

LIQUOR COMMISSION
DEPARTMENT OF LIQUOR CONTROL
COUNTY OF MAUI, STATE OF HAWAII

TRANSCRIPT OF PROCEEDINGS
REGULAR MEETING

Held at the Department of Liquor Control Conference Room, David K. Trask, Jr. Office Building, 2145 Kaohu Street, Room 108, Wailuku, Maui, Hawaii, commencing at 9:00 a.m., on Wednesday, May 9, 2018, 2017.

Reported by: Tonya McDade, CSR, RPR, CRC
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APPEARANCES

- Robert Tanaka, Chairperson
- Nane Aluli, Vice-Chairperson
- Alberta de Jetley, Commissioner
- Jonathan Todd, Commissioner
- Roy Umeno, Commissioner
- Leslie-Ann Yokouchi, Commissioner
- STAFF PRESENT:
- Edward Kushi, Jr., First Deputy Corporation Counsel
- Glenn Mukai, Director
- Jarrett Kahooohanohano, Liquor Control Officer III
- Gene Silva, Liquor Control Officer III
- Karilee Yoshizawa, Liquor Control Officer IV
- Sandra Kobayashi, Liquor Control Officer III
- Lianne Suzuki, Private Secretary

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(Wednesday, May 9, 2018, 9:00 a.m.)

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CHAIR TANAKA: (Gavel.) Liquor Commission meeting called to order. Roll call. Lianne.

MS. SUZUKI: Lianne Suzuki, Liquor Control.

COMMISSIONER TODD: Jonathan Todd.

COMMISSIONER de JETLEY: Alberta de Jetley.

MR. KUSHI: Ed Kushi.

CHAIR TANAKA: Good morning. Bob Tanaka.

VICE-CHAIR ALULI: Aloha. Nane Aluli.

COMMISSIONER UMENO: Good morning, Roy Umeno.

COMMISSIONER YOKOUCHI: Good morning. Leslie Yokouchi.

DIRECTOR MUKAI: Glenn Mukai, Liquor Control.

MR. SILVA: Gene Silva, Liquor Control.

MR. KAHOOHANOHANO: Jarrett Kahooohanohano, Liquor Control.

CHAIR TANAKA: Thank you. You have your agenda for May 9, 2018. If there's no questions, may I have a motion for approval?

COMMISSIONER TODD: I would like to make a motion to amend the agenda, please.

COMMISSIONER de JETLEY: I second.

CHAIR TANAKA: What's the amendment?

COMMISSIONER TODD: I would like to move the

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1 Other Licensing Matter, Lahaina Sushi Ko, Part II.A., to
2 the top as this person has a very small thing that is
3 necessary, it's a comma in the name change, and they
4 already spent an entire day or half day at the Liquor
5 Commission two months ago. I would love to show the
6 courtesy of our group in recognizing that we want to help
7 get through things like this for people.

8 COMMISSIONER de JETLEY: That's a motion?

9 COMMISSIONER TODD: That's a motion. That's,
10 actually, my second movement this morning.

11 COMMISSIONER de JETLEY: Okay. I second that
12 motion.

13 CHAIR TANAKA: Question, Jonathan. Did the
14 applicant request that?

15 COMMISSIONER TODD: No, they did not. I just
16 heard about -- there's a comma change in the name. And
17 I'm trying to advocate for us not being in the news all
18 the time, being sticklers, and trying to help the
19 community. And I really think that somebody who was here
20 all that time two months ago, to have to drive out here
21 again and do this, it's tough. And if we can show some
22 compassion to them, I'm sure it will be a very quick --

23 CHAIR TANAKA: So you're taking that on your
24 own, to move it up?

25 COMMISSIONER TODD: I'm, on my own, making a

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1 Commissioner type motion.

2 CHAIR TANAKA: We -- we are traveling in a new
3 direction now.

4 COMMISSIONER TODD: Yeah, here comes big stuff
5 because of a comma.

6 CHAIR TANAKA: Okay. If there's no objection
7 from the Commissioners, let's move that item up right
8 after the confirmation items.

9 COMMISSIONER TODD: Mahalo nui loa.

10 COMMISSIONER de JETLEY: Thank you.

11 CHAIR TANAKA: Okay. All in favor, say "aye."
12 (Response.)

13 CHAIR TANAKA: Opposed, "no."

14 (No response.)

15 CHAIR TANAKA: Motion carried.

16 COMMISSIONER TODD: Thank you, Chairman.

17 CHAIR TANAKA: Okay. You have your minutes of
18 April 11, 2018. If there's no questions or comments, may
19 I have a motion for approval?

20 COMMISSIONER de JETLEY: I move to approve --

21 COMMISSIONER TODD: Second.

22 COMMISSIONER de JETLEY: -- the minutes.

23 CHAIR TANAKA: Okay. Moved and seconded. All
24 in favor, say "aye."

25 (Response.)

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1 CHAIR TANAKA: Opposed, "no."

2 (No response.)

3 CHAIR TANAKA: Motion carried. Okay. Let's go
4 on to General Licensing Matters, Item A through R.

5 COMMISSIONER de JETLEY: Mr. Chair, I move to
6 approve General Licensing Matters A through R.

7 CHAIR TANAKA: Okay. That's for confirmation.

8 COMMISSIONER TODD: Second.

9 CHAIR TANAKA: (Inaudible) for confirmation.
10 Okay. Moved and seconded. All in favor, say "aye."

11 (Response.)

12 CHAIR TANAKA: Okay. Opposed, no.

13 (No response.)

14 CHAIR TANAKA: Motion carried. Okay. Let's
15 take the change in Agenda Item A, Lahaina Sushi Ko, LLC.

16 COMMISSIONER de JETLEY: Mr. Chair, I move to
17 approve --

18 CHAIR TANAKA: Just a minute. Just a minute.

19 MR. EGAN: Hello.

20 COMMISSIONER TODD: Sit down. Behave.

21 CHAIR TANAKA: Go ahead. What's your name?

22 MR. EGAN: Christopher Egan, Lahaina Sushi Ko.

23 CHAIR TANAKA: Okay. Jarrett.

24 MR. KAHOOHANOHANO: Okay. Lahaina Sushi Ko, LLC
25 doing business as Lahaina Sushi Ko, LLC, pursuant to the

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1 Rules of the Liquor Commission is requesting Commission
2 approval to change the existing trade name from Lahaina
3 Sushi Ko, LLC to Lahaina Sushi Ko.

4 Member of the member-managed limited liability
5 company are listed in the investigator's report.

6 And the Rules of the Liquor Commission, under
7 the Section 08-101-36, Unauthorized use of trade name:
8 change, states, in part: A new license or transferee
9 shall have notice -- have a notice of trade name, however,
10 such trade name must be registered with the State
11 Department of Commerce and Consumer Affairs; any license
12 desirous -- licensee desirous of the changing of an
13 existing trade name shall submit to the Commission the
14 Certificate of Registration of Trade Name issued by the
15 State Department of Commerce and Consumer Affairs, showing
16 the approval of such registration; Use of any trade name
17 without prior approval of the Commission is prohibited,
18 any publication or advertising or sign with an
19 unauthorized trade name will be considered prima facie
20 evidence of use of such trade name.

21 CHAIR TANAKA: Thank you. Do you have anything
22 else to add?

23 MR. EGAN: No.

24 CHAIR TANAKA: Okay. I'm gonna open it to the
25 public. Any public testimony on this item? Okay. Seeing

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1 none, any questions by the Commissioners? If not, may I
2 have a motion?

3 COMMISSIONER de JETLEY: Yes. Mr. Chair, I move
4 to approve this request for a name change.

5 COMMISSIONER TODD: Mr. Chair, I second.

6 CHAIR TANAKA: Okay. Moved and seconded. All
7 in favor, say "aye."

8 (Response.)

9 CHAIR TANAKA: Opposed, "no."

10 (No response.)

11 CHAIR TANAKA: Motion carried. Thank you.

12 COMMISSIONER TODD: Thank you for your time.
13 Sorry for the inconvenience.

14 MR. EGAN: Thanks, Jonathan.

15 CHAIR TANAKA: Okay. Let's go on to -- back to
16 our agenda, Public Hearings, Application 19, Champagne,
17 Inc.

18 MS. AINA: Good morning. My name is Marnie
19 Aina. I'm with Champagne, Inc., Travaasa, Hana.

20 CHAIR TANAKA: Thank you. Gene.

21 MR. SILVA: Champagne, Inc. doing business as
22 Hana Dry Goods. The proposed premises is located at 5031
23 Hana Highway, Retail Number 1, Hana, Maui, Hawaii. This
24 is a public hearing for a new Retail General license. The
25 documents necessary for completing the remaining

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1 application requirements for a liquor license are listed
2 in the summary report.

3 Notice of public hearing was published in "The
4 Maui News" on March 14th and 21st, 2018. There are a
5 total of 37 owners and lessees situated within 500 feet of
6 the proposed premises. The Department did not receive any
7 protests.

8 CHAIR TANAKA: Thank you. Do you have anything
9 else to add?

10 MS. AINA: No, thank you.

11 CHAIR TANAKA: Okay. Since this is a public
12 hearing item, I'm gonna open it to the public. Anybody
13 for or against this application? Okay. Seeing none,
14 public hearing closed for this item. Any questions by the
15 Commissioners?

16 COMMISSIONER de JETLEY: I do. I'm a little bit
17 confused as to your exact location. You're on the Hana
18 road in Hana?

