



AMENDED

BOARD APPEAL HEARING DOCKET  
7450 FREIGHT WAY, MECHANICSVILLE, VA 23116

Chair  
Timothy D. Hugo  
Vice Chair  
Robert C. Sledd  
Board of Directors  
William D. Euille  
Gregory F. Holland  
Mark E. Rubin

License/Applicant	Attorney's	Appellant	Complaints/Charges	Trans. No. of Pgs.	Charges/Objections Heard by Administrative Law Judge	Contacts/ Objectors	Date & Time
1.  EL TROPI 2 LLC <b>EL TROPI 2 LLC</b> 4900 JEFFERSON DAVIS HWY N. CHESTERFIELD, VA 23234  Mailing: 2509 DALE AVENUE RICHMOND, VA 23234  License: <b>754563 - WINE AND BEER ON AND OFF PREMISES</b> <b>754563 - MIXED BEVERAGE RESTAURANT</b>  <b>Administrative Case No.: 013350267</b>	LaTonya Hucks- Watkins, Esq. Sr. Legal Counsel Counsel for BLE	Licensee	1. On 02/12/2023 at approximately 10 AM, the licensee kept at the place described in the license alcoholic beverages not bearing mixed beverage stamps, in violation of Sections 4.1-202, 4.1-225 1.b. and 4.1-325 A4 of the Code of Virginia and 3 VAC 5-50-60 B.1.  2. The characteristics of the food business conducted upon the licensed premises are such that the establishment ceases to qualify as a "restaurant" within the meaning of Section 4.1-100 of the Code of Virginia, in violation of Sections 4.1-206.3 B.1. and 4.1-225 1.b. of the Code of Virginia and 3 VAC 5-50-110 A. and 3 VAC 5-50-110 B.  3. The characteristics of the food business conducted upon the licensed premises are such that the establishment ceases to qualify as a "restaurant" within the meaning of Sections 4.1-100, 4.1-206.3 A.1. and 4.1-225 1.b. of the Code of Virginia and 3 VAC 5-50-110 A., 3 VAC 5-50 -110 C., and 3 VAC 5-50-110 D.  <b>4. DISMISSED</b>  5. During the preceding license year (March 2021 through February 2022), based on the gross receipts from the sale of food and nonalcoholic	76	1. On 02/12/2023 at approximately 10 AM, the licensee kept at the place described in the license alcoholic beverages not bearing mixed beverage stamps, in violation of Sections 4.1-202, 4.1-225 1.b. and 4.1-325 A4 of the Code of Virginia and 3 VAC 5-50-60 B.1.  2. The characteristics of the food business conducted upon the licensed premises are such that the establishment ceases to qualify as a "restaurant" within the meaning of Section 4.1-100 of the Code of Virginia, in violation of Sections 4.1-206.3 B.1. and 4.1-225 1.b. of the Code of Virginia and 3 VAC 5-50-110 A. and 3 VAC 5-50-110 B.  3. The characteristics of the food business conducted upon the licensed premises are such that the establishment ceases to qualify as a "restaurant" within the meaning of Sections 4.1-100, 4.1-206.3 A.1. and 4.1-225 1.b. of the Code of Virginia and 3 VAC 5-50-110 A., 3 VAC 5-50 -110 C., and 3 VAC 5-50-110 D.  4. On 12/15/2022 at approximately 1:30PM the licensee purchased wine or beer for resale from a person other than a wine or beer wholesaler licensed in this Commonwealth, in	P. Connors R. Blaney K. Smith A. Spinner	<b>Nov. 17, 2023 9:00 a.m.</b>

			beverages and the gross receipts from the sale of mixed beverages, the licensed establishment did not meet the requirements for a mixed beverage restaurant license, in violation of Sections 4.1-114, 4.1-206.3 A.1. and 4.1-225 1.b. of the Code of Virginia.		violation of Sections 4.1-202, 4.1-225 1.b. and 4.1-326 of the Code of Virginia.  5. During the preceding license year (March 2021 through February 2022), based on the gross receipts from the sale of food and nonalcoholic beverages and the gross receipts from the sale of mixed beverages, the licensed establishment did not meet the requirements for a mixed beverage restaurant license, in violation of Sections 4.1-114, 4.1-206.3 A.1. and 4.1-225 1.b. of the Code of Virginia.		
<div>2.</div> <div>ACH MANAGEMENT INC CITIES BAR &amp; GRILL 8004 W BROAD ST HENRICO, VA 23294-4218  License: <b>753396– WINE AND BEER ON AND OFF PREMISES</b> <b>753396- MIXED BEVERAGE RESTAURANT</b>  <b>Administrative Case No.: 013338005</b></div>	<div>Brent A. Jackson, Esq. 10 E Franklin Street Suite 302 Richmond, VA 23219 Counsel for the Licensee   Rachel Yates, Esq. Assistant Legal Counsel Counsel for BLE</div>	Licensee	<div>1. During the preceding license year (10/01/2021 through 09/30/2022), based on the gross receipts from the sale of food and nonalcoholic beverages and the gross receipts from the sale of mixed beverages, the licensed establishment did not meet the requirements for a mixed beverage restaurant license, in violation of Sections 4.1-114, 4.1-206.3 A.1. and 4.1-225 1.b. of the Code of Virginia.</div> <div>2. <b>DISMISSED</b></div> <div>3. The licensee failed to submit to the Board a complete and accurate annual review report for the year ending 09/30/2022, in violation of Sections 4.1-114, 4.1-202 and 4.1-225 1.b. of the Code of Virginia and 3 VAC 5-70-90 D.</div> <div><b>Incident No.: 013287451</b></div>	178	<div>1. During the preceