

LICENSING INVESTIGATIVE REPORT

DATE: September 9, 2020

SUBJECT: New Application No. 20-21730 from Waimanalo Kitchen LLC dba Kalapawai Café & Deli-Waimanalo, Restaurant General (Category I Standard) license, at (former location of Sergs Mexican Kitchen Nalo LLC dba Sergs Mexican Kitchen Nalo LLC), 41-865 Kalaniana'ole Highway, Waimanalo

COMPANY STRUCTURE:

Waimanalo Kitchen LLC: Organized under the laws of the State of Hawaii and registered on February 21, 2020, as a manager-managed limited liability company. Its sole manager-member is:

	<u>Title</u>	<u>Interest</u>
DYMOND, Lindsey C.	Manager/Member	100%

See **Exhibits A**, for the biographical background information of DYMOND, Lindsey. CJIS check resulted with no criminal conviction.

FINGERPRINTS:

Applicant's fingerprints was done 08/03/2020; negative results of any criminal conviction.

FINANCIAL STATEMENT OF WAIMANALO KITCHEN LLC DBA KALAPAWAI CAFÉ & DELI-WAIMANALO AS OF MAY 20, 2020:

Financial Statements of the applicant, dated May 20, 2020, was submitted to the Commission on May 27, 2020, and certified by applicant to be substantially correct.

COST AND FINANCING:

Of the total cost of \$600,000.00; \$200,000 was paid by the landlord and \$400,000 by the applicant; No financing involved.

TRADENAME:

The applicant has a valid State of Hawaii Department of Commerce and Consumer Affairs Certificate of Trade Name Registration, the trade name "KALAPAWAI CAFÉ & DELI-WAIMANALO" is registered to the applicant from April 22, 2020 to April 21, 2025.

DESCRIPTION OF THE PREMISES:

Location: The proposed licensee will occupy a single-story, individual structure with own parking stalls front & rear; 41-865 Kalanianaʻole Highway, Waimanalo, and former location of SERGS MEXICAN KITCHEN NALO LLC (R1054), not renewed.

Details of the Premises: The nearly rectangular shaped premises and surrounding parking lot occupies a total of approximately 5,043 square feet of space.

Below features are based on the submitted floor plan:

- a. The interior/indoor dimension occupies approximately 2,443 square feet of space;
 - Dining area & bar consist of 1,114 square feet.
 - Kitchen & storage area consist of 851 square feet.
 - Restrooms & office consist of 185 square feet.
- b. The exterior/outdoor area is comprised of approximately 2,600 square feet;
 - An approximately 2,600 square feet of outdoor space
 - 165 square feet designated outdoor dining at the Northeast corner of the parking lot.
 - The remaining space contains 9 parking stalls and a loading area.

The parking area only be used on special events; Waimanalo Christmas parade and a few other community events. The designated outdoor dining will be used on a daily basis. See Exhibit B, photo & floor plan

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Waimanalo Beach Park
Approximately 462 feet southwest from proposed premises.

SAME CLASS OF LICENSE WITHIN 500 FEET: None

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of September 9, 2020, there are 536 restaurant license issued within the City and County of Honolulu, of which, 496 are of general kind.

OTHER RELEVANT MATTERS THAT MAY AFFECT THE ISSUANCE OF THE LICENSE:

Kind of business: Similar to their other three location of Kalapawai Cafés; casual dining offering gourmet deli sandwiches, lunch plates, salads/pizzas during the day, and delicious entrees including fresh fish and steaks with numerous vegetarian, vegan and gluten free options in the evenings.

Business Hours: 6 a.m. to 8 p.m. Daily
20-30 employees to include 4-5 managers

LEASE: Executed on the 25th day of April 2020, by and between NALOKOLEA LLC, (“Landlord”), and WAIMANALO KITCHEN LLC, (“Tenant”)

Term: The Lease shall be twenty (20) years, commencing on the date of Landlord’s delivery of the Premises to Tenant.

OTHER LIQUOR LICENSED INTERESTS:

Kalapawai Café & Deli-Kapolei (R1189)
711 Kamokila Blvd. Kapolei, from 09/27/2016 to 06/30/2021
Applicant holds 50% share of the above licensed premises.

Kalapawai Café & Deli (R0797)
750 Kailua Rd. Kailua, from 01/08/2007 to 04/17/2017
Applicant acquired 100% from 04/17/2017 to 06/30/2021

Zia’s Café (R0604)
45-620 Kamehameha Hwy. Kaneohe
Applicant acquired 100% from 04.17/2017 to 06/30/2021

Kalapawai Market (D0181)
306 S. Kalaheo Ave. Kailua, from 03/16/1992 to 04/17/2017
Applicant acquired 100% from 04/17/2017 to 06/30/2021

HISTORY OF VIOLATIONS: See Exhibits C1 & C2

BUSINESS PLAN: See Exhibits D

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:

As of September 9, 2020, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. At a minimum, the notification shall include the date of public hearing.

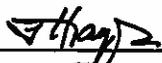
The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

ZONING CLEARANCE:

A valid zoning clearance dated May 19, 2020, was received by Commission on June 1, 2020.

OPINION:

Statutory requirements has been met for this filing.



Homer Tamapua
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Investigator

09/10/2020
ah

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU RECEIVED
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813
 PHONE (808) 768-7300 • FAX (808) 768-7311
 INTERNET ADDRESS: www.honolulu.gov/lic

PERSONAL HISTORY AND AFFIDAVIT
 Rule 3-83-53.1

2020 MAY 27 A 11:14

NAME DYMOND, LINDSEY CHARLES SOCIAL SECURITY NO. _____
Last, First Middle Maiden

HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
 HOME (_____) _____
 BUS. (808) 262-4359

CITY _____ STATE _____ ZIP CODE _____

PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM/DD/YYYY)

NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 2000 NAME OF SCHOOL HAWAII BAPTIST ACADEMY
(Include City and State)

NO. OF YEARS COMPLETED IN COLLEGE 3.5 YEAR COMPLETED 2003 NAME OF COLLEGE COLORADO STATE UNIVERSITY
(Include City and State)

OTHER EDUCATION _____

CITIZENSHIP* _____ DATE ARRIVED IN HAWAII (if applicable) _____
 *(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
1/2004	PRESENT	MANAGER/OWNER	KALAPAWAI MARKET	KAILUA
12/2006	PRESENT	MANAGER/OWNER	KALAPAWAI CAFE	KAILUA
12/2016	PRESENT	MANAGER/OWNER	KALAPAWAI CAFE	KAPOLEI
1/2007	PRESENT	OWNER	ZIAS CAFFE	KANEOHE

(If additional space is needed, please use reverse side)

List your experience in the liquor industry: I HAVE BEEN INVOLVED IN MY FAMILY'S BUSINESS SINCE MY FRESHMAN YEAR IN HIGH SCHOOL. FOLLOWING COLLEGE, I MANAGED AND OPENED OUR NEW LOCATIONS IN KAILUA, KANEOHE AND KAPOLEI. I TOOK OWNERSHIP OF THE BUSINESS WHEN MY FATHER, DONALD DYMOND, PASSED AWAY IN LATE 2014. ALL OF THE RESTAURANTS HAVE RESTAURANT - GENERAL LICENCES AND THE MARKET HAS AN OFF-PREMISE LICENSE.

Will you devote time to manage the subject business? Yes No

If answer is "YES", will it be Full time, or Part-time?

I, LINDSEY CHARLES DYMOND, of _____
(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I have have not) been convicted of any felony charge.

[Signature]
Signature



P.
R.
P.
A.

FOR NOTARY USE ONLY

STATE OF HAWAII }
City and County of Honolulu } SS.

On this 15TH day of April, in the year of 2020, personally appeared Lindsey Dymond who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

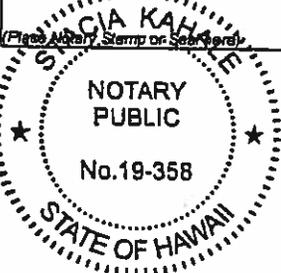
[Signature]
Signature of applicant(s) before Notary