19 MS. AINA: Yes.

20 COMMISSIONER de JETLEY: Where -- whereabouts
21 are you?

22 MS. AINA: It's a space inside of the hotel.

23 COMMISSIONER de JETLEY: Oh, I see. Thank you.

24 CHAIR TANAKA: Okay. Any other questions? If
25 not, may I have a motion?

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1 COMMISSIONER TODD: Mr. Chairman, I've been
2 nudged to make a motion. And I move to approve that
3 Champagne, Inc. dba Hana Dry Goods for Retail General
4 License be approved.

5 COMMISSIONER de JETLEY: I second that motion.

6 CHAIR TANAKA: Okay. Moved and seconded. All
7 in favor, say "aye."

8 (Response.)

9 CHAIR TANAKA: Opposed, "no." Motion carried.
10 Thank you.

11 MS. AINA: Thank you.

12 COMMISSIONER TODD: Thank you.

13 CHAIR TANAKA: Application Number 21.

14 MR. JORGENSEN: Good morning, Chairman Tanaka.
15 Dave Jorgensen appearing on behalf of Maui Tacos H6, Inc.
16 dba Maui Tacos. With me this morning is Maria Vega, one
17 of the managers of the restaurant.

18 CHAIR TANAKA: Thank you. Gene.

19 MR. SILVA: Maui Tacos H6 doing business as Maui
20 Tacos. The proposed premises is located at 100 Hookele
21 Street, Suite 520, Building 5, Kahului, Maui, Hawaii.
22 This is a public hearing for a new Dispenser General
23 License, Category C(ii).

24 The documents necessary for completing the
25 remaining application requirements for a liquor license

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1 are listed in the summary report.

2 Notice of public hearing was published in "The
3 Maui News" on March 14th and 21st, 2018. There are a
4 total of 40 owners and lessees situated within 500 feet of
5 the proposed premises. The Department did not receive any
6 protests.

7 CHAIR TANAKA: Thank you. Anything else to add,
8 Dave?

9 MR. JORGENSEN: The only thing we would ask
10 is -- we're already having some issues with the
11 construction, the build-out of the space. This is in the
12 new Target center. So it's one of the new spaces over on
13 the Verizon side of the parking lot. And so we would ask
14 for one year to have the license issued rather than the
15 six months, just to be safe. We're hopeful it will be
16 able to be open within a couple months, but, with the
17 other locations, we've had the same experience as a lot of
18 people. And we're just, out of overabundance of caution,
19 requesting a one-year time to get the license issued.

20 CHAIR TANAKA: So you -- you want approval of
21 the license plus one year for issuance?

22 MR. JORGENSEN: Yes.

23 MR. KUSHI: So one year from today?

24 MR. JORGENSEN: One year from the date the -- I
25 guess from today, yes. I'm getting a nod.

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1 CHAIR TANAKA: Okay. Since this is a public
2 hearing, I'm gonna open it to the public. Any public
3 testimony for or against this application? Okay. Seeing
4 none, public hearing closed for this item. Any questions
5 by the Commissioners?

6 COMMISSIONER de JETLEY: Mr. Chair, because it's
7 only my second meeting, reading through the different
8 applications that have come before us, I notice there are
9 two other businesses that have, also, had to ask for six
10 months extensions. So I -- I would be willing to make a
11 motion to approve this permit with an additional six
12 months so that you would have one year from your date
13 to get --

14 COMMISSIONER TODD: I second that.

15 COMMISSIONER de JETLEY: -- your -- your project
16 finished.

17 MR. JORGENSEN: Thank you.

18 COMMISSIONER TODD: Absolutely.

19 CHAIR TANAKA: Is that a motion?

20 COMMISSIONER de JETLEY: Yes, I make that a
21 motion.

22 COMMISSIONER TODD: And I second it.

23 CHAIR TANAKA: Moved and seconded. All in
24 favor, say "aye."

25 (Response.)

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1 CHAIR TANAKA: Opposed, "no."

2 (No response.)

3 CHAIR TANAKA: Motion carried.

4 MR. JORGENSEN: Thank you.

5 COMMISSIONER TODD: Thank you, Dave.

6 CHAIR TANAKA: Okay. Let's go on to Preliminary
7 Hearings, MNS, LTD.

8 MR. NAKAMURA: Good morning, Mr. Chair, Members
9 of the Commission. Craig Nakamura, attorney on behalf of
10 the applicant. And with me is Mr. Eric Nakamoto who is
11 the District Manager for Maui for ABC Stores.

12 MR. NAKAMOTO: Good morning.

13 CHAIR TANAKA: Thank you. Jarrett.

14 MR. KAHOOHANOHANO: Application Number 22, MNS,
15 LTD., a registered Hawaii corporation doing business as
16 ABC Stores applying for A Retail General license.

17 Officers, directors and stockholder of the
18 corporation are listed in the investigator report.

19 The applicant has submitted a copy of the Sixth
20 Amendment to Lahaina Cannery Mall lease as well as a copy
21 of the original lease and all other amendments to the
22 lease between Lahaina Cannery Retail Owner, L.P., a
23 Delaware limited partnership, who's the landlord, and MNS
24 LTD., a Hawaii corporation doing business as ABC Stores,
25 who will be the tenant, dated April 12, 2017.

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1 The proposed premises, a retail store
2 approximately 4,472 square feet within the Lahaina Cannery
3 Mall, which is a single-story shopping center located at
4 121 -- 1221 Honoapiilani Highway, Suite Number A-100,
5 Lahaina, Maui, Hawaii.

6 There are no schools or churches located within
7 a radius of 500 feet.

8 Safeway, License Number 399, Longs Drugs,
9 License Number 368, Aloha Island Mart, License Number 389,
10 and Foodland Farms, License Number 369 are licenses of the
11 same class and kind located within a radius of 500 feet.

12 There are three Dispenser General liquor
13 licenses located within a radius of 500 feet: Old Lahaina
14 Luau, License Number 351, Aloha Mixed Plate, License
15 Number 458 and Fu Lin Chinese Restaurant, License 285.

16 There are three Restaurant General liquor licenses located
17 within a radius of 500 feet: Maalaea [sic] An Ocean
18 Tavern, License Number 041, Honu Beach Cafe, License
19 Number 058, and Frida's Beach House, License Number 125.

20 There are 136 licenses of this class and kind
21 currently issued within the Maui County -- County of Maui.

22 The applicant initially plans to be open from
23 8:30 a.m. to 9:30 p.m., seven days a week.

24 An initial site inspection was conducted of the
25 proposed premises on March 29, 2018. The premises is

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1 currently undergoing construction at this time.

2 Past history: Paul James Kosasa, Riki Shigemi
3 Morimoto, Miles Mitsuo Oda, Scott Hideo Shimogawa and
4 Miles Keo Ohye are the current officers/directors, and
5 Susan Minnie Kosasa, Neil Yukio Ishida, Gloria Jan
6 Gainsley, Thomas Sidney Kosasa, Terri Min, Tracy Chiemi
7 Ide, David Keiji Awaya, Brandon Masaru Tashima, Warren Ken
8 Ishii, Aaron Keith Gandaoli and Russell Marciel Jeremiah,
9 Jr. are the current directors of MNS, LTD. doing business
10 as Honolua Store, License Number 175, Island Gourmet
11 Markets, License Number 298, ABC Stores, License Numbers
12 060, 104, 332, 394, 422, 452, 156, 304 and 423.

13 Paul James Kosasa, Riki Shigemi Morimoto, Miles
14 Mitsuo Oda, Scott Hideo Shimogawa and Miles Keo Ohye were
15 the officers/directors, and Susan Minnie Kosasa, Neil
16 Yukio Ishida, Glorida Jan Gainsley, Thomas Sidney Kosasa,
17 Terri Min, Tracy Chiemi Ide, David Keiji Awaya, Brandon
18 Masaru Tashima, Warren Ken Ishii, Aaron Keith Gandaoli and
19 Russell Marciel Jeremiah, Jr. were the directors of MNS,
20 LTD. doing business as ABC Stores, License Number 195,
21 Retail General. Original license issued on September
22 15th, 1988. License Number 195 was canceled on January
23 22nd, 2018.

24 MNS, Ltd. dba Honolua Store, License Number 175,
25 Retail General license, was transferred from Kapalua Land

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1 Company, Ltd. doing business as Honolua Store, Number --
2 License Number 058, on November 22nd, 2011. No violations
3 were adjudicated.

4 MNS, Ltd. dba Island Gourmet Markets, License
5 Number 298, Retail General. Original license was issued
6 on September 3rd, 2015. No violations were adjudicated.

7 MNS, Ltd. dba ABC Store Number 060, Retail
8 General. Original license was issued on August 2nd, 1990.
9 No violations documented, no violations were adjudicated.

10 MNS, Ltd. dba ABC Store Number 104, Retail
11 General. Original license was issued on May 9th, 1998.
12 No violations were adjudicated.

13 MNS, Ltd. dba ABC Store Number 332, Retail
14 General. Original license was issued on November 26,
15 1994. No violations were adjudicated.

16 MNS, Ltd. dba ABC Store Number 394, Retail
17 General. Original license was issued January 18, 2007.
18 No violations were adjudicated.

19 MNS, Ltd. dba ABC Store 422, Retail General.
20 Original license was issued on January 5th, 2001. No
21 violations were adjudicated.

22 MNS, Ltd. dba ABC Stores, Number 452, Retail
23 General. Original license was issued on February 14,
24 2014. No violations were adjudicated.

25 MNS, Ltd. dba ABC Store Number 156, Retail

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1 General. Original license was issued on September 11,
2 1999. No violations were adjudicated.

