



STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LIQUOR CONTROL COMMISSION

In the matter of )  
)  
**CAPRI CONCEPTS MESA LLC** ) Business ID No. 221556  
**(AN ARIZONA LIMITED LIABILITY COMPANY)** )  
**D/B/A TOBY KEITH'S "I LOVE THIS BAR"** )  
Great Lakes Crossing )  
4698 Baldwin )  
Auburn Hills, Michigan 48326 )  
)  
Oakland County )  
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At the October 29, 2015 hearing of the Michigan Liquor Control Commission  
(Commission) in Southfield, Michigan.

PRESENT: Andrew J. Deloney, Chairman  
Dennis Olshove, Commissioner

**PENALTY HEARING ORDER**

Under MCL 436.1903(1), the Commission shall impose a suspension or revocation of the 2015 Class C and Specially Designated Merchant licenses with Sunday Sales Permit (P.M.), Dance-Entertainment Permit, Specific Purpose Permit (Food), 2 Direct-Connections, 1-Outdoor Service Area and 3 Bars held by Capri Concepts Mesa LLC (An Arizona Limited Liability Company), d/b/a Toby Keith's "I Love This Bar" (licensee) at the above-noted address, as the licensee was found liable for three (3) violations of MCL 436.1801(2) on different occasions within a 24-month period. Those violations occurred on August 4, 2012, December 6, 2012 and April 16, 2014.

The penalty hearing was held on October 29, 2015 at the Commission's Southfield office. Representing the licensee at the hearing was Attorney Kelly Allen.

After reviewing the record of the three (3) violations within a consecutive 24-month period which necessitated the penalty hearing, hearing arguments from Attorney Allen, and review of the MLCC file, the Commission finds that revocation of the licenses is not necessary in this matter. However, the Commission further finds that a

suspension of the licenses is required, and the licensee has demonstrated reasons to order a suspension in this matter for the following reasons:

- The Commission finds that the licenses and permits were originally issued to the licensee on February 24, 2010. The minors sold alcoholic liquor were 20 and 19 years of age, and identification was not requested in either incident. The incident involving the sale of alcoholic liquor to intoxicated patrons that occurred on August 4, 2012 resulted in a rollover accident. This causes the Commission great concern.
- The Commission finds that the licensee has demonstrated that a standard operating procedure and policy exists for disciplinary action taken against employees who do not adhere to the policies and procedures for prevention of selling to intoxicated patrons and minors. All three (3) employees were immediately terminated.
- The Commission finds that the licensee conducts daily “pre-shift” employee meetings.
- The Commission finds that the licensee has demonstrated that all employees have been certified in a Commission-approved alcohol management training course.
- The Commission finds that the licensee has passed two (2) controlled-buy operations for alcohol conducted by the Commission’s Enforcement Division; and has passed five (5) controlled-buy operation for alcohol conducted by the Auburn Hills Police Department (2 of which were in within the last 10 months).
- The Commission finds there was no failure to cooperate with law enforcement or with the Commission.

Under MCL 436.1903(1), the Commission shall issue a penalty of suspension or revocation in this matter. The Commission finds that a seven (7) day suspension is warranted for the reasons stated on the record, to be served on November 9, 10, 11, 12, 13, 14 and 15, 2015.

THEREFORE, IT IS ORDERED THAT:

A. The 2015 Class C and Specially Designated Merchant licenses with Sunday Sales Permit (P.M.), Dance-Entertainment Permit, Specific Purpose Permit (Food), 2 Direct-Connections, 1-Outdoor Service Area and 3 Bars held by Capri Concepts Mesa LLC, (An Arizona Limited Liability Company) d/b/a Toby Keith's "I Love This Bar" are SUSPENDED for seven (7) consecutive days, to be served on November 9, 10, 11, 12, 13, 14 and 15, 2015.

B. The suspension is to run consecutively and not concurrently with any other suspension ordered by the Michigan Liquor Control Commission for this licensee.

MICHIGAN LIQUOR CONTROL COMMISSION



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Andrew J. Deloney, Chairman



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Dennis Olshove, Commissioner

Date Mailed:

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