Subscribed and sworn to before me this: 15TH day of April, 2020

[Signature]
Signature of Notary

Print Name: Stacia Kahale
Notary Public, State of Hawaii

My commission expires August 25, 2023



NOTARY CERTIFICATION

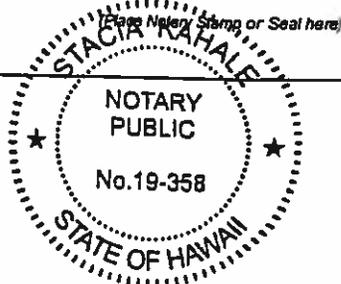
Date of Doc: N/A # of Pages: 2

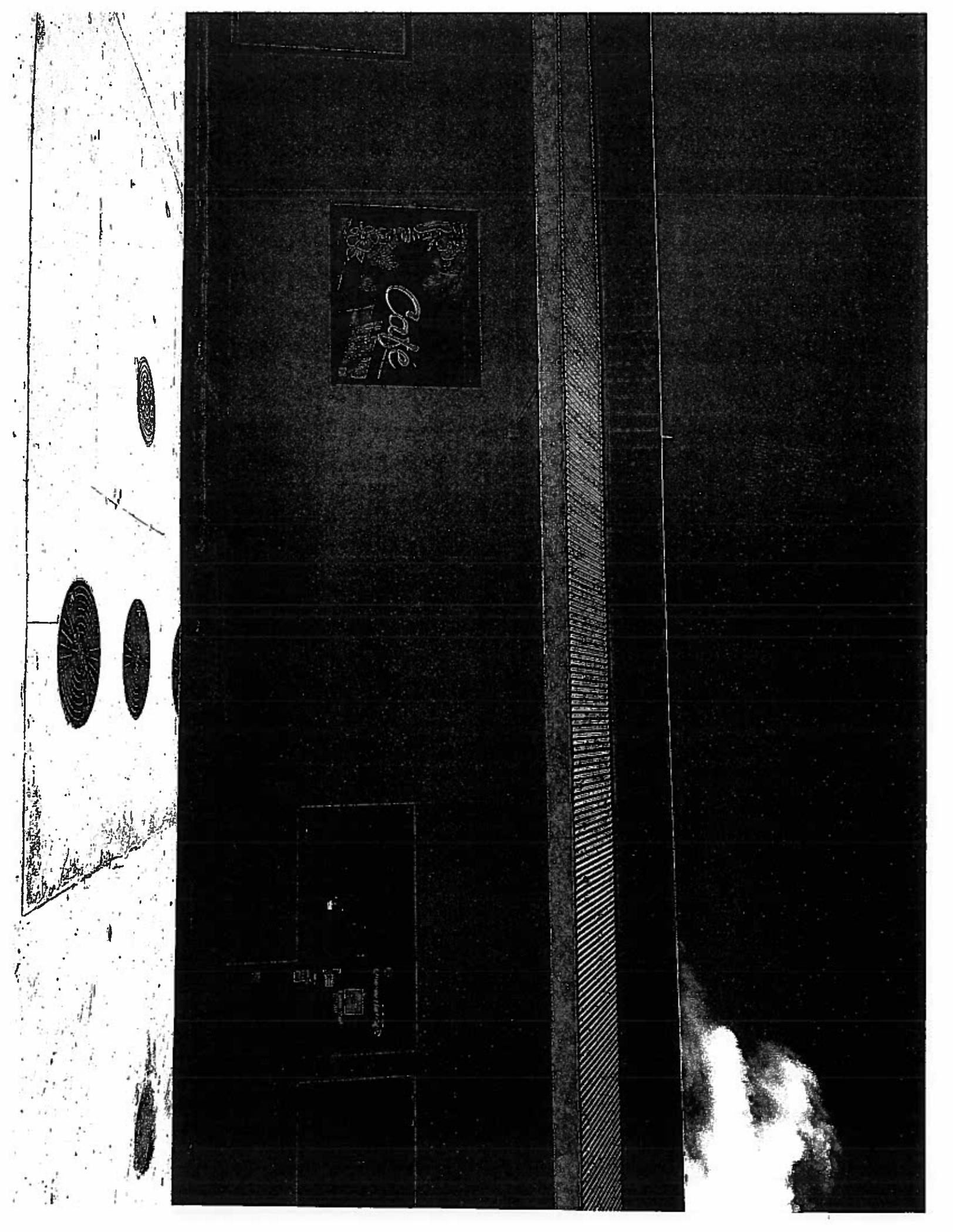
Notary Name: Stacia Kahale 1 Circuit

Doc. Description: personal history and affidavit

[Signature]
Notary Signature

APR 25 2020
Date





HISTORY OF VIOLATIONS

Violation Date: 09/01/2016 to: 09/01/2020

LICENSE: R0797 KALAPAWAI CAFE & DELI
750 KAILUA RD

<u>NOTICETYPE</u>	<u>NOTICE NUMBER</u>	<u>VIOLATION DATE</u>	<u>SECTION/RULE</u>	<u>CASE NUMBER</u>	<u>DISPOSITION</u>	<u>DUE DATE</u>	<u>AMOUNT FINED</u>
DISCREPANCY	02042	06/30/2019	3-81-17.57	2019-9988	AUDIT	01/04/2020	94.68 *
VIOLATION	26659	12/12/2018	3-82-38.9(a)	2018-0525	FINED	02/27/2020	500.00 *

Records printed: 2

EXHIBIT C1

HISTORY OF VIOLATIONS

Violation Date: 09/08/2001 to: 09/08/2020

LICENSE: R0604 ZIA S CARFFE
45-620 KAMEHAMEHA HWY

<u>NOTICETYPE</u>	<u>NOTICE NUMBER</u>	<u>VIOLATION DATE</u>	<u>SECTION/RULE</u>	<u>CASE NUMBER</u>	<u>DISPOSITION</u>	<u>DUE DATE</u>	<u>AMOUNT FINED</u>
COMPLAINT AND VIOLATION	12847	05/26/2012	281-78(b)(1)(A)				*
VIOLATION	22812	05/26/2012	281-78(b)(1)(A)	2012-0210	FINED	03/01/2013	750.00 *
VIOLATION	22113	05/15/2011	3-82-38.8	2011-0199	FINED	12/01/2011	250.00 *

Records printed: 3



KALAPAWAI CAFÉ & DELI - WAIMANALO

41-865 KALANIANAOLE HWY
WAIMANALO, HI. 96795
LINDSEY@KALAPAWAIMARKET.COM

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2020 MAY 21 AM 11:13

May 18, 2020

Re: New license application

To whom it may concern:

I am excited to announce the construction of the new Waimanalo Kitchen LLC dba Kalapawai Café & Deli – Waimanalo, located at 41-865 Kalanianaole Hwy. just steps from Waimanalo Beach!

This latest location will join the original Kalapawai Market at Kailua Beach and the two Kalapawai Cafe & Deli’s in Kailua town and Kapolei. The concept of this new location will be to offer gourmet deli sandwiches, lunch plates, salads and pizzas during the day and delicious entrees including fresh fish and steaks with numerous vegetarian, vegan and gluten free options in the late afternoons and evenings. The beverage program will feature our well-known coffee and espresso counters as well as iced and frozen coffee drinks, iced tea, gourmet sodas and juices and beer, wine, and limited cocktails for on-premise consumption.

Like the breakfast and lunch programs in Kailua and Kapolei, Waimanalo will offer counter service dining. The guest will order food and beverages at the front desk, get a number, take a seat in the dining area and their food and beverages will be delivered by runners. Age verification for liquor sales will be made at the time of the sale by the clerk and again if in question by the food runners. When the guests are ready to leave, they can just head out as they are already paid up.

Alcohol sales will be a relatively low percentage of our business compared to food sales as the primary role of the alcohol program is simply to enhance the guests’ overall experience, not operate a bar. Based on liquor sales from FY19 at Kalapawai Café, Inc. (see

attached), alcohol will only be an estimated 15% of sales while food, logo merchandise and coffee represent the other 85%. The Waimanalo location will also not be immediately offering the same sit-down dinner that is offered in Kailua which is when most wine and cocktail sales occur. I have attached a sample food menu and beverage list for Kalapawai Café -Waimanalo for your convenience.

I appreciate your consideration of this exciting new location's liquor license application as I continue to work on the buildout with an estimated opening date on October 1, 2020.

Sincerely,

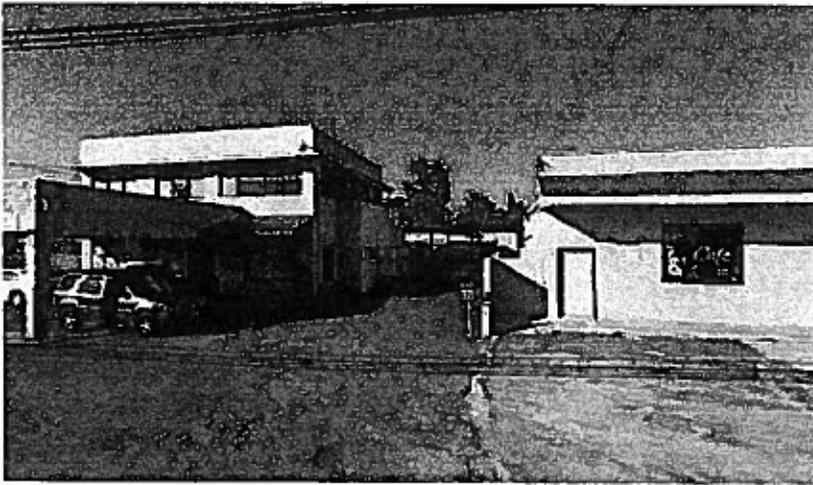
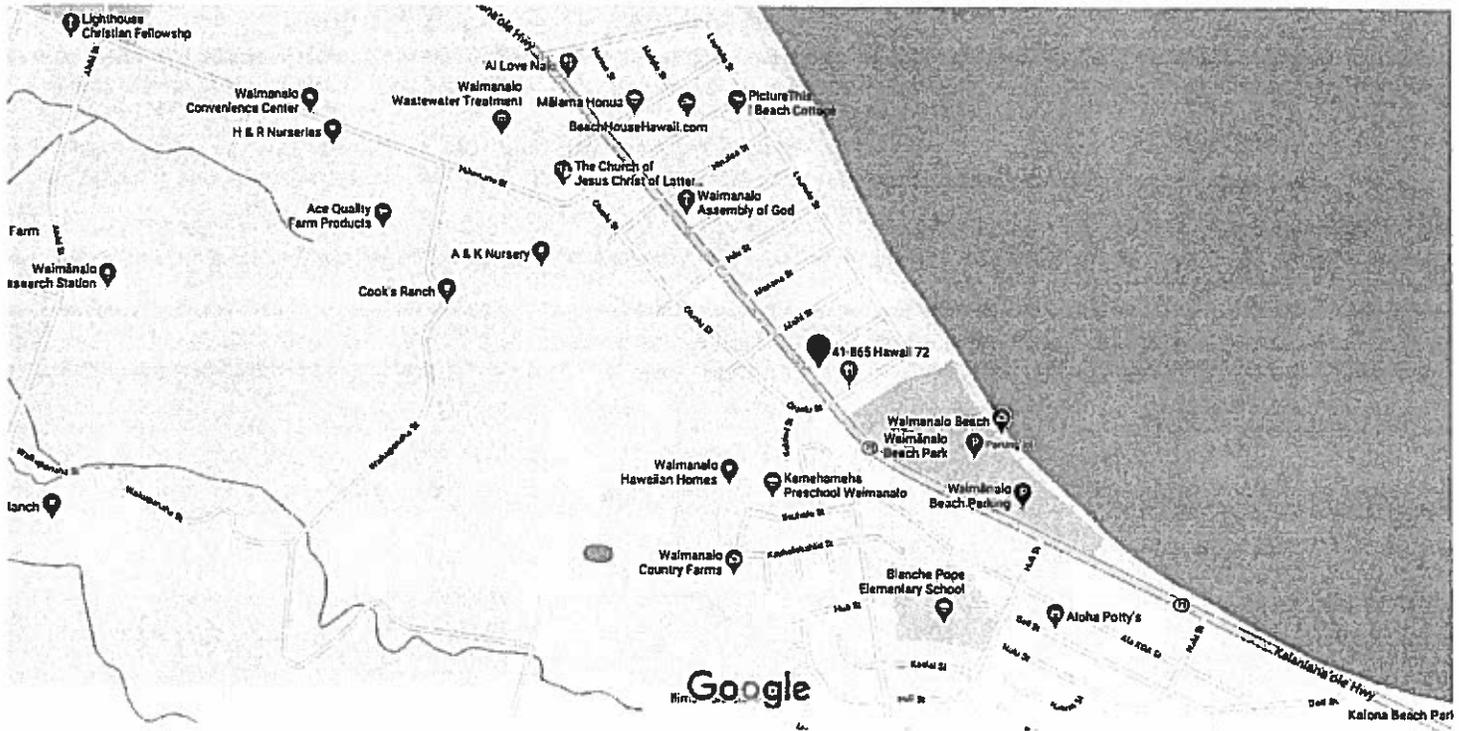