3 MNS, Ltd. dba ABC Stores, Number 156, Retail
4 General. On July 24th, 1999, at about 8:38 p.m., did,
5 through its employee, sell or furnish liquor to a minor as
6 defined in Section 281-1 in the HRS, contrary to
7 281-78(b)(1)(A) in the HR -- HRS, and 08-101-60(b)(1)(A)
8 in the Rules of the Liquor Commission.

9 On November 4th, 1999, MNS, Ltd. doing business
10 as ABC Stores, Number 156, had been found guilty and
11 received \$1,000 fine.

12 MNS, LTD. dba ABC Store Number 156, Retail
13 General, on July 24th, 1999, at about 8:38 p.m., did,
14 through its employee, failed to properly check the ID of a
15 minor as defined in Section 281-1 in the HRS, who was in
16 possession of or seeking to purchase liquor in its
17 premises where liquor is sold for consumption off the
18 premise, contrary to Section 08-101-61(b) in the Rules of
19 the Liquor Commission.

20 On November 4, 1999, MNS, Ltd. dba -- doing
21 business as ABC Stores, 156, Retail General, had been
22 found guilty and had received a \$500 fine.

23 MNS, Ltd. dba ABC Stores, Number 156, Retail
24 General, on July 24th, 1999, about 8:38 p.m., did, through
25 its employee, accept an expired personal ID card of a

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1 minor as defined in 281-1 of the HRS, who was in
2 possession of or seeking to purchase liquor at its
3 premises where liquor is sold for consumption of -- off
4 the premise, contrary to 08-101-61(b) of the Rules of the
5 Liquor Commission.

6 On November 4th, 1999, MNS, Ltd. dba ABC Stores,
7 Number 156, Retail General, had been found guilty and had
8 been received -- and had received a \$250 fine.

9 MNS, Ltd. doing business as ABC Stores, Number
10 304, Retail General. Original license was issued on
11 September 9, 1999.

12 MNS, Ltd. doing business as ABC Stores, 304,
13 Retail General store, on July 3rd, 2002, at about 6:35
14 p.m., did, through its employee, sell, furnish -- sell or
15 furnish liquor to a minor as defined in Section 281-1 of
16 the HRS, contrary to 281-78(b)(1)(A) and
17 08-101-60(b)(1)(A) of the Rules of the Liquor Commission.

18 On September 5th, MNS, Ltd. doing business as
19 ABC Stores, Number 304, Retail General, had been found
20 guilty and received a \$2,000 fine with 1,000 suspended 12
21 months provided no violation of the same rule one year
22 from October 7, 2002.

23 MNS, Ltd. doing business as ABC Store Number
24 423, Retail General. Original license was issued on
25 February 2nd, 2001.

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1 MNS, Ltd. doing business as ABC Stores, Number
2 423, Retail General, on July 27, 2001, about 8:31 p.m.,
3 did, through its employee, sell or furnish liquor to a
4 minor as defined in Section 281-1 of the HRS, contrary to
5 281-71(b)(1)(A) of the HRS and 08-101-60(b)(1)(A) of the
6 Rules of the Liquor Commission.

7 On October 11, 2001, MNS, Ltd. doing business as
8 ABC Store 423 had been found guilty and had received a
9 \$1,100 fine with 100 suspended for one year provided no
10 violation of the same rule from November 5th, 2001.

11 MNS, Ltd. doing business as ABC Stores, Number
12 423, Retail General, on June 23rd, 2007, about 7:24 p.m.,
13 did, through its employee, sell or furnish liquor to a
14 minor as defined in Section 281-1 of the HRS, contrary to
15 281-78(b)(1)(A) of the HRS and 08-101-60(b)(1)(A) of the
16 Rules of the Liquor Commission.

17 On July 17, 2008, MNS, Ltd. doing business as
18 ABC Stores, Number 423, had been found guilty and had
19 received a \$2,000 fine, \$1,000 suspended for one year
20 provided no violation of the same rule from July 17th,
21 2018.

22 A copy of the past history is attached to the
23 investigator's.

24 And in summary, in the opinion of this
25 investigator, the applicant appears to be fit and proper,

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1 and does not appear to be disqualified by any provision as
2 stated in Section 281-56 from the HRS from obtaining and
3 exercising the license.

4 All documents necessary for issuance of a liquor
5 license have not been submitted. Those items are listed
6 within the investigator's report.

7 CHAIR TANAKA: Thank you, Jarrett. That was a
8 long-winded one.

9 MR. KAHOOHANOHANO: Need oxygen.

10 CHAIR TANAKA: You can rest now.

11 COMMISSIONER TODD: Take a nap.

12 CHAIR TANAKA: Craig, you get anything else to
13 add?

14 MR. NAKAMURA: Just very briefly. So ABC Stores
15 chooses to operate all of its stores by way of the --
16 through the parent company. So even though all of the
17 violations that you heard listed in the summary are
18 related to MNS, Ltd., the parent company, but they're all
19 four separate, different locations over many years. And
20 this application is for a new store that's going to go in
21 the Lahaina Cannery Mall.

22 And, obviously, the staff spent a lot of time on
23 this report and was very detailed. And we really
24 appreciate their hard work on it. We're gonna be coming
25 in with another application, hopefully, next month. And

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1 we appreciate your patience.

2 There's a couple minor typographical errors,
3 more than anything else, but because this is a public
4 document, becomes part of the record, I wanted to maybe
5 correct them. On the second page of the -- or, actually,
6 the first page of the investigative report, where it lists
7 all of the officers and directors, the first thing is that
8 Miles Ohye, we did submit recently a change of officers,
9 so he's no longer Vice President (Mainland
10 Division)/Director, he is now Vice President/Director.
11 Russell Marciel Jeremiah, the last name is spelled
12 J-E-R-E-M-I-A-H. The parent company of MNS, Ltd. is,
13 actually, NHC, Inc., not MNS, Ltd. And under the lease,
14 the landlord is Lahaina Cannery Retail Owner, retail
15 spelled R-E-T-A-I-L.

16 So, again, I appreciate all the hard work the
17 staff put into this and these are just a couple minor
18 typographical errors.

19 I would be happy to answer any questions you
20 have.

21 CHAIR TANAKA: Okay. I'm gonna open it to the
22 public. Any public testimony on this item? Okay. Seeing
23 none, any questions by the Commissioners?

24 COMMISSIONER TODD: I have a question. I'm not
25 sure who to direct this to. Craig, you may know. On

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1 October 7th, 2002, there was a 2k -- \$2,000 penalty with
2 1,000 suspended provided they didn't repeat the same
3 offense. But on July 2nd of the following year, which is
4 before the October, there was an 1,100 with 100 suspended.
5 Do we know if the 1,000 that was held for that violation
6 was recovered?

7 MR. NAKAMURA: I would say that's -- okay. So
8 from what I can understand, Commissioner, you're looking
9 at two different licenses.

10 COMMISSIONER de JETLEY: Two different stores.

11 MR. NAKAMURA: So one on the top, I think you're
12 referring to License Number 304, with the September 5th,
13 2002 violation. And then the violations below that are --

14 COMMISSIONER TODD: On the 2nd -- July 2nd,
15 there's a separate --

16 MR. NAKAMURA: Okay. I don't see where the July
17 2nd is.

18 COMMISSIONER TODD: (Inaudible).

19 CHAIR TANAKA: No. It's a different location.

20 COMMISSIONER TODD: Different location. So the
21 holder is not held responsible?

22 CHAIR TANAKA: No.

23 COMMISSIONER TODD: Each store has its own?

24 MR. NAKAMURA: Right. Each store has its own --

25 COMMISSIONER TODD: Okay. I understand.

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1 MR. NAKAMURA: Own separate liquor license.

2 COMMISSIONER TODD: Thank you. Thank you.

3 CHAIR TANAKA: Okay. Any other questions?

4 COMMISSIONER de JETLEY: I'd like to make a
5 comment, please. I shop at ABC Stores because I go back
6 and forth on the boat. And I want to commend your
7 business for being really conscious of the liquor laws.
8 Because if you look at the violations that they have, they
9 span a period of a long time. And you do a good job in
10 upholding the liquor laws of this County.

11 COMMISSIONER TODD: I completely agree.

12 MR. NAKAMOTO: Thank you.

13 MR. NAKAMURA: Thank you.

14 CHAIR TANAKA: Okay. Any other questions?

15 Okay. If not, may I have a motion?

16 COMMISSIONER de JETLEY: Mr. Chair, I would like
17 to give another Commissioner a chance to make a motion,
18 but, if no one else would like to, I will jump in.

19 COMMISSIONER UMENO: I move to approve
20 Application Number 22 for public hearing and to process
21 the application for publication.

22 COMMISSIONER TODD: I second it.

23 CHAIR TANAKA: Okay. Moved and seconded. All
24 in favor, say "aye."

25 (Response.)

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1 CHAIR TANAKA: Opposed, "no."

2 (No response.)

3 CHAIR TANAKA: Motion carried. Thank you.

4 MR. NAKAMURA: Thank you very much.

5 MR. NAKAMOTO: Thank you.

6 CHAIR TANAKA: Okay. Let's go on to Other
7 Licensing Matters. Freshies Maui Corporation.

8 MR. NAKAMURA: Good morning, Mr. Chair. Craig
9 Nakamura, attorney on behalf of the applicant. I
10 apologize, Mr. Erik Ulman is the principal of the company
11 and he's not able to be here today. But these are --
12 these -- this and the next one are what Commissioner de
13 Jetley had referred to. We're asking for extensions to
14 exercise the liquor license.

