

LIQUOR COMMISSION  
**CITY AND COUNTY OF HONOLULU**

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**Honolulu Liquor Commission fines Sue's Mini-Mart, Banana Patch Lounge, Legends,  
Da Spirit Market and Top of the Hill for violations**

**- Commission also denies a petition for reconsideration from Harbor Court Bistro -**

**HONOLULU (Oct. 30, 2008)** – The Honolulu Liquor Commission (HLC) took the following action at its 15<sup>th</sup> meeting of the fiscal year on Oct. 23, 2008.

- **Sue's Mini-Mart** (no contest) was fined \$100 for violation of Rule 3-82-36.1 (failing to display a shelf price for each size of each brand of liquor sold) and received a letter of reprimand for violation of Rule 3-82-38.1 (licensee and their employees failed to familiarize themselves with the liquor laws and the rule of the Commission).
- **Banana Patch Lounge** (no contest) and **Legends** (no contest), each were fined \$1,000 for violation of Section 281-78(b)(1)(A), HRS (selling, serving or furnishing liquor to a minor).
- **Da Spirit Market** (no contest) was fined \$350 for violation of Rule 3-82-38.9(a)(2) (failing to have a duly registered manager or assistant manager assigned to the licensed premises). The Commission suspended \$200 of the fine provided the licensee receives no additional violations of any kind within one year.
- **Top of the Hill** (no contest) was fined \$1,000 for violation of Section 281-78(b)(1)(A), HRS (selling, serving or furnishing liquor to a minor). In addition, the Commission suspended the entire fine provided the licensee receives no similar violation within one year.

During the preliminary hearings and requests portions of the meeting, the Commission:

- Approved the application from **Sergio's Diamond Head, LLC** for the transfer of the business and Restaurant General license (Cat. No. 2 – Live entertainment or Recorded Music and Dancing) of **Sam Choy's Diamond Head** (dba **Sam Choy's Diamond Head Restaurant**) at 449 Kapahulu Ave. and for a change of trade name to **Sergio's Italian Restaurant**.

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- Approved the application from **Yoshikai USA, Inc.** for the transfer for the business and Restaurant General license (Cat. No. 2 – Live entertainment or Recorded Music and Dancing) of **Ah Unn Restaurant, LLC** at 1960 Kapiolani Blvd., #107 and for a change of trade name to **Bistro AUN**.
- Approved the application from **Mega Theatrical Productions Inc.** for the transfer of the business and Cabaret General license of **Beachside Partners, L.L.C.** (dba **Cirque Hawaii**) at 325 Seaside Ave. and for a change of trade name to **Cirque Hawaii Dance Dance Dance**.
- Approved the request from **F.L. Inc.** (dba **Don Ho's Island Grill**) to temporarily extend its licensed premises from 3 p.m. on Nov. 15, 2008 to 2 a.m. on Nov. 16, 2008.
- Approved the request from **Pacific Coral of Hawaii, Inc.** (dba **Restaurant Yoshiya**) to permanently delete approximately 3,299 sq. ft. from its licensed premises at 2255 Kalakaua Ave. In a related matter, the Commission approved the request from **Kyo-ya Hotels & Resorts, LP** (dba **Sheraton Waikiki Hotel**) to extend its licensed premises by 3,299 sq. ft.
- Denied the request for a continuance from **Kenneth G. K. Hoo, Esq.** on behalf of **New Pacific, Inc.** (dba **Pachinko Karaoke/Venus Nightclub**) regarding the adjudication hearing on LCV 08-0145 and LCV 08-146 on Oct. 30, 2008 and for a pending violation, LCV 08-0086 be heard on the same hearing date.
- Approved a request from **Kyo-ya Hotels & Resorts, LP** (dba **Sheraton Waikiki Hotel; Royal Hawaiian Hotel; and Moana-Surfrider Hotel**) for a declaratory ruling pursuant to Rule 3-81-17.2 regarding applicability of Rule 3-84-78.01(b) to proposed food and beverage training for employees. The Commission ruled the training can proceed without a violation of Rule 3-84-78.01(b) provided the licensee 1) submits a list of employees to be trained and their dates of birth; 2) submits the dates and times of training; 3) adheres to all conditions and restrictions set forth in the request; and 4) assures that no minors will be part of the training.
- Approved the request from **Nomura Financial, Ltd.** (dba **Waikiki Gateway Hotel**) to withdraw trans. Appl. No. 85 for the transfer of the business and Hotel General license of **Ai Hotels Corporation** (dba **Waikiki Gateway Hotel**).

During the adoption of decision and order/findings of fact portion of the meeting, the Commission:

- Continued until Oct. 30, 2008, action pertaining to the Findings of Fact, Conclusions of Law, Decision and Order for **Tondo-Tondo**.

During the Other Business portion of the meeting, the Commission:

- Granted a motion for reconsideration from **Keith M. Kiuchi, Esq.**, on behalf of **Boulevard Bar, LLC** of the denial of its request for waiver of Rule 3-82-45.2 to allow filing of application for Class 11 (Cabaret)

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liquor license within 500 ft. of a previously license Class 11 license; the requestor will be permitted to file an application for a dispenser/hostess license.

- Denied a petition for reconsideration from **Robin Melchor, Esq.**, on behalf of **EHW-II, LLC** (dba **Harbor Court Bistro**) of the HLC’s denial of applicant’s request for a continuance to verify the registered voter protests.
- Approved a request from **William A. Harrison, Esq.**, on behalf of **Waimea Falls Grill, LLC**, for a waiver of Rule 3-82-31.4 to allow the late filing of its application to renew its liquor license and late submission of its tax clearance certificate.
- Conferred with the Liquor Administrator in executive session regarding personnel and employment matters, in accordance with HRS 92-5(a)(2).

The Honolulu Liquor Commission aims to promote our community’s health, safety and welfare by effectively and fairly administering and enforcing Hawaii’s liquor laws. For more information about the Commission, please visit [www.honolulu.gov/liq](http://www.honolulu.gov/liq).

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