Lindsey Dymond
Managing Member
Waimanalo Kitchen LLC – dba Kalapawai Café & Deli - Waimanalo
(808) 218-5330

Google Maps

41-865 Kalaniana'ole Hwy

WAIMANALO KITCHEN LLC dba KALAPAWAI CAFE & DELI-WAIMANALO



41-865 Kalaniana'ole Hwy

Waimanalo, HI 96795



Directions



Save



Nearby



Send to your phone



Share

Photos

LICENSING INVESTIGATIVE REPORT

DATE: September 15, 2020

SUBJECT: New Application No. 21-22033 from KAKAAKO Liquor LLC dba BRIX and STONES, for a Retail General License, at 995 Waimanu Street, 2nd Floor, Honolulu, (approximately 112 feet Makai-ewa from Waimanu Street & Cummins Street junction)

COMPANY STRUCTURE:

Kakaako Liquor LLC: Organized under the laws of the State of Hawaii on March 5, 2020, a member-managed limited liability company. The sole member is:

	<u>Title</u>	<u>Interest</u>
CHONG, Michael Hwangnae	Member	100%

See **Exhibit A** for biographical background information on CHONG, Michael. CJIS check returned negative of felony conviction.

In a notification form dated June 17, 2020, and received by the Commission on July 14, 2020, the applicant appoints Attorney Keith SUZUKA as authorized agent.

FINGERPRINTS:

Fingerprints of the sole member was done on June 18, 2020; results were negative of criminal conviction.

FINANCIAL STATEMENT FOR KAKAAKO LIQUOR LLC DBA BRIX AND STONES AS OF DECEMBER 31, 2019:

Financial Statement of the applicant, dated December 31, 2019, was submitted to Commission on July 14, 2020, and certified by the applicant to be substantially correct.

COST AND FINANCING:

Approximately \$60,000.00 of start-up cost with about \$10,000.00 of construction cost to the retail's designated space.

TRADE NAME:

According to the State of Hawaii Department of Commerce and Consumer Affairs (DCCA), the registered Trade Name is "BRIX AND STONES"; secured from April 9, 2020 to April 8, 2025.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed retail licensee will be located at 995 Waimanu Street, 2nd Floor, Honolulu.

Details of premises: The nearly square shaped premises occupies approximately 143 square feet of space on the 2nd floor; central-kkhd side. The lone two-story building is primarily leased to UNIBODY Autotech Collision Center; applicant's primary business.

- Main entrance is located at central KKHD side of the Unibody Autotech building; controlled by Unibody Autotech.
- A stairwell to the 2nd floor is directly fronting entrance; proposed retailer is approximately 8 feet Makai from top of stairwell; both doors to premises and premises' door are controlled by applicant.
- Premises will be within other private office & vendors.
- Proposed retailer will consist of shelving of various types/kinds of alcoholic beverages.
- Customer parking are on the KKHD side of the building.
See **Exhibit B1 & B2**, photos & floor plan.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

McKinley High School/1039 South King Street, Honolulu
Approximately 455 feet mauka-kkhd from proposed retailer.

SAME CLASS OF LICENSE WITHIN 500 FEET: None

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of April 15, 2020, there are 526 retail licenses issued within the City and County of Honolulu, of which, 494 are retail general licenses.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business: The applicant will be operating a liquor retail outlet that will sell, promote and consult on the various brand of wines.

Business Hours: Monday through Saturday from 10 am to 6 pm.
There will be one (1) employee/manager.

Lease: A **Consent To Sublease** via Frederick FONG, Trustee of the **Frederick Fong Revocable Trust** under unrecorded Trust Agreement dated August 12, 2002, as amended and restated (“**Landlord**”), under certain unrecorded Lease dated as of October 29, 2019 (“**Lease**”), by and between **Kakaako Land Holdings Limited**, (“**Tenant**”), hereby grants its consent to that certain proposed sublease by and between **Tenant**, as **Sublessor**, and **Kakaako Liquor LLC dba BRIX and STONES** (“**Sublessee**”), covering the portion of the Premises located on the second (2nd) floor of the Premises.

Term: Subject to and upon the terms and conditions of the Master Lease; Ten (10) years.

LIQUOR LICENSED INTEREST OF APPLICANT:

None

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:

As of September 15, 2020, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

ZONING CLEARANCE:

An approved zoning clearance dated June 29, 2020, and received by Commission on July 14, 2020, via Kakaako Community Development District; use is permitted.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. At a minimum, the notification shall include the date of public hearing.

The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

OPINION:

In my opinion, the applicant meets statutory requirements of filing this application.


Homer Tamapua
Licensing Investigator

Reviewed by:


Daniel Sato
Supervising Investigator *ds*


RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2020 JUL 14 A 9:34

PERSONAL HISTORY AND AFFIDAVIT
Rule 3-83-53.1

NAME CHONG. MICHAEL HWANGNAE SOCIAL SECURITY NO. _____
Last First Middle Maiden
 HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS. _____
 HOME ' _____
 CITY _____ STATE _____ ZIP CODE _____ BUS. SEA 800-4009
 PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ - MARITAL STATUS _____
(City, State) (MM / DD / YYYY)
 NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1990 NAME OF SCHOOL ROOSEVELT HIGH
(include City and State)
 NO. OF YEARS COMPLETED IN COLLEGE 2 YEAR COMPLETED DID NOT COMPLETE NAME OF COLLEGE UNIVERSITY OF HAWAII
(include City and State)
 OTHER EDUCATION NONE

CITIZENSHIP* _____ DATE ARRIVED IN HAWAII (if applicable) _____
 *(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
1990	2000	OFFICE/TECH	CHONG'S AUTOBODY	MAPUNAPUNAI
2000	2008	MANAGER	CHONG'S AUTOBODY	MAPUNAPUNAI
2008	PRESENT	OWNER	UNIBODY AUTOBODY	MAPUNAPUNAI
2014	2017	OWNER	SURRENDER BAR	MAKIKI

(If additional space is needed, please use reverse side)

NOTARY INITIAL: lit

List your experience in the liquor industry: Co-Owner of ATN, Inc. Surrender Bar and Grill 2014-2017

RECEIVED
LIQUOR COMMISSION
C & C OF HONOLULU

2020 JUL 14 A 9:34

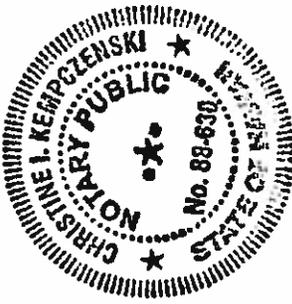
Will you devote time to manage the subject business? Yes No

If answer is "YES", will it be Full time, or Part-time?

I, Michael Hwangnae Chong, of _____
(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I have have not) been convicted of any felony charge.


Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu } SS.

On this 29th day of June in the year of 2020, personally appeared Michael Hwangnae Chong who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.