15 CHAIR TANAKA: Okay. Gene.

16 MR. SILVA: Freshies Maui Corp. doing business
17 as Freshies Maui, Dispenser Beer and Wine, Category C(ii)
18 License, at 3620 Baldwin Avenue, Space 102-A, Makawao,
19 Maui, Hawaii, requesting an extension to exercise the
20 liquor license pursuant to Section 08-101-34(c) of the
21 Rules of the Liquor Commission, County of Maui. License
22 granted by the Commission on December 13, 2017, to expire
23 on June 11, 2018. Applicant is requesting an extension of
24 one year.

25 CHAIR TANAKA: Okay. Anything else to add?

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1 MR. NAKAMURA: Nothing further. I'd be happy to
2 answer any questions.

3 CHAIR TANAKA: Okay. Is there any public
4 testimony on this item? Okay. Seeing none, what is this,
5 you are trying to get your CO?

6 MR. NAKAMURA: We are -- this up at the Makawao
7 Courtyard shopping center which is where the Makawao Steak
8 House is. This is a new restaurant, but it's taking over
9 an existing location, existing operation. But we've had
10 some problems with the -- with the sewer. And Department
11 of Health is requiring a substantial sewer upgrade. So
12 we're dealing with that right now.

13 MR. KUSHI: Cesspool or septic?

14 CHAIR TANAKA: Septic tank.

15 MR. NAKAMURA: It was -- yeah, I always get
16 these terms confused, but I know that they had -- they
17 were under, I believe, a cesspool system, it had been
18 upgraded to meet current standards back 20 years, 15 years
19 ago, but now the standards are changed. So they're
20 requiring a major upgrade to the sewer system.

21 CHAIR TANAKA: So the landlord gotta --

22 MR. NAKAMURA: The landlord is dealing with
23 those issues with the Department of Health. We have
24 retained an engineer to help us with that process. But
25 it's -- it's been difficult and very, very expensive.

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1 CHAIR TANAKA: This is a new -- new facility?

2 MR. NAKAMURA: A new -- no. This is the -- new
3 shopping center?

4 CHAIR TANAKA: No, no, no. But --

5 MR. NAKAMURA: Freshies.

6 CHAIR TANAKA: Yeah.

7 MR. NAKAMURA: No. This used to be called the
8 Market Fresh Bistro. It was like -- there's a little
9 courtyard in the middle and the Makawao court -- Makawao
10 Steak House is on the right. It's on the left side. Used
11 to be a little -- just a little -- it's a little deli, you
12 know, kind of a sandwich place, I think. And so this
13 is -- this place is taking over. It's kind of a salad,
14 you know, kind of a sandwich type operation.

15 CHAIR TANAKA: This was an existing facility?

16 MR. NAKAMURA: Existing facility, but they're,
17 you know --

18 CHAIR TANAKA: Well, that's -- you know, what
19 happen if the landlord refuse to improve the sewer system?

20 MR. NAKAMURA: They're not gonna be able to
21 open, but the landlord is -- I, actually, also, represent
22 the landlord, so I know what's --

23 CHAIR TANAKA: What I'm saying is what if.

24 MR. NAKAMURA: Oh, they -- they wouldn't be able
25 to open.

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1 CHAIR TANAKA: That's the way -- that's the way
2 I always -- I have my biggest gripe is that.

3 MR. NAKAMURA: Oh, yeah.

4 CHAIR TANAKA: You know, when you get a small
5 facility taking over somebody else and then the County
6 going find the whole -- the whole area not in conformance
7 then.

8 MR. NAKAMURA: Yeah.

9 CHAIR TANAKA: Whatever they require these guys
10 to do, correction.

11 MR. NAKAMURA: Yeah, that's been a problem.
12 This is, actually, the State Department of Health. So
13 it's even -- you know, it's above the County level.

14 COMMISSIONER YOKOUCHI: And I think the EPA gets
15 involved in this as well, right?

16 MR. NAKAMURA: To a certain extent, yeah.

17 CHAIR TANAKA: Well, you know, it's a different
18 issue, turning cesspools to septic system.

19 MR. NAKAMURA: Yeah, you know, the -- our
20 research -- I mean, the -- this structure, that kind of
21 operation has been there since 1927 -- 1926 or '27, when
22 the first retail operation went into that location. So
23 throughout the years they've upgraded the system and it
24 was in compliance, but it's not anymore. So --

25 COMMISSIONER TODD: Is it affecting any of the

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1 neighbors?

2 MR. NAKAMURA: I hope not.

3 COMMISSIONER TODD: Okay. That's all my concern
4 is.

5 CHAIR TANAKA: Okay. Any question by the
6 Commissioners?

7 COMMISSIONER TODD: No.

8 CHAIR TANAKA: Okay. If not, may I have a
9 motion?

10 COMMISSIONER UMENO: I move to extend the time
11 period.

12 CHAIR TANAKA: You're asking for one year,
13 right?

14 COMMISSIONER UMENO: Yeah.

15 MR. NAKAMURA: Yes, please.

16 CHAIR TANAKA: Any second?

17 COMMISSIONER TODD: I second it.

18 CHAIR TANAKA: Okay. Moved and seconded. All
19 in favor, say "aye."

20 (Response.)

21 CHAIR TANAKA: Opposed, "no."

22 (No response.)

23 CHAIR TANAKA: Motion carried.

24 JAS Restaurants. Craig, again?

25 MR. NAKAMURA: Yes. Hi, Mr. Chair. Craig

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1 Nakamura, attorney on behalf of the applicant. Aaron
2 Placourakis, as you know, is the principal of this -- this
3 entity, licensee, for the Son'z Steakhouse at the Hyatt
4 over in Kaanapali. Again, this is a CO issue. I think --
5 I think what we're facing now is that the Fire Department
6 has required additional -- it's either additional exits or
7 additional signage. I'm not quite sure. So the hotel is
8 addressing that issue, but it's just going to take more
9 time.

10 CHAIR TANAKA: Here again is the same facility,
11 yeah?

12 MR. NAKAMURA: Yes.

13 CHAIR TANAKA: So the code changes, then, you
14 say?

15 MR. NAKAMURA: Yes.

16 CHAIR TANAKA: Because of the code change?

17 MR. NAKAMURA: Yes.

18 CHAIR TANAKA: Any public testimony on this
19 item? Okay. Seeing none, any questions by the
20 Commissioners?

21 COMMISSIONER UMENO: One-year extension?

22 MR. NAKAMURA: Yes, please.

23 CHAIR TANAKA: Okay. If there's no questions,
24 may I have a motion?

25 COMMISSIONER UMENO: I move to give the one-year

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1 extension.

2 COMMISSIONER de JETLEY: Second.

3 COMMISSIONER TODD: Second.

4 CHAIR TANAKA: Okay. Moved and seconded. All
5 in favor, say "aye."

6 (Response.)

7 CHAIR TANAKA: Opposed, "no."

8 (No response.)

9 CHAIR TANAKA: Thank you. Motion carried.
10 Hyatt Corporation.

11 MR. NAKAMURA: Me again, Mr. Chair, craig
12 Nakamura -- Members of the Commission, Craig Nakamura,
13 attorney on behalf of the licensee.

14 CHAIR TANAKA: I hope you're earning your fee.

15 MR. NAKAMURA: So, yeah. Mr. Chair, this is
16 Frances Goss who is the Director of Events for the hotel.
17 And, in back, Maxyne Koesler who is the Event Sales
18 Manager.

19 CHAIR TANAKA: Thank you. Who is that, Gene?

20 MR. SILVA: Jarrett.

21 CHAIR TANAKA: Oh, Jarrett.

22 MR. KAHOOHANOHANO: Hyatt Corporation doing
23 business as Hyatt Regency Maui, License number 287, it's a
24 Hotel license. Officers, directors and stockholder of the
25 corporation are listed in the investigator's report.

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1 Licensee is requesting the Commission approval for an
2 extension of hours for minors to remain and dance within
3 the premises from 5:00 p.m. on May 26, 2018 to 2:00 a.m.
4 on May 7, 2018. Licensee is, also, requesting a
5 designated area for nonconsumption, utilize one area for
6 music and entertainment, 18 by 8 feet, one area for
7 dancing, 16 by 12 feet, and three areas for game devices,
8 Sumo, 20 by 20 feet, Jousting, 30 by 30 feet, Laser Tag,
9 47 by 60 feet, for this special event. The function is to
10 take place within the Monarchy Ballrooms 4 through 7.

11 Conditions: The request does not address
12 Section 08-101-61 of the Rules Governing the Manufacture
13 and Sale of intoxicating liquor of the Maui -- the County
14 of Maui.

15 Section 08-101-61, Minors. A minor is any
16 individual under the age of 21 years; the sale or service
17 of liquor to a minor or consumption of liquor by a minor
18 on any licensed premises is prohibited. Licensees are
19 responsible for checking -- or for the proper checking of
20 personal identification of those persons seeking admission
21 to or any persons ordering, being furnished, in possession
22 of, or consuming liquor within the premises where liquor
23 is sold for consumption on the premises, or any person in
24 possession or -- of or seeking to purchase liquor at
25 premises where liquor is sold for consumption off the

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1 premises.

2 Documents acceptable as personal identification
3 shall be limited to an official state driver's license, a
4 military identification card or an official governmental
5 identification.

6 Such documents shall contain a photograph and be
7 unexpired, unaltered, undamaged and unlaminated. All
8 documents shall be examined carefully.

9 School identification cards, identification
10 cards issued for the purposes of check cashing or other
11 identification cards not issued by a government agency are
12 unacceptable.

13 No licensee shall employ or permit any minor to
14 entertain in any licensed premises upon which liquor is
15 consumed without first registering such minor in
16 accordance with the procedure prescribed by the
17 Commission.

