal year 2009-2010 |

REQUESTS: (CONT.)

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| 11. ATG Enterprises Inc., dba Cheers Station [nka Cheers Station and Kapalama Lounge], Dispenser General license (Categories No. 3 and 4 - Live entertainment or Recorded Music and Dancing; and Hostess), 746 Kohou Street (E1316) | Request for waiver of Rule 3-84-72.3 regarding windows on interior rooms

(Continued from July 16, 2009) |
| 12. ATG Enterprises Inc., dba Cheers Station [nka Cheers Station and Kapalama Lounge], Dispenser General license (Categories No. 3 and 4 - Live entertainment or Recorded Music and Dancing; and Hostess), 746 Kohou Street (E1316) | Requesting approval to permanently extend its licensed premises to include the first floor foyer, the Kokohead stairwell, and the second floor |
| 13. Beachwalk Steak House, LLC, dba Ruth's Chris Steak House, Restaurant General license (Category No. 2 - Live entertainment or Recorded Music and Dancing), 226 Lewers Street, Space L233 (R0811) | Requesting approval to permanently extend its licensed premises to include the walkway immediately outside the premises on the mauka/Kokohead side, an area of approximately 427 square feet |

ADOPTION OF FINDINGS OF FACT/DECISION AND ORDER:

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| 14. The Shack Waikiki, LLC (LCV 09-0060) | For adoption of Findings of Fact, Conclusions of Law, Decision and Order |
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ADJUDICATION HEARINGS:

15. The Varsity
(LCV 09-0065)
(R0847)

Licensee made changes and/or alterations to the licensed premises--to wit, removed a portion of the back wall of its premise--without the prior written approval of the Commission (Violation of Rule 3-83-62(a)) (Date of violation: On or prior to April 18, 2009)

16. Host Honolulu Joint Venture Company — Gate 12 Bar
(LCV 09-0066)
(E1060)

Licensee made changes and/or alterations to the licensed premises--to wit, changes may have included but were not limited to: installation of a new bar area, tables, chairs, kitchen service area, new flooring, upgraded restrooms, new lighting, new walls or wall covering, and/or increased floor space--without the prior written approval of the Commission (Violation of Rule 3-83-62(a)) (Date of violation: On or prior to April 21, 2009)

17. Host Honolulu Joint Venture Company — Inter-Island Terminal
(LCV 09-0087)
(R0193)

Licensee failed to notify the Commission in writing of the name, age, and place of residence of an officer or director within thirty days from the date of election of such officer or director (Violation of Section 281-41(j), HRS) (Date of violation: On or prior to June 3, 2009)

ADJUDICATION HEARINGS: (CONT.)

18. The Shack Waikiki, LLC
(LCV 09-0071)
(I0121)

Licensee failed to immediately prevent or suppress violent, quarrelsome, disorderly, lewd, immoral, or unlawful conduct of any person on the premises, to wit, one of Licensee's bouncers forcefully ejected a female patron from the premises, causing injury to patron, and/or Licensee's other employees in the vicinity failed to subdue the bouncer's handling of this situation, and/or Licensee's bouncer and other employees in the vicinity failed to render assistance as patron lay prone and motionless on the ground (Violation of Section 281-78(b)(6), HRS) (Date of violation: On or about January 11, 2009)

(Rescheduled from July 9, 2009)

OTHER BUSINESS:

19. VIP Restaurant, Inc.,
dba Club Tsunami,
655 Keeaumoku Street,
No. 105 (formerly Dispenser
General license No. E1267)

Licensee's Motion for Reconsideration of Denial of Reinstatement of License Voluntarily Cancelled on May 21, 2009 and/or in the alternative for Waiver of HRS Sections 281-41(k) and 281-96 and Rules 3-85-91.11 and 3-82-31.4 to Allow: (A) Reinstatement of License No. E1267 and (B) Late Filing of Application to Renew License

(Request to reinstate Dispenser General License No. E1267 denied by Commission on June 25, 2009)

OTHER BUSINESS: (CONT.)

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| 20. | Sun Ann Hong, LLC,
dba Black Diamond Nightclub,
Cabaret General license, 2255
Kuhio Avenue, Suite M-1 | Motion for Reconsideration of the
June 25, 2009 Conditions Placed
on License No. I0102-T

(Transfer Application No. 09-15
granted, with conditions, on
June 25, 2009; license not yet
issued. Temporary Cabaret
General License No. I0102-T
expired June 26, 2009) |
| 21. | Liquor Administrator | Administrative matters – Weekly
report to the Commission, 90-day
event schedule and work plan
coordination |
| 22. | Liquor Administrator | <u>Executive Session</u> — Confer
with Commissioners regarding
personnel and employment
matters, in accordance with
HRS 92-5(a)(2) |

If you require an accommodation or auxiliary aid and/or services to participate in this meeting (i.e., sign language or foreign language interpreter), please call the Administrative Services Officer at 768-7336 at least 72 hours prior to the meeting.