Signature of applicant(s) before Notary

Subscribed and sworn to before me this:
29th day of June, 2020
Christine I. Kempczenski
Signature of Notary

Print Name: Christine I. Kempczenski
Notary Public, State of Hawaii

My commission expires 11/23/2021

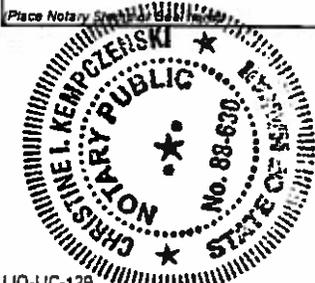
NOTARY CERTIFICATION

Date of Doc. undated # of Pages: 2

Notary Name: Christine I. Kempczenski 1st Circuit

Doc. Description: Personal History And Affidavit

Christine I. Kempczenski 6/29/2020
Notary Signature Date



RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2020 JUL 14 A 9:35



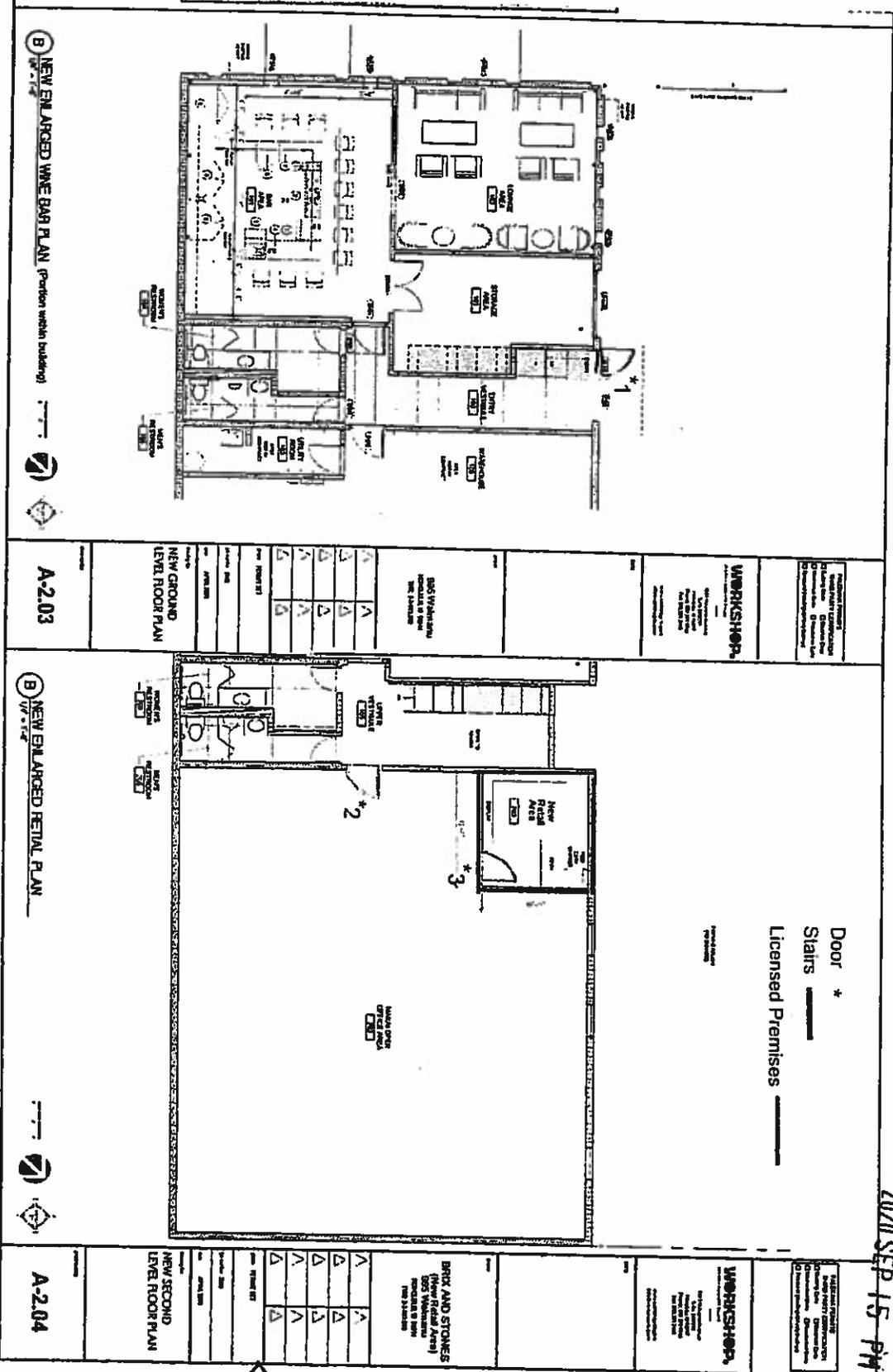
EXHIBIT B1

WAINANU STREET

CUMMINS STREET

GROUND FLOOR

SECOND FLOOR



(B) NEW ENLARGED WINE BAR PLAN (Portion within building)

(B) NEW ENLARGED RETAIL PLAN

A-2.03

A-2.04

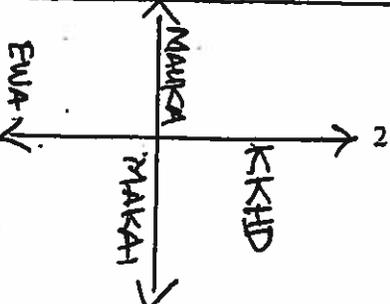
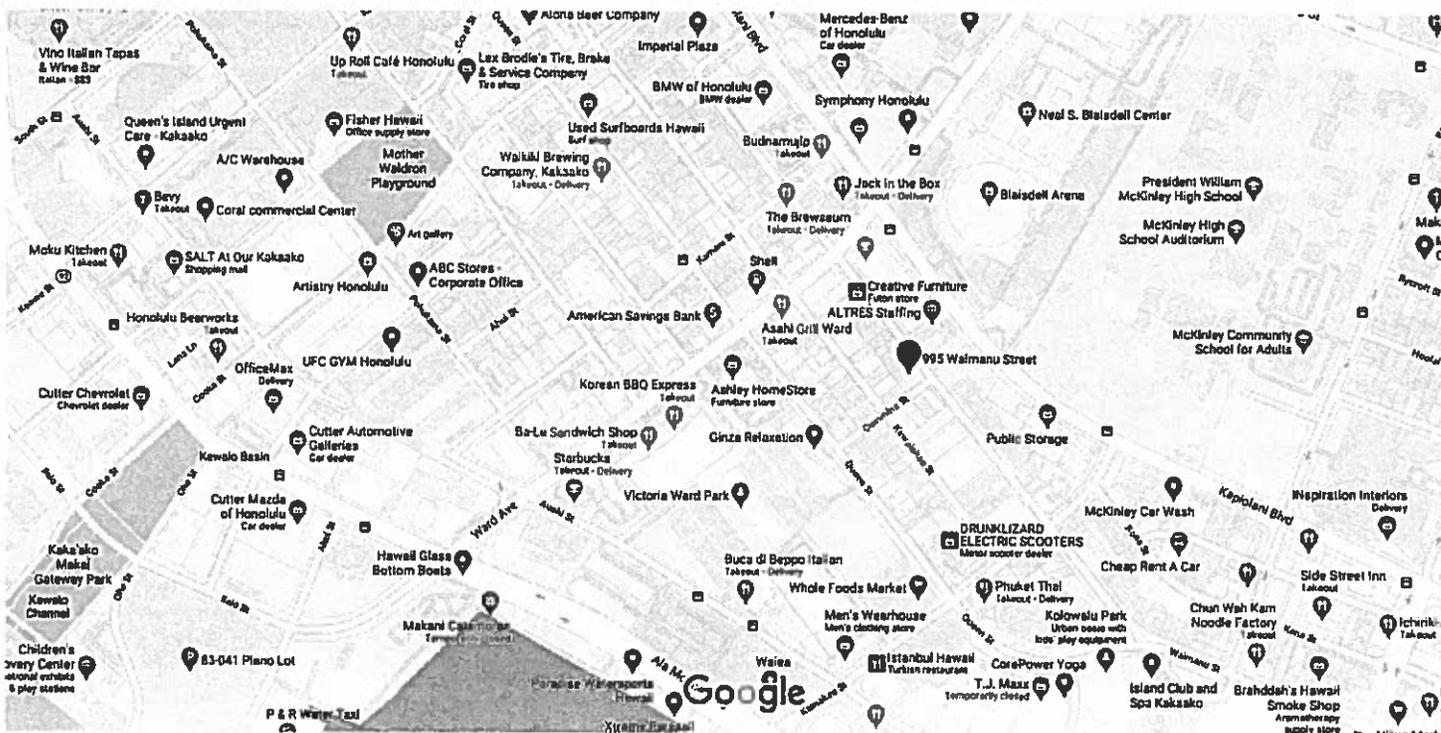