18 No licensee shall permit any minor to remain in
19 or about any portion of the licensed premises used to --
20 or set aside for the sale or consumption of liquor, except
21 as provided by law under the following circumstances:

22 When the licensee establishes, at a hearing on a alleged
23 violation, that the appearance of the minor and the
24 attending circumstances would have caused reasonable
25 belief that such a minor was of legal age, or when all of

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1 the following apply: The minor is waiting to order or be
2 served, or is consuming food, which shall be consumed
3 before 12:00 midnight, in a licensed premises which the
4 licensee has on file at the Department a current approved
5 financial report that shows at least 30 percent of the
6 establishments's gross revenue is derived from the sale of
7 food that is prepared and cooked within its kitchen
8 facilities and served to patrons within the premises, has
9 kitchen facilities within the licensed premises which
10 require the Department of Health and Department of Fire
11 Control approvals, and is offering at the time the minor
12 is present, meals composed of protein, carbohydrate, and
13 fruit or vegetable, which are prepared and cooked within
14 its kitchen facilities at the time of the ordering, or
15 when except -- except as provided by law, under the --
16 under all of the following: In a licensed premises, which
17 the licensee has on file with the Department a current
18 yearly approved financial report that shows at least 30
19 percent of the establishment's gross revenue is derived
20 from the sale of food that is prepared and cooked at the
21 time of the ordering within its Department of Health and
22 Department of Fire Control approved kitchen facilities and
23 served for consumption by patrons within its premises
24 except as provided by law. The minor is accompanied by
25 his or her parent, legal guardian or person authorized by

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1 the parent or legal guardian, 21 years of age or older.
2 Food service, music or entertainment are being provided.
3 The minor may not be within the premises after 12:00
4 midnight; and it shall be incumbent on the licensee
5 to prove that the person accompanying the minor is the
6 legal guardian of the minor or person authorized by the
7 parent or legal guardian.

8 Public dancing by minors in licensed premises
9 shall be permitted only when accompanied by a legal,
10 responsible adult, and food service, music and
11 entertainment are being provided, and an approved area is
12 set aside and designated a nonconsumption area where
13 minors shall remain, the dancing concludes by 10:00 p.m.

14 The Commission may authorize an extension of
15 hours for special occasions, events or circumstances upon
16 application by the licensee for minors to dance or remain,
17 or both, within the premises.

18 CHAIR TANAKA: You get anything else to add?

19 MR. NAKAMURA: Mr. Chair, again, just very
20 briefly. So this is a typical project grad event. I want
21 to be real clear that there's no alcohol being served
22 here. It's a ballroom set aside for this event where, you
23 know, the minors would be at. And it's just due to the
24 Rules of the Commission we're required to file this permit
25 because the event is going to last beyond 10:00 at night,

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1 and, also, to designate certain areas within the ballroom
2 for that use.

3 We would be happy to answer any questions.

4 VICE-CHAIR ALULI: So, Craig, this is a Project
5 Graduation function?

6 MR. NAKAMURA: Yes, it is.

7 VICE-CHAIR ALULI: Oh, okay. That wasn't really
8 clear.

9 CHAIR TANAKA: Okay. Before -- before I'll ask
10 the Commissioners for questions, any public testimony?
11 Okay. Seeing none, any questions by the Commissioners?

12 COMMISSIONER TODD: I have some questions.

13 CHAIR TANAKA: Okay. Before I let you ask a
14 question, I get a recommendation. Why don't you
15 de-license the premises?

16 COMMISSIONER de JETLEY: What? No, you can't do
17 that. It's a conference room.

18 CHAIR TANAKA: Conference from what?

19 COMMISSIONER de JETLEY: Well, it's in the
20 hotel. The hotels have different events. So they can't
21 de-license.

22 CHAIR TANAKA: They can, they can de-license the
23 premises there.

24 COMMISSIONER de JETLEY: No, but what --

25 COMMISSIONER TODD: What if they want to use it

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1 tomorrow for something with alcohol?

2 MR. NAKAMURA: Then we have to license it again.

3 COMMISSIONER TODD: Then they -- yeah.

4 COMMISSIONER de JETLEY: That doesn't work.

5 COMMISSIONER TODD: No.

6 MR. NAKAMURA: Well --

7 CHAIR TANAKA: De-license for -- for that period
8 of time.

9 MR. NAKAMURA: I mean, all -- this is kind of a
10 standard application for us. I think you might recall we
11 were here a few months ago with something very similar to
12 this. It wasn't a Project Grad event, but it was a event
13 being put on for a group. You know, we're just following
14 the recommendation of the Department as far as the
15 procedure we should follow. If there's a better
16 procedure, an easier procedure, you know, we would be
17 happy to do that.

18 CHAIR TANAKA: I would think de-licensing the
19 premises for that period of time would be the easiest,
20 then you can do whatever you want to do.

21 MR. NAKAMURA: I mean, if the -- if the staff is
22 okay, I mean, I --

23 COMMISSIONER de JETLEY: No. As a Commissioner,
24 I would like to see us change our rules so that when --
25 when youth events are taking place on licensed premises --

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1 I applaud the Hyatt for going through this process because
2 the cost --

3 COMMISSIONER TODD: Absolutely, especially for
4 100 people.

5 COMMISSIONER de JETLEY: -- is absolutely
6 horrendous. So this is a school group. Project Grad has
7 been around for a long, long time. The procedure itself
8 should be made simpler so that they don't have to hire an
9 attorney and go through this mountain of paperwork for a
10 one-night event. But for a hotel to de-license --

11 COMMISSIONER TODD: And then relicense, yeah.

12 COMMISSIONER de JETLEY: And then de-license and
13 relicense, it doesn't make sense. On Lanai, we would be
14 asking the Four Seasons to -- every time we had a youth
15 group with a special event, they would have to go through
16 all of this. And it would be prohibitively expensive. I
17 can only imagine this is --

18 COMMISSIONER TODD: This is already --

19 COMMISSIONER de JETLEY: -- Kamehameha School --

20 COMMISSIONER TODD: -- prohibitively expensive.

21 COMMISSIONER de JETLEY: -- so they have deep
22 pockets. But if this was an event for a public school,
23 there is no way they could afford to process an
24 application.

25 MR. NAKAMURA: Yeah. It's, actually, the hotel

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1 that pays for the permitting.

2 COMMISSIONER de JETLEY: Yeah. So I applaud the
3 Hyatt for being willing to go through all of this red tape
4 for a one-night event for teenagers.

5 MR. NAKAMURA: Well, again, you know, we'd be
6 happy to follow whatever procedure the Commission
7 establishes. I mean, I think they -- the staff probably
8 needs to think about it and determine if there's a certain
9 way, but --

10 COMMISSIONER TODD: There's a whole separate
11 process for de-licensing, though.

12 DIRECTOR MUKAI: There is a process where the
13 rule allows the directors to issue a permit that --
14 anything that doesn't require a public hearing. So in the
15 case of proms, the Commission authorized the Director,
16 instead of they coming before the Commission, the Director
17 to just issue a permit. It cuts out the paperwork.

18 COMMISSIONER de JETLEY: So how -- how do we go
19 through that process to enable you to issue a permit
20 without coming to us?

21 DIRECTOR MUKAI: A motion that says that the
22 Director is authorized to give waiver on -- to process the
23 permit for the -- things like this.

24 UNIDENTIFIED SPEAKER: Go ahead.

25 COMMISSIONER TODD: That's a separate.

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1 DIRECTOR MUKAI: (Inaudible).

2 COMMISSIONER TODD: That's a separate matter.
3 Right now, they're before us and we got to do something
4 with it.

5 COMMISSIONER de JETLEY: Okay. So on a future
6 agenda, would -- would we be able to put it on a future
7 agenda that this will come up, that we will put it on the
8 agenda that the Commissioners will authorize you to do a
9 permit without coming to us for youth events in facilities
10 such as a restaurant or a conference room, provided that
11 they were the only youth group there, they were the only
12 people using that room?

13 DIRECTOR MUKAI: We have to defer to Corp
14 Counsel, but it already allows the Director to issue any
15 permit that does not require public hearing.

16 COMMISSIONER TODD: Okay.

17 VICE-CHAIR ALULI: That rule is already in
18 place, you're saying?

19 DIRECTOR MUKAI: Yes. I think it's Rule
20 08-101-33(g).

21 COMMISSIONER TODD: So if they had applied under
22 that rule, they would not be here now and you would have
23 granted this?

24 DIRECTOR MUKAI: I would feel more comfortable
25 if the Commission authorize it. Because like the prom --

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1 COMMISSIONER TODD: I understand.

2 DIRECTOR MUKAI: -- authorized it.

3 COMMISSIONER TODD: Yeah, that's the -- that's
4 my question. Craig, there's -- there's supposed to be,
5 here, 100 students and you have one hotel security for --
6 for 30. My biggest issue with these things is that you
7 have the right to drive at 16 and you have the right to
8 drink at 21, and if the 21 winds up drinking before 21
9 somehow, whether they bring it themselves or not, and gets
10 in a car and has an accident, it looks bad for everybody,
11 including the decedents. So the question is -- for me,
12 is, is the hotel security dedicated, are there three
13 people that will be in that space to make judgment calls?
14 That's the only thing as a Commissioner that I would be
15 concerned about in this.