EXHIBIT B2

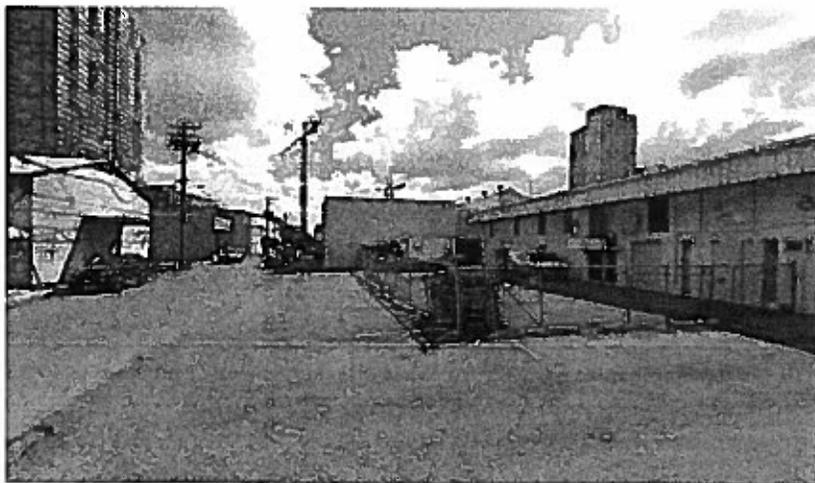
Google Maps

995 Waimanu St

KAKAAKO Liquor LLC db BRIX and STONES



Map data ©2020 Google 200 ft



995 Waimanu St

Honolulu, HI 96814



Directions



Save



Nearby



Send to your phone



Share

74WX+R3 Honolulu, Hawaii

Photos

LICENSING INVESTIGATIVE REPORT

DATE: September 2, 2020

SUBJECT: Temporary Application No. 21-22067 from Rainbow Heart, LLC dba Rainbow Heart, LLC, Restaurant General (Category 2: Music/Dancing) license at the current location of GD & SH, LLC dba Auntie Pasto's Beretania located at 1099 S. Beretania St., Hon., HI 96814 (R0326)

NOTIFICATION OF AUTHORIZED AGENT:

In form LIQ-LIC-106, Notification of Authorized Agent, dated June 27, 2020, and received by the commission July 21, 2020, Rainbow Heart, LLC authorizes Min Young (Alisa) Woo to represent them in all liquor related matters.

ORGANIZATION STRUCTURE:

Rainbow Heart, LLC: was organized under the laws of the State of Hawaii on June 18, 2020, as a member-managed limited liability company.

The Members are:

		<u>Percent</u>
Jin, Hyun Mi	Member	51%
Lee, Wook Jin	Member	49%
	Total	100%

For further details of the principals, see **Exhibit A** for biographical information. CJIS Computer System checks are negative for felony convictions.

FINGERPRINTS:

Hyun Mi Jin and Wook Jin Lee will make an appointment for fingerprinting on a later date.

FINANCIAL STATEMENT OF RAINBOW HEART, LLC AS OF JUNE 30, 2020:

Applicant submitted a Financial Statement dated November 1, 2019, and received by the Commission June 30, 2020 and certified by the applicant to be substantially correct.

TRANSFER APPLICATION FILED:

The applicant filed for a Liquor License transfer, Application 21-22068 on July 21, 2020.

LETTER OF AUTHORIZATION:

In the "Authorization to Operate On a Temporary License" form, dated July 10, 2020 and received by the commission on July 21, 2020 GD & SH, LLC dba Auntie Pasto's Beretania, grants permission to the applicant to Operate on a temporary license.

LANDLORD CONSENT:

In the "Landlord Authorization For Sale and Service of Liquor" form, dated July 5, 2020, Seattle Six LLC (Landlord), allows for the sale and consumption of liquor on the premises.

LIQUOR PURCHASE:

The applicant is aware of Sec. 281-32, HRS, which requires that all liquor purchases made under a temporary license must be paid for in cash, check, or certified check at the time of delivery of liquor and that all liquor must be purchased from a licensed wholesaler.

EFFECTIVE DATE OF TEMPORARY LICENSE:

Unless otherwise approved by the Commission the temporary license will be effective no later than 7 days after its approval by the liquor Commission.

OPINION:

In my opinion, the applicant has complied with the minimum requirements of filing this temporary application.


Matthew Foster
Licensing Investigator

Reviewed by:


Daniel Sato
Supervising Investigator *wh*

PERSONAL HISTORY AND AFFIDAVIT 2020 JUL 21 P 2: 56
 Rule 3-83-53.1

NAME LEE, WOOKJIN SOCIAL SECURITY NO. _____
Last, First Middle Maiden

HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.:
 HOME (____) _____
 CITY _____ STATE _____ ZIP CODE _____ BUS. (808) 364-8082

PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM / DD / YYYY)

NO. OF YEARS COMPLETED IN HIGH SCHOOL 3 YEAR COMPLETED 1998 NAME OF SCHOOL GEUMGOK HIGH, KYUNGKI, SOUTH KOREA
(Include City and State)

NO. OF YEARS COMPLETED IN COLLEGE 2 YEAR COMPLETED 2007 NAME OF COLLEGE SEJONG UNIVERSITY, SEOUL, SOUTH KOREA
(Include City and State)

OTHER EDUCATION _____

CITIZENSHIP* REPUBLIC OF KOREA, E-2 VISA M4319931 DATE ARRIVED IN HAWAII (if applicable) 05/2018
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
05/2018	- PRESENT	EXECUTIVE CHEF	WAIKIKI RESORT HOTEL	HONOLULU, HI
04/2014	- 04/2018	EXECUTIVE CHEF	CJ CORPORATION, R&D CENETER	SEOUL, SOUTH KOREA
02/2012	- 04/2014	EXECUTIVE SOUS CHEF	AMOJE FOOD CORPORATION	SEOUL, SOUTH KOREA
04/2009	- 01/2012	SPECIALTY CHEF	WILSHIRE GRAND HOTEL	LOS ANGELES, CA
09/2008	- 07/2008	UNEMPLOYED		SEOUL, SOUTH KOREA
11/2002	- 08/2008	SHERATON WALKERHILL HOTEL		SEOUL, SOUTH KOREA
08/2001	- 10/2002	UNEMPLOYED		SEOUL, SOUTH KOREA
05/1999	- 07/2001	HEAD COOK	ARMY, REPUBLIC OF KOREA	, SOUTH KOREA
07/1998	- 04/1999	COOK	VIKING BUFFE	SEOUL, SOUTH KOREA

(if additional space is needed, please use reverse side)

NOTARY INITIAL: lt

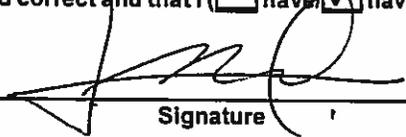
List your experience in the liquor industry: EXECUTIVE CHEF, WAIKIKI RESORT HOTEL 05/2008 TO PRESENT

Will you devote time to manage the subject business? Yes No

If answer is "YES", will it be Full time, or Part-time?

I, WOOKJIN LEE, of _____, (Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I have have not) been convicted of any felony charge.


Signature



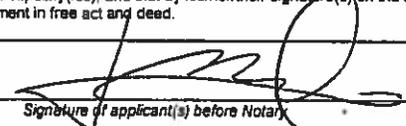
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FOR NOTARY USE ONLY

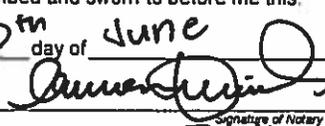
STATE OF HAWAII }
City and County of Honolulu } SS.

On this 30th day of June, in the year of 2020, personally appeared Wookjin Lee

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.


Signature of applicant(s) before Notary

Subscribed and sworn to before me this:
30th day of June, 2020


Signature of Notary

Print Name: Lauren Tomihara
Notary Public, State of Hawaii

My commission expires 07/10/2020

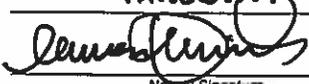
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NOTARY CERTIFICATION

Date of Doc: 6/30/2020 # of Pages: 2

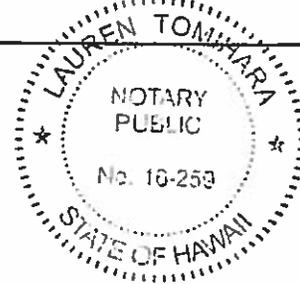
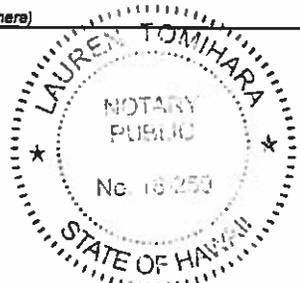
Notary Name: Lauren Tomihara 505 Circuit

Doc. Description: Personal History and Affidavit


Notary Signature

6/30/2020
Date

(Place Notary Stamp or Seal here)



List your experience in the liquor industry: NONE.

Will you devote time to manage the subject business? Yes No

If answer is "YES", will it be Full time, or Part-time?

I, HYUNMI JIN, of _____, (Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I have have not been convicted of any felony charge.

[Handwritten Signature]
Signature



FOR NOTARY USE ONLY

STATE OF HAWAII }
City and County of Honolulu } SS.

On this 30th day of June, in the year of 2020, personally appeared Hyunmi Jin who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

[Handwritten Signature]
Signature of applicant(s) before Notary

Subscribed and sworn to before me this:
30th day of June, 2020

[Handwritten Signature]
Signature of Notary

Print Name: Lauren Tomihara
Notary Public, State of Hawaii

My commission expires 07/10/2020

(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION

Date of Doc: 6/30/2020 # of Pages: 2

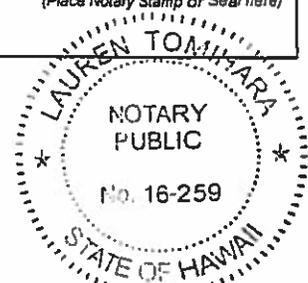
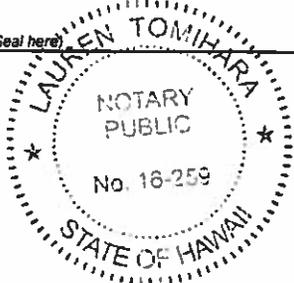
Notary Name: Lauren Tomihara First Circuit

Doc. Description: Personal History And Affidavit

[Handwritten Signature]
Notary Signature

6/30/2020
Date

(Place Notary Stamp or Seal here)



LICENSING INVESTIGATIVE REPORT

DATE: September 14, 2020

SUBJECT: Temporary Application No. 21-22197 from Masao Properties Incorporated, dba Beer Lab Hi, for a (Stand-Alone) Temporary Restaurant General (Category 2 – Live entertainment, recorded music and dancing) license at 98-1005 Moanalua Road, Unit 884, Aiea, in the Pearlridge Center at the former site of Apple Pearl Ridge LLC, dba Applebee's (R1293)

CORPORATE STRUCTURE:

Masao Properties Incorporated: Incorporated under the laws of the State of Hawaii on May 24, 2012, the corporation is authorized to issue 1,000 shares of common stock, of which 400 shares are currently issued and outstanding.

The officers, directors, and stockholders are:

		<u>Shares</u>	<u>Percent</u>
Nicolas Wong	Pres/D	204	51%
Derek Taguchi	CFO	98	24.5%
Kevin Teruya	COO	<u>98</u>	<u>24.5%</u>
		400	100%

See **Exhibit A1** to **A3** for biographical background information on the principals. Criminal History Clearance forms have been received.

According to Notification of Authorized Agent form, dated August 15, 2020, Nicolas Wong, President of Masao Properties Incorporated, authorizes Wayne Luke, Attorney, to serve as an authorized agent for the company before the Liquor Commission.

According to Notification of Authorized Agent form, dated September 10, 2020, Nicolas Wong, President of Masao Properties Incorporated, authorizes Kailey Wong to serve as an authorized agent for the company before the Liquor Commission.

FINANCIAL STATEMENT OF MASAO PROPERTIES INCORPORATED,
AS OF JULY 31, 2020:

Financial Statement of the Applicant, dated September 14, 2020, was submitted to the Commission and certified by the Applicant to be substantially correct, as of July 31, 2020.

TRADE NAME:

According to a Certificate of Registration of Trade Name from the State of Hawaii Department of Commerce and Consumer Affairs, dated December 30, 2019, Masao Properties Incorporated has secured the use of the trade name "Beer Lab Hi" for five (5) years from December 30, 2019 to December 29, 2024.

NEW LICENSE APPLICATION FILED:

The Applicant filed New Application No. 21-22198 on August 20, 2020.

WAIVER OF RULE 3-82-32.1(a):

On August 6, 2020, Masao Properties Incorporated was granted a waiver of Rule 3-82-32.1(a) which requires that a temporary license application be filed within five (5) working days of the surrender of the previous license or the closing of the business.

LEASE:

According to a Specialty Lease Agreement, dated and effective August 11, 2020, Pearlridge Uptown II LLC (Landlord) leases to Masao Properties Incorporated (Tenant) the subject premises commencing on September 1, 2020.

LICENSE IN EFFECT MORE THAN ONE YEAR:

Liquor Commission records reveal that a Restaurant General (Category 2 – Live entertainment, recorded music and dancing) license (R1293) was previously in effect from April 13, 2018.

The license was cancelled on May 12, 2020.

POSSIBLE ISSUE:

I am unclear if there would be a possible prohibited “tied house” arrangement under federal regulations due to an “affiliate” of Masao Properties Incorporated (i.e. BLH Brewing LLC) being a brewer of beer.

Masao Properties Incorporated (MPI) is applying for a Class 2 Restaurant license. MPI is a Member/Manager of BLH Brewing LLC (BLH) and holds 95% membership interest in BLH. BLH currently manufactures beer at 94-515 Ukee Street under a Class 14 Brewpub license (B0015). The remaining 5% interest in BLH is held by Kenneth Shiu, who is a Member and Manager of BLH. Kenneth Shiu is not an officer/director of MPI and does not have an interest in MPI. MPI also currently exercises two separate Brewpub licenses at 1010 University Avenue (B0010) and 98-1005 Moanalua Road, #231 (B0016). MPI currently manufactures beer at 1010 University Avenue, but not at 98-1005 Moanalua Road, #231 (may be operating out-of-class).

See **Exhibit B**

According to the Applicant, they will be purchasing beer for their new Restaurant business from both the University (B0010) location and the Ukee location (B0015). They also plan to purchase beer made by other manufacturers.

Under State “tied house” laws, Class 1 Manufacturer and Class 3 Wholesale Dealer licensees are restricted, in certain circumstances, from holding any interest in the license of retail licensees (HRS §281-31(b) and §281-42).

By definition (HRS §281-1), Class 14 Brewpub licensees are considered retail licensees under State law, and so they do not appear to have those same restrictions under state law, but **I am unclear if the organizational structure of BLH and MPI constitutes a possible tied house arrangement prohibited under federal**

regulations since under federal regulations a “brewer” of malt beverages (beer) appears to be an “industry member” subject to federal “tied house” regulations.

BLH appears to be an industry member under federal regulations and also appears to be an “affiliate” of MPI with an “indirect interest” in MPI, but if the product is a malt beverage (beer), there must be a similar (not same) State law to enable application of the Federal Alcohol Administration Act.

It appears that **there may be a similar State law** in that under State law (HRS §281-31(b)) a brewer of malt beverage holding a Class 1 Manufacturer license **would be prohibited** from having any interest whatsoever in the license or licensed premises of any other licensee (other than a wholesaler), but that the same brewer holding a Class 14 Brewpub license **would *not necessarily* be prohibited** from holding an interest in any other retail license or licensee (HRS §281-42) as it is itself considered a retail license under State law.

HRS §281-38: “Every license issued under this chapter shall contain the condition that it is **subject to this chapter and any other laws applicable to the business of the licensee**, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter...”

HRS §281-42 Manufacturers and wholesale dealers, special restrictions:

- (a) It shall be **unlawful** for any person holding a manufacturer’s license or a wholesale dealer’s license **to induce the purchases of a retail licensee by:**
- (1) **Acquiring or holding any interest in any license of a retail licensee; ...**
- (c) **In construing subsection (a), the courts and the liquor commission shall follow the rules, regulations, and decisions of the Bureau of Alcohol, Tobacco and Firearms of the United States Treasury Department and the federal courts in interpreting section 5 (b) of the Federal Alcohol Administration Act, as the same may be changed from time to time.**

HRS §281-1: “Retail licensee” means any licensee holding a class 2, class 4 through class 16, or class 18 license.

Note: HRS §281-42 does not contain the wording “exclusion” or “interstate or foreign commerce” that is written into federal code and regulations. I am unclear if the “exclusion” and “interstate or foreign commerce” criteria that is a requirement under federal regulations to constitute unlawful inducement is applicable to or is a requirement to constitute unlawful inducement under state law.

Title 27 United States Code Chapter 8 – Federal Alcohol Administration Act:

§205. Unfair competition and unlawful practices.

It shall be unlawful for any person engaged in business as a distiller, brewer, rectifier, blender, or other producer, or as an importer or wholesaler, of distilled spirits, wine, or malt beverages, or as a bottler, or warehouseman and bottler, of distilled spirits, directly or indirectly or through an affiliate: ...

(b) “Tied House”

To induce through any of the following means, any retailer, engaged in the sale of distilled spirits, wine, or malt beverages, to purchase any such products from such person to the exclusion in whole or in part of distilled spirits, wine, or malt beverages sold or offered for sale by other persons in interstate or foreign commerce, if such inducement is made in the course of interstate or foreign commerce, or if such person engages in the practice of using such means, or any of them, to such an extent as substantially to restrain or prevent transactions in interstate or foreign commerce in any such products, or if the direct effect of such inducement is to prevent, deter, hinder, or restrict other persons from selling or offering for sale any such products to such retailer in interstate or foreign commerce:

(1) By acquiring or holding... any interest in any license with respect to the premises of the retailer; or...

(f) ...In the case of malt beverages, the provisions of subsections (a), (b), (c), and (d) shall apply to transactions between a retailer or trade buyer in any State and a brewer, importer, or wholesaler of malt beverages outside such State only to the extent that the law of such State imposes similar

requirements with respect to similar transactions between a retailer or trade buyer in such State and a brewer, importer, or wholesaler of malt beverages in such State, as the case may be...

§211. Miscellaneous provisions

(1) Definitions

(4) The term “**affiliate**” means **any one of two or more persons if one of such persons has actual or legal control, directly or indirectly, whether by stock ownership or otherwise, of the other or others of such persons; and any one of two or more persons subject to common control, actual or legal, directly or indirectly, whether by stock ownership or otherwise.**

Title 27 Code of Federal Regulations Part 6:

§6.3 Application.

(a) *General.* **This part applies only to transactions between industry members and retailers. It does not apply to transactions between two industry members (for example, between a producer and a wholesaler), or to transactions between an industry member and a retailer wholly owned by that industry member.**

§6.4 Jurisdictional limits.

(a) *General.* The regulations in this part apply where:

(1) The industry member induces a retailer to purchase distilled spirits, wine, or malt beverages from such industry member to the exclusion in whole or in part of products sold or offered for sale by other persons in interstate or foreign commerce; and

(2) If: (i) The inducement is made in the course of interstate or foreign commerce; or

(ii) The industry member engages in the practice of using an inducement to such an extent as substantially to restrain or prevent transactions in interstate or foreign commerce in any such products; or

(iii) The direct effect of the inducement is to prevent, deter, hinder or restrict other persons from selling or

offering for sale any such products to such retailer in interstate or foreign commerce.