16 MS. KOESLER: There are more than three.

17 COMMISSIONER TODD: Okay.

18 MS. KOESLER: There --

19 COMMISSIONER TODD: That's all.

20 MS. KOESLER: Yeah. More.

21 COMMISSIONER TODD: And I'm going to go on the
22 record. I have -- past clients of the Pritzkers -- the
23 Pritzker family owns that property, essentially, and all
24 Hyatt hotels and most of the rest of the universe. And
25 you know, but I don't see a conflict here so, I'm --

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1 I'm --

2 MS. KOESLER: Yeah, we've been doing these for
3 many years. Many years, they -- we didn't --

4 COMMISSIONER de JETLEY: Because of the cost.

5 MS. KOESLER: And -- and now we do. You know,
6 they need space and so we take the measures and make sure
7 that we secure them in the room. And there a lot -- 15 to
8 20 chaperones. And our security doubles and then doubles
9 their rotation of where they're walking along the
10 property.

11 COMMISSIONER TODD: Excellent. I mean, I --

12 MS. KOESLER: So we take all the measures.

13 COMMISSIONER TODD: I know how Hyatt has
14 operated from the family on an intimate level, having
15 consulted for them. So I feel very strongly that of all
16 properties on the planet, Hyatt can do this well.

17 MR. NAKAMURA: Commissioner, if you could look
18 at my letter of April 3. That's the application letter.

19 COMMISSIONER TODD: Yeah.

20 MR. NAKAMURA: I don't know if you have that in
21 front of you, but --

22 COMMISSIONER TODD: I do.

23 MR. NAKAMURA: It says --

24 COMMISSIONER de JETLEY: They have 15 chaperones
25 machines.

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1 MR. NAKAMURA: That there's going to be a total
2 of 15 --

3 COMMISSIONER TODD: 15.

4 MR. NAKAMURA: -- chaperones.

5 COMMISSIONER TODD: You have 15 chaperones for
6 100 people. Yeah.

7 MR. NAKAMURA: Of which one -- of one which
8 parent is a police sergeant and another who is a
9 registered nurse. Five of the parent chaperones will be
10 strictly assigned to be outside of the ballroom doors to
11 monitor access and by the bathrooms. Two of the parent
12 chaperones will be inside the ballroom with minors and
13 will be assigned to specific areas of the ballroom.

14 COMMISSIONER TODD: Craig, it's excellent
15 prework. I looked at this and went, excellent work. I
16 think what we're saying is -- is we gotta figure out how
17 to add to an agenda how to streamline this process. And
18 you're bringing that to our attention, as new
19 Commissioners, that you should not have to go through
20 this, the Hyatt should not have to go through this, there
21 should be some protocol that's much faster. So --

22 CHAIR TANAKA: Glenn, you -- you get no problem
23 with what they're requesting?

24 DIRECTOR MUKAI: I have no problem.

25 CHAIR TANAKA: Any other questions?

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1 COMMISSIONER TODD: I'm -- I'm gonna move to
2 approve this.

3 MR. KUSHI: Couple questions --

4 COMMISSIONER TODD: Oh, sorry.

5 MR. KUSHI: -- Mr. Chair. Craig, this is
6 exclusive to Kamehameha Schools?

7 MR. NAKAMURA: This particular --

8 COMMISSIONER de JETLEY: Yes.

9 MR. NAKAMURA: -- event, yes, is just for this
10 one night.

11 MR. KUSHI: So all the kids from Kamehameha
12 Schools?

13 MR. NAKAMURA: Yes.

14 COMMISSIONER TODD: Are they bringing dates from
15 another school?

16 MR. NAKAMURA: No.

17 COMMISSIONER de JETLEY: No.

18 MR. KUSHI: 2:00 a.m.? What's the curfew? Are
19 they all staying at the hotel or what?

20 MR. NAKAMURA: I think they're being shuttled.

21 COMMISSIONER de JETLEY: They're all chaperoned
22 and they're all being transported by private shuttle --

23 MR. NAKAMURA: They're gonna --

24 COMMISSIONER de JETLEY: -- bus.

25 MR. NAKAMURA: They're gonna be -- at 2:00 a.m.,

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1 they are going to a place to stay, Maui Escape Rooms at
2 the Whaler's Village. I'm not -- I'm not sure what that
3 is.

4 MS. KOESLER: No, they don't stay. That Escape
5 Room --

6 COMMISSIONER TODD: It's a game.

7 MS. KOESLER: -- is an activity for them.

8 COMMISSIONER TODD: Yeah.

9 MS. KOESLER: Yeah, they do this so that they're
10 not -- I know you know this already, but so they're not
11 out and about. They have controlled activities for them
12 and they let 'em stay until 2:00 a.m. That's the time
13 that they asked us for. And so we don't --

14 MR. KUSHI: What's the curfew law on minors?

15 COMMISSIONER de JETLEY: But they're -- they're
16 with chaperones.

17 COMMISSIONER TODD: They're with chaperones.
18 It's not alone. Yeah.

19 COMMISSIONER de JETLEY: They're not alone.
20 They're with chaperones.

21 MR. KUSHI: These games, any -- any machine
22 games?

23 MR. NAKAMURA: I'm sorry?

24 MR. KUSHI: Any machine games?

25 COMMISSIONER TODD: No.

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1 MR. NAKAMURA: I guess --

2 MS. KOESLER: I mean --

3 MR. NAKAMURA: -- like Maui Laser Tag, do you
4 call that a machine? Are we talking about --

5 COMMISSIONER TODD: Are you asking for games of
6 chance?

7 MR. KUSHI: No. These machines that -- the
8 police confiscated a bunch of machines.

9 VICE-CHAIR ALULI: Oh, the gambling machines.

10 MS. KOESLER: No.

11 COMMISSIONER TODD: It's not gambling.

12 MS. KOESLER: No. No.

13 MR. NAKAMURA: Laser tag is like a --

14 VICE-CHAIR ALULI: Laser tag is --

15 MR. NAKAMURA: Yeah, you use like --

16 VICE-CHAIR ALULI: -- lasers.

17 MR. NAKAMURA: Yeah, shooting.

18 COMMISSIONER TODD: Sumo wrestling.

19 MR. KUSHI: Okay. In the future, Glenn, could
20 they -- could they have done this through a special
21 permit?

22 DIRECTOR MUKAI: They can apply for a permit, if
23 the Commission allows it, because the rule says
24 Commission, but, also, the other rule says the Director
25 can approve.

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1 VICE-CHAIR ALULI: Which would be a simpler
2 process.

3 DIRECTOR MUKAI: Yes.

4 VICE-CHAIR ALULI: Yeah.

5 DIRECTOR MUKAI: So going forward, the
6 Department can process it.

7 MR. KUSHI: Special permit?

8 DIRECTOR MUKAI: Yeah, regular permit. The only
9 thing that would bring before the Commission, I would send
10 before the Commission, if they come up with something
11 unusual. But, in the past, some of the grad nights
12 requesting gambling devices. And those we said definitely
13 you will go before the Commission.

14 COMMISSIONER TODD: I would agree with that.

15 MR. KUSHI: Minors involved.

16 DIRECTOR MUKAI: Yeah.

17 COMMISSIONER TODD: I mean, it's a gray area
18 here, depending on what the issue is, how many chaperones,
19 what the property is, whether they're bringing dates from
20 other places. And so I understand why we're doing this,
21 but it still has to be a more streamlined process than
22 this. I mean, whatever the Hyatt is making, it's lost
23 right now on preparation.

24 CHAIR TANAKA: The Hyatt gonna be responsible,
25 anyway, right?

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1 MS. KOESLER: We have to be.

2 COMMISSIONER TODD: Ultimately. Yeah.

3 COMMISSIONER de JETLEY: Ultimately, it's the
4 school that is responsible.

5 CHAIR TANAKA: No.

6 COMMISSIONER TODD: Well, no. They have the
7 liquor license.

8 COMMISSIONER de JETLEY: School event.

9 COMMISSIONER TODD: They could have a no-drink.

10 CHAIR TANAKA: Through the liquor.

11 COMMISSIONER TODD: -- situation and lose their
12 license over something like this if something goes wrong.

13 CHAIR TANAKA: Any other criminal or civil
14 penalty, the school is involved, but with the Liquor
15 Department, the licensee --

16 VICE-CHAIR ALULI: Licensee.

17 CHAIR TANAKA: -- gonna be responsible.

18 COMMISSIONER de JETLEY: Well, in your
19 conference rooms, liquor is not set up. There is no bar
20 unless the function requests a bar. So in this -- in this
21 facility that they will be using, there won't be a bar.

22 CHAIR TANAKA: Yeah, but they're --

23 COMMISSIONER TODD: Licensed premises.

24 CHAIR TANAKA: -- still a licensed premises.

25 COMMISSIONER de JETLEY: Yes.

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1 COMMISSIONER TODD: Yeah.

2 MS. KOESLER: And we understand that, which is
3 why we take all the precautions necessary to protect our
4 license. We would never jeopardize that.

5 COMMISSIONER TODD: And unlike some others
6 today, we have the principal for the Hyatt here and the
7 Director of Sales --

8 MS. KOESLER: Events.

9 COMMISSIONER TODD: -- both showing up with
10 counsel. Sorry to make you do it, but impressive.

11 CHAIR TANAKA: So -- so I don't see any problem
12 if the Director and the staff feels that we get no problem
13 here. And the Commission, basically, our rules give him
14 the permission to do it, anyway. He's just doing it
15 before the Commission right now.

16 COMMISSIONER TODD: I'm moving to approve this.

17 COMMISSIONER de JETLEY: I second.

18 CHAIR TANAKA: Okay. Moved and seconded. All
19 in favor, say "aye."

20 (Response.)

21 CHAIR TANAKA: Opposed, "no."

22 (No response.)