- (b) *Malt beverages.* **In the case of malt beverages, this part applies to transactions between a retailer in any State and a brewer, importer, or wholesaler of malt beverages inside or outside such State only to the extent that the law of such State imposes requirements similar to the requirements of section 105(b) of the Federal Alcohol Administration Act (27 U.S.C. 205(b)), with respect to similar transactions between a retailer in such State and a brewer, importer, or wholesaler of malt beverage in such State, as the case may be.**

§6.11 Meaning of terms.

Industry member. Any person engaged in business as a distiller, brewer, rectifier, blender, or other producer, or as an importer or wholesaler, of distilled spirits, wine or malt beverages ...

Retailer. Any person engaged in the sale of distilled spirits, wine or malt beverages to consumers...

§6.21 Application.

Except as provided in subpart D, it is **unlawful for any industry member to induce, directly or indirectly, any retailer to purchase any products from the industry member to the exclusion, in whole or in part, of such products sold or offered for sale by other persons in interstate or foreign commerce by any of the following means:**

- (a) **By acquiring or holding... any interest in any license with respect to the premises of the retailer; ...**

§6.26 Indirect interest.

Industry member interest in retail licenses includes any interest acquired by corporate officials, partners, employees or other representatives of the industry member. Any interest in a retail license acquired by a separate corporation in which the industry member or its officials, hold ownership or are otherwise affiliated, is an interest in a retail license.

§6.27 Proprietary interest.

- (a) ***Complete ownership.*** **Outright ownership of a retail business by an industry member is not an interest which may result in a violation of section 105(b)(1) of the Act.**
- (b) ***Partial ownership.*** **Less than complete ownership of a retail business by an industry member constitutes an interest in a retail license within the meaning of the Act.**

§6.151 Exclusion, in general.

(c) Exclusion, in whole or in part occurs:

- (1) **When a practice by an industry member, whether direct, indirect, or through an affiliate, places (or has the potential to place) retailer independence at risk by means of a tie or link between the industry member and retailer or by any other means of industry member control over the retailer; and**
- (2) **Such practice results in the retailer purchasing less than it would have of a competitor's product...**

§6.152 Practices which put retailer independence at risk.

The practices specified in this section put retailer independence at risk...

- (c) **Ownership by an industry member of less than a 100 percent interest in a retailer, where such ownership is used to influence the purchases of the retailer...**

§6.153 Criteria for determining retailer independence.

The criteria specified in this section are **indications that a particular practice, other than those in §6.152, places retailer independence at risk.** A practice need not meet all of the criteria specified in this section in order to place retailer independence at risk...

- (c) **The retailer has a continuing obligation to purchase or otherwise promote the industry member's product.**
- (d) **The retailer has a commitment not to terminate its relationship with the industry member with respect to purchase of the industry member's products.**
- (e) **The practice involves the industry member in the day-to-day operations of the retailer.** For example, the industry member controls the retailer's decision on which brand of products to purchase, the pricing of products, or the manner in which the products will be displayed on the retailer's premises...

LIQUOR PURCHASE:

Sec. 281-32, HRS requires that all liquor purchases made under a temporary license must be paid for in cash, check or certified check at the time of delivery of liquor and that all liquor must be purchased from a licensed wholesaler.

EFFECTIVE DATE OF TEMPORARY LICENSE:

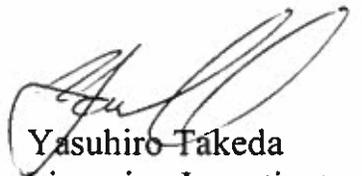
Unless otherwise approved by the Commission the temporary license will be effective no later than 7 days after its approval by the liquor Commission.

NO PUBLIC HEARING:

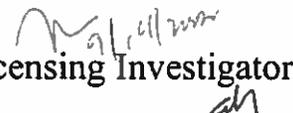
Pursuant to Section 281-32, HRS, the Commission may grant a temporary license without a public hearing.

OPINION:

In my opinion, statutory requirements for a temporary license appear to have been met.


Yasuhiro Takeda
Licensing Investigator

Reviewed by:


Daniel Sato
Supervising Licensing Investigator


List your experience in the liquor industry: PRESIDENT AND FOUNDER OF BEER LAB HI BREWERY, OPERATING SINCE MARCH 2016.

Will you devote time to manage the subject business? Yes No

If answer is "YES", will it be Full time, or Part-time?

I, NICOLAS WONG, of _____, of

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I have/ have not) been convicted of any felony charge.

[Handwritten Signature]

Signature



P
R
P
A

FOR NOTARY USE ONLY

STATE OF HAWAII }
City and County of Honolulu } SS

On this 12th day of August in the year of 2020 personally appeared Nicolas Akin Wong who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the aforementioned instrument the person or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed

[Signature]
Signature of applicant(s) before Notary

Subscribed and sworn to before me this
12th day of August, 2020

[Signature]
Signature of Notary

Print Name Reed Kondo
Notary Public, State of Hawaii

My commission expires 04/05/2023

(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION

Date of Doc 8/12/20 # of Pages 2

Notary Name Reed Kondo 1st Circuit

Doc Description Personal History And Affidavit

[Signature]
Notary Signature

8/12/20
Date

(Place Notary Stamp or Seal here)



EXHIBIT A |

**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/lic

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU
2020 AUG 20 PM 6:26

PERSONAL HISTORY AND AFFIDAVIT
Rule 3-83-53.1

NAME Taguchi Derek Satoru SOCIAL SECURITY NO. _____
Last, First Middle Maiden
 HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
 CITY _____ STATE _____ ZIP CODE _____ BUS. (808) 253-8576
 PLACE BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS Married
(City, State) (MM / DD / YYYY)
 NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1998 NAME OF SCHOOL Green valley high school, Henderson, NV
(include City and State)
 NO. OF YEARS COMPLETED IN COLLEGE 5.5 YEAR COMPLETED 2005 NAME OF COLLEGE University of Nevada, Las Vegas
(include City and State)
 OTHER EDUCATION MS, 2006, University of Nevada, Las Vegas; MBA, 2011 University of Hawaii at Manoa

CITIZENSHIP USA DATE ARRIVED IN HAWAII (if applicable) February 2006
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
02/2006	04/2016	Nuclear Engineer	Pearl Harbor	Pearl Harbor, Hawaii
04/2016	Present	Mechanical Engineer	Naval Facilities Pacific	Pearl Harbor, Hawaii

(if additional space is needed, please use reverse side)

List your experience in the liquor industry: CFO, partial owner of Beer Lab Hawaii. Experiences include serving and managing the bar area at the brewery tap room, aiding brewing operations and ensuring that brewery meets and maintains compliance with TTB and other regulations.

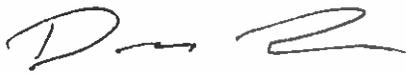
Will you devote time to manage the subject business? Yes No

If answer is "YES", will it be Full time, or Part-time?

I, Derek Taguchi, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I have have not) been convicted of any felony charge.



Signature



FOR NOTARY USE ONLY

STATE OF HAWAII }
City and County of Honolulu } SS.

On this 12th day of AUGUST in the year of 2020 personally appeared DEREK SATORU TAGUCHI who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the aforementioned instrument the person or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Derek Taguchi
Signature of applicant(s) before Notary

Subscribed and sworn to before me this
12th day of AUGUST, 2020

Nathan Obando
Signature of Notary

Print Name NATHAN OBANDO
Notary Public State of Hawaii

My commission expires 02/08/2023

(Place Notary Stamp or Seal here)

NOTARY CERTIFICATION

Date of Doc 08-12-2020 # of Pages 2

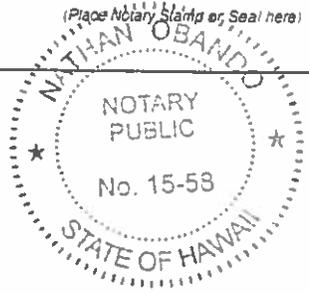
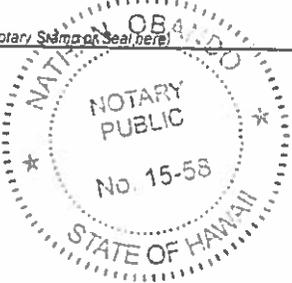
Notary Name NATHAN OBANDO | Circuit

Doc Description C&C OF HONOLULU
PERSONAL HISTORY & AFFIDAVIT

Nathan Obando
Notary Signature

08-12-2020
Date

(Place Notary Stamp or Seal here)



List your experience in the liquor industry: COO & FOUNDER OF BEER LAB HI BREWERY, OPERATING SINCE
MARCH 2016.

Will you devote time to manage the subject business? Yes No
 If answer is "YES", will it be Full time, or Part-time?

I, KEVIN TERUYA, of _____
 (Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I have/ have not) been convicted of any felony charge.

[Signature]
 Signature



FOR NOTARY USE ONLY

STATE OF HAWAII }
 City and County of Honolulu } SS.