23 CHAIR TANAKA: Motion carried.

24 COMMISSIONER TODD: Thank you.

25 MR. NAKAMURA: Thank you very much.

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1 MS. KOESLER: Thank you all.

2 COMMISSIONER TODD: Thank you very much.

3 CHAIR TANAKA: Okay. Kono Hawaii LLC.

4 COMMISSIONER UMENO: So are we giving the
5 Director the --

6 CHAIR TANAKA: He already has it.

7 COMMISSIONER de JETLEY: He has it.

8 COMMISSIONER TODD: He already has it.

9 COMMISSIONER UMENO: But you wanted our approval
10 on that, yeah?

11 DIRECTOR MUKAI: Well, now the Commission is
12 aware.

13 CHAIR TANAKA: Yeah, he already has that in the
14 rule.

15 MR. KUSHI: This is a permit that we approve.

16 CHAIR TANAKA: Yeah.

17 COMMISSIONER de JETLEY: Maybe -- Glenn, maybe
18 in the future, when you have applications like this, a
19 request like this, you -- you can just send it to us as an
20 advisory so we know it's happening.

21 CHAIR TANAKA: Well, it will -- it will show up
22 on the confirmation.

23 COMMISSIONER de JETLEY: Will it show up?

24 CHAIR TANAKA: Anything the Director does as a
25 permit, it will show up here our confirmation items.

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1 MR. KUSHI: Well, you know --

2 COMMISSIONER de JETLEY: Or in the Director's
3 Report?

4 MR. KUSHI: -- the concern I had, if they apply,
5 he denies them. What are you going to do?

6 COMMISSIONER de JETLEY: Then they can come back
7 to the full Commission.

8 COMMISSIONER TODD: They can appeal it, right?

9 MR. KUSHI: If you have enough time.

10 COMMISSIONER YOKOUCHI: Yeah, if there's enough
11 time. What if they're time constraints?

12 COMMISSIONER de JETLEY: Then it's their fault
13 for not being timely. They should have filed the permits.
14 They know what the process is.

15 COMMISSIONER TODD: Okay.

16 CHAIR TANAKA: Okay. Kono Hawaii, LLC.

17 MR. AKAO: Good morning.

18 COMMISSIONER TODD: Good morning.

19 MR. AKAO: Konosuke Akao, manager and member for
20 Kono Hawaii LLC.

21 CHAIR TANAKA: Okay. Thank you. Sandy.

22 MS. KOBAYASHI: Good morning. Sandra Kobayashi,
23 Department of Liquor Control. Kono Hawaii LLC doing
24 business as Antonio's, pursuant to the Rules of the Liquor
25 Commission, is requesting Commission approval to change

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1 the existing trade name to Tanpopo.

2 Manager, members and agent of the
3 manager-managed LLC are listed in the investigator's
4 report.

5 Rules of the Liquor Commission: Section
6 08-101-36, unauthorized use of trade name: change. (a), A
7 new licensee or transferee shall have a choice of trade
8 name, however, such trade name must be registered with the
9 State Department of Commerce and Consumer Affairs; (b),
10 Any licensee desirous of changing an existing trade name
11 shall submit to the Commission a Certificate of
12 Registration of trade name issued by the State Department
13 of Commerce and Consumer Affairs, showing approval of such
14 registration; (c), Use of any trade name without prior
15 approval of the Commission is prohibited. Any publication
16 or advertising or sign with an unauthorized trade name
17 will be considered prima facie evidence of use of such
18 trade name.

19 CHAIR TANAKA: Thank you. Do you have anything
20 to add?

21 MR. AKAO: No.

22 CHAIR TANAKA: Okay. Any public testimony on
23 this item? Okay. Seeing none, any questions by the
24 Commissioners?

25 COMMISSIONER de JETLEY: I have one question.

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1 What does the name mean? Is there --

2 MR. AKAO: Tanpopo is dandelion in Japanese.

3 COMMISSIONER de JETLEY: It's dandelion?

4 MR. AKAO: Dandelion, yeah.

5 COMMISSIONER de JETLEY: Thank you.

6 CHAIR TANAKA: Okay. Any other questions? If
7 not, may I have a motion?

8 COMMISSIONER UMENO: I move to approve the name
9 change.

10 COMMISSIONER de JETLEY: I second.

11 CHAIR TANAKA: Move and seconded. All in favor,
12 say "aye."

13 (Response.)

14 CHAIR TANAKA: Opposed, "no."

15 (No response.)

16 CHAIR TANAKA: Motion carried. Thank you.

17 MR. AKAO: Thank you.

18 CHAIR TANAKA: Okay. QSI, Inc.

19 MR. NAKAMURA: Good morning, Mr. Chair.

20 CHAIR TANAKA: Again?

21 MR. NAKAMURA: Last one. Last one. Members of
22 the Commission, Craig Nakamura, attorney on behalf of the
23 licensee. And with me is Mr. Eric Higa, who is the
24 District Manager for Times Super Market.

25 CHAIR TANAKA: Thank you. Kari.

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1 MS. YOSHIZAWA: QSI, Inc. doing business as
2 Times Super Market, Number 345 and Number 367, Retail
3 General License.

4 Officers, directors and stockholder of the
5 corporation is listed in the investigator's report.

6 Applicant is requesting Commission approval to
7 extend their hours of operation to 24 hours a day,
8 limiting the sale of liquor during the allowable hours.

9 Rules of the Liquor Commission, Section
10 08-101-25, hours for the sale, service and consumption of
11 liquor in licensed premises. (a), Hours during which
12 licensed premises may be open for the transaction of
13 business shall be as follows: (4) Retailers, any hour of
14 the day from 6:00 a.m. to 11:00 p.m. (c), There shall be
15 no sale, service or consumption of liquor on or within any
16 licensed premises before or after the hours prescribed by
17 the Commission. (e), Licensee may operate or be open for
18 business for other than the sale, service or consumption
19 of liquor prior to or beyond the hours prescribed by the
20 Commission, upon submitting an application and obtaining
21 prior approval from the Commission.

22 CHAIR TANAKA: Thank you. Anything else add?

23 MR. NAKAMURA: Mr. Chair, this is, again, one of
24 those technical items. You know, this is for Times Super
25 Markets. You know, they -- they only serve liquor until

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1 11:00, but they're open later than 11:00. And,
2 technically, the rules require that the Commission approve
3 that as quoted by the staff. So we're here for -- with a
4 permit to extend hours.

5 CHAIR TANAKA: Thank you. Any testimony from
6 the public? Okay. Seeing none, any questions by the
7 Commissioners?

8 COMMISSIONER de JETLEY: I had problems
9 understanding what it meant.

10 MR. NAKAMURA: Yeah.

11 COMMISSIONER de JETLEY: Because when I read it,
12 I'm reading it to say that you're going to be 24/7 that
13 you're going to sell liquor.

14 MR. NAKAMURA: No. Yeah.

15 COMMISSIONER TODD: No.

16 COMMISSIONER de JETLEY: So -- so it was really
17 hard for me to understand that. And I, actually, came in
18 to ask Lianne to explain it to me. So you're only going
19 to be able to sell liquor from 6:00 a.m. to 11:00 p.m.,
20 correct?

21 MR. NAKAMURA: That's correct.

22 COMMISSIONER TODD: (Inaudible).

23 CHAIR TANAKA: Okay. Any other questions?

24 MR. KUSHI: Mr. Chair? Yeah, Mr. Chair. Craig,
25 for the record, you understand that although you open 24

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1 hours and although you only sell liquor at that period
2 for -- but you still need an Employee Approved by the
3 Director on premises --

4 MR. NAKAMURA: Yes.

5 MR. KUSHI: -- the entire time.

6 MR. NAKAMURA: Yes.

7 MR. KUSHI: You understand that?

8 MR. NAKAMURA: Yes.

9 MR. KUSHI: Your client understand that?

10 MR. NAKAMURA: Yes.

11 MR. KUSHI: You heard that, Alvin?

12 MR. MAKIMOTO: Yes.

13 CHAIR TANAKA: Okay. Any other questions? You
14 guys understood what the proposal --

15 COMMISSIONER TODD: Move for approval.

16 CHAIR TANAKA: Any second?

17 COMMISSIONER de JETLEY: I second.

18 COMMISSIONER YOKOUCHI: Second.

19 CHAIR TANAKA: Okay. Moved and seconded. All
20 in favor, say "aye."

21 (Response.)

22 CHAIR TANAKA: Opposed, "no."

23 (No response.)

24 CHAIR TANAKA: Motion carried. Thank you.

25 MR. NAKAMURA: Thank you very much.

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1 CHAIR TANAKA: Uptown Service.

2 MR. MAKIMOTO: Good morning, Chair,
3 Commissioners. Alvin Makimoto, owner of Uptown Service.

4 CHAIR TANAKA: Thank you. Kari.

5 MS. YOSHIKAWA: Uptown Service, Inc. doing
6 business as Uptown Food Mart & Car Wash, Number 214,
7 Retail General License.

8 The officer, director and stockholder of the
9 corporation is listed in the investigator's report.

10 Applicant is requesting Commission approval to
11 extend their hours of operation to 24 hours a day,
12 limiting the sale of liquor during the allowable hours.

13 Rules of the Liquor Commission, Section
14 08-101-25, hours for sale, service and consumption of
15 liquor in licensed premises. (a), Hours during which
16 licensed premises may be open for the transaction of
17 business shall be as follows: (4) Retailers, any hour of
18 the day from 6:00 a.m. to 11:00 p.m. (c), There shall be
19 no sale, service or consumption of liquor on or within any
20 licensed premises before or after the hours prescribed by
21 the Commission. (e), Licensee may operate or be open for
22 business for other than the sale, service or consumption
23 of liquor prior to or beyond the hours prescribed by the
24 Commission, upon submitting an application and obtaining
25 prior approval from the Commission.