On this 12th day of August in the year of 2020 personally appeared Kevin I. Teruya
 who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the aforementioned instrument the person or the entity upon behalf of which the person(s) acted executed the aforementioned instrument in free act and deed

[Signature]
 Signature of applicant(s) before Notary

Subscribed and sworn to before me this:
12th day of August, 2020

[Signature]
 Signature of Notary

Print Name Shelley A. Masui
 Notary Public State of Hawaii

My commission expires 09/14/2022

NOTARY CERTIFICATION

Date of Doc 08/12/2020 # of Pages 2

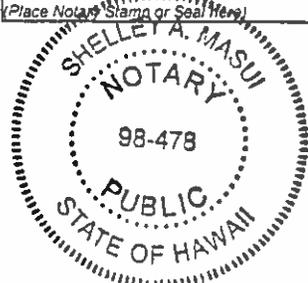
Notary Name Shelley A. Masui 1st Circuit

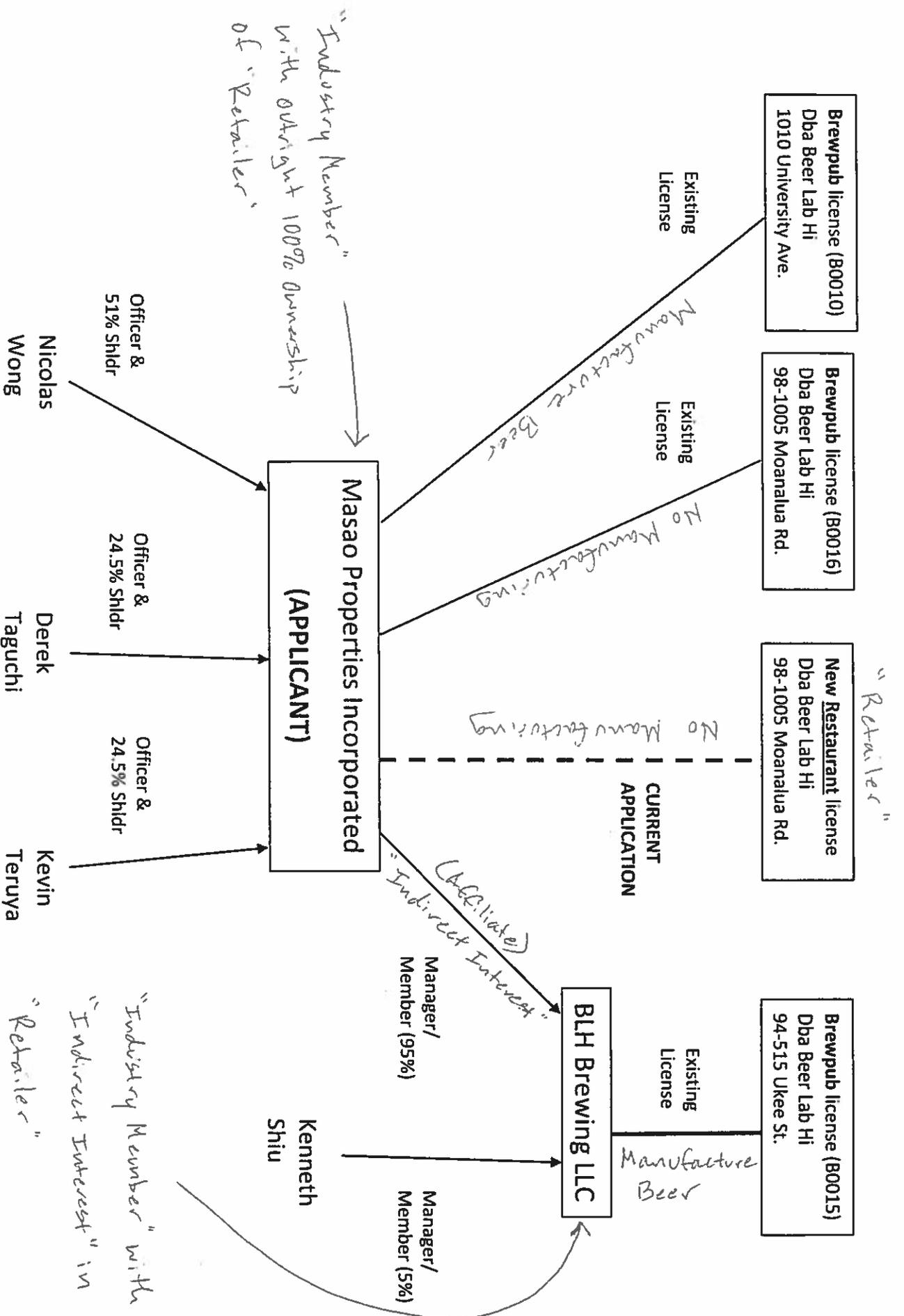
Doc Description Personal History And Affidavit

[Signature]
 Notary Signature

08/12/2020
 Date

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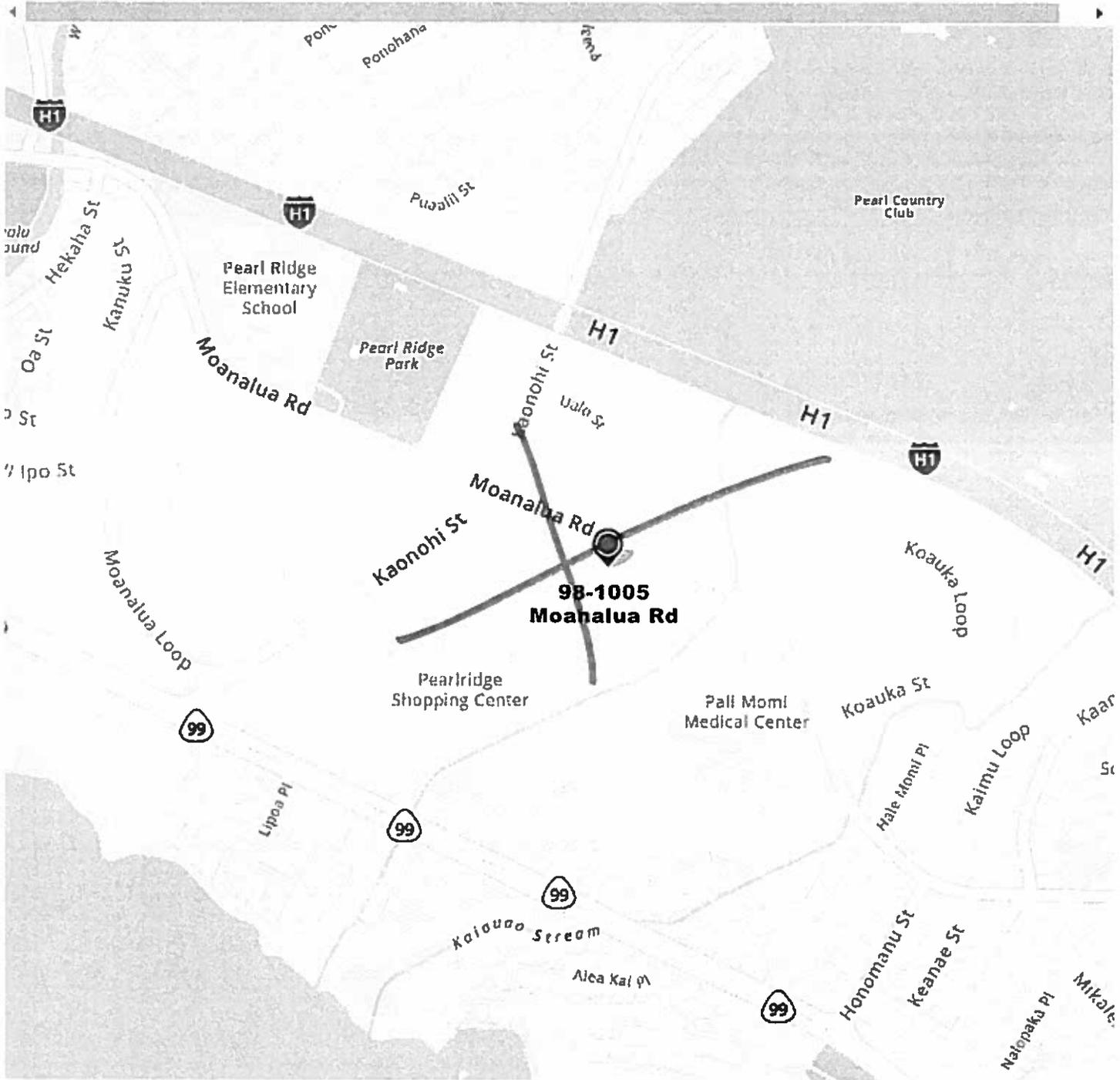






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Keith M. Kiuchi, A Law Corporation

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FAX: (808) 533-4391

VIA E-MAIL

September 14, 2020

Please place on
Agenda 9/24/20 ah

Ms. Anna Hirai
Assistant Administrator
Honolulu Liquor Commission
711 Kapiolani Blvd., Suite 600
Honolulu, HI 96813

**Re: Request of Seoul Tofu House (R1343) for Second Extension of Time to
Obtain Tax Clearance**

Dear Ms. Hirai:

I represent Woojin F & B Hawaii, Inc. dba Seoul Tofu House (R1343) ("Seoul Tofu House").

This letter is to request a second extension of time for Seoul Tofu House to obtain their tax clearance to enable them to pick up their renewed liquor license. This Commission had previously granted Seoul Tofu House until September 30, 2020 to obtain that tax clearance but they have been unable to obtain the tax clearance as of this date. We are asking, in this second extension, for a period of 3 additional months to obtain the tax clearance. We therefore ask that Seoul Tofu House be given until December 31, 2020 to obtain their tax clearance to pick up their liquor license. We ask that this matter be calendared for the Honolulu Liquor Commission meeting on Thursday, September 24, 2020. Please call me if you have any questions.

Sincerely,



Keith M. Kiuchi

cc: Client