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1 CHAIR TANAKA: Thank you. Anything to add,
2 Alvin?

3 MR. MAKIMOTO: No.

4 CHAIR TANAKA: Okay. Any public testimony?
5 Seeing none, any question by the Commissioners?

6 COMMISSIONER TODD: Move to approve.

7 CHAIR TANAKA: If there's no questions, may I
8 have a motion to approve?

9 COMMISSIONER TODD: So moved.

10 COMMISSIONER de JETLEY: I second.

11 CHAIR TANAKA: Okay. Moved and seconded. All
12 in favor, say "aye."

13 (Response.)

14 MR. MAKIMOTO: Thank you.

15 CHAIR TANAKA: Thank you. Motion carried.
16 Let's go on to Lahaina Petroleum, LLC.

17 SPEAKER: Good morning, Brian Hubin with Lahaina
18 Petroleum, LLC.

19 CHAIR TANAKA: Thank you. Kari.

20 MS. YOSHIZAWA: Lahaina Petroleum, LLC doing
21 business as Paia Shell, Number 126, Port Town Chevron,
22 Number 170, Pukalani Chevron, Number 318, and Lahaina
23 Chevron, Number 381, Retail Beer & Wine License,
24 requesting Commission approval to extend their hours of
25 operation to 24 hours, limiting the sale of liquor within

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1 the allowable hours.

2 Rules of the Liquor Commission: Section
3 08-101-25, hours for the sale, service and consumption of
4 liquor in licensed premises. (a), Hours during which
5 licensed premises may be open for the transaction of
6 business shall be as follows: (4), Retailers, any hour of
7 the day from 6:00 a.m. to 11:00 p.m. (c), There shall be
8 no sale, service or consumption of liquor on or within any
9 licensed premises before or after the hours prescribed by
10 the Commission, (e), Licensee may operate or be open for
11 business for other than the sale, service or consumption
12 of liquor prior to or beyond the hours prescribed by the
13 Commission, upon submitting an application and obtaining
14 prior approval from the Commission.

15 CHAIR TANAKA: Thank you. You have anything
16 else to add?

17 MR. HUBIN: No.

18 CHAIR TANAKA: Okay. There's no public, so no
19 public testimony. Any questions by the Commissioners?

20 COMMISSIONER de JETLEY: Mr. Chair, I have a
21 question. Can we consolidate all of their requests into
22 one motion?

23 COMMISSIONER TODD: Different --

24 CHAIR TANAKA: They did on Item H.

25 COMMISSIONER de JETLEY: They only did Item H,

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1 but items -- are you going to do --

2 CHAIR TANAKA: Well, you're jumping the gun
3 first.

4 COMMISSIONER de JETLEY: Okay. Okay. So one at
5 a time.

6 COMMISSIONER TODD: Name change first.

7 COMMISSIONER de JETLEY: Yes. I move to
8 approve.

9 COMMISSIONER TODD: Second.

10 COMMISSIONER YOKOUCHI: Second.

11 CHAIR TANAKA: Okay. Moved and seconded. All
12 in favor, say "aye."

13 (Response.)

14 CHAIR TANAKA: Opposed, "no."

15 (No response.)

16 CHAIR TANAKA: Thank you. Okay. Let's take
17 Item I, J, K together because all they're doing is asking
18 for change in name from Chevron to Texaco.

19 MR. HUBIN: Correct.

20 CHAIR TANAKA: Correct. Okay. Kari.

21 MS. YOSHIZAWA: Lahaina Petroleum, LLC doing
22 business as Port Town Chevron, Number 170, pursuant to the
23 Rules of the Liquor Commission, is requesting Commission
24 approval to change the trade name to Port Town Texaco.
25 Lahaina Petroleum, LLC doing business as Pukalani Chevron,

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1 Number 318, pursuant to the Rules of the Liquor Commission
2 is requesting Commission approval to change the existing
3 trade name to Pukalani Texaco. Lahaina Petroleum, LLC
4 doing business as Lahaina Chevron, Number 381, pursuant to
5 Rules of the Liquor Commission, is requesting Commission
6 approval to change the existing trade name to Lahaina
7 Texaco.

8 The manager, member and agents of the
9 manager-managed LLC is listed in the investigator's
10 report.

11 Rules of the Liquor Commission: 08-101-36,
12 unauthorized use of trade name: change. (a), A new
13 licensee or transferee shall have a choice of trade name,
14 however, such trade name must be registered with the State
15 Department of Commerce and Consumer Affairs. (b), Any
16 licensee desirous of changing an existing trade name shall
17 submit to the Commission a Certificate of Registration of
18 trade name issued by the State Department of Commerce and
19 Consumer Affairs showing approval of such registration.
20 (c), Use of any trade name without prior approval of the
21 Commission is prohibited. Any publication or advertising
22 or sign with an unauthorized trade name will be considered
23 prima facie evidence of use of such trade name.

24 CHAIR TANAKA: Thank you. Do you have anything
25 else to add?

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1 MR. HUBIN: No. Thank you.

2 CHAIR TANAKA: Chevron no longer exists?

3 MR. HUBIN: No longer in Hawaii.

4 CHAIR TANAKA: In Hawaii.

5 MR. HUBIN: Yes.

6 CHAIR TANAKA: Okay. There's no public, so is
7 there any question by the Commissioners?

8 COMMISSIONER TODD: I move to approve.

9 COMMISSIONER YOKOUCHI: Second.

10 COMMISSIONER TODD: Consolidated.

11 CHAIR TANAKA: Moved and seconded. All in
12 favor, say "aye."

13 (Response.)

14 CHAIR TANAKA: Opposed, "no."

15 (No response.)

16 CHAIR TANAKA: Motion carries. Thank you.

17 COMMISSIONER TODD: Thank you for your wait.

18 CHAIR TANAKA: Okay. Before we go on to
19 Administrative Affairs, let's have a 10-minute recess.

20 COMMISSIONER TODD: Okay.

21 (Recess, 10:01 a.m. to 10:07 a.m.)

22 CHAIR TANAKA: Okay. Liquor Commission meeting
23 called back to order. Okay. Let's go to Administrative
24 Affairs.

25 DIRECTOR MUKAI: Administrative Affair, you have

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1 before you a letter from Cielo Molina, dated April 9,
2 2018, regarding political activity of the Commission
3 employees pursuant to 281-22 HRS.

4 On B, Director's Monthly Report, State
5 Legislature. There were five bills sent to the Governor
6 for his consideration and approval. And the most
7 important bill was Senate Bill 2945 which eliminates the
8 Federal tax clearance requirement. And they did remove
9 all those 2015 effective dates. So now the effective
10 dates will be July 1st, 2018, should he sign and approve,
11 approve and sign the bills.

12 And I have a reminder that next Liquor
13 Commission meeting will be on June 6. Remember, the dates
14 was changed because of the conference. So remember, it's
15 June 6th, the first Wednesday of the month.

16 CHAIR TANAKA: The next -- the next meeting
17 going to be the first Wednesday.

18 VICE-CHAIR ALULI: First Wednesday, not the
19 second.

20 DIRECTOR MUKAI: And the Commission have before
21 them the results of the May 3rd, 2018 Liquor Control
22 Adjudication Board meeting and decision and order.

23 That's all we have for Administrative Affairs on
24 this Commission. Any questions?

25 CHAIR TANAKA: Okay. Does the Commissioners

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1 have any questions or comments? No questions or comments,
2 may I have a motion for adjournment?

3 COMMISSIONER UMENO: So moved.

4 VICE-CHAIR ALULI: Second.

5 COMMISSIONER TODD: I'm sorry. Did we get to
6 Adjudication?

7 CHAIR TANAKA: He just -- he just --

8 COMMISSIONER TODD: You all went through --
9 through that? My question -- I'm sorry to keep everybody
10 here, but new is new. My question here is we receive
11 these documents of what Adjudication did for our general
12 information, but we have no input on this, correct?

13 CHAIR TANAKA: Correct.

14 COMMISSIONER TODD: Okay.

15 COMMISSIONER YOKOUCHI: (Inaudible), yeah.

16 COMMISSIONER TODD: Yeah.

17 CHAIR TANAKA: It's a separate board.

18 COMMISSIONER TODD: All right. Very well.

19 CHAIR TANAKA: Okay.

20 COMMISSIONER TODD: Thank you.

21 CHAIR TANAKA: We have a motion for adjournment?

22 VICE-CHAIR ALULI: So moved.

23 CHAIR TANAKA: Okay. Second?

24 COMMISSIONER UMENO: Second.

25 CHAIR TANAKA: Moved and seconded. All in

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1 favor, say "aye."

2 (Response.)

3 CHAIR TANAKA: Meeting adjourned. Thank you.

4 (Gavel.)

5 (Deposition concluded, 10:10 a.m.)

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CERTIFICATE

I, TONYA MCDADE, Certified Court Reporter of the State of Hawaii, do hereby certify that the proceedings contained herein were taken by me in machine shorthand and thereafter was reduced to print by means of computer-aided transcription; and that the foregoing represents, to the best of my ability, a true and accurate transcript of the proceedings had in the foregoing matter.

I further certify that I am not an attorney nor an employee of any of the parties hereto, nor in any way concerned with the cause.

DATED this 2nd day of June, 2018.

Tonya McDade
Certified Shorthand Reporter #447
Registered Professional Reporter
Certified Realtime Reporter
Certified Broadcast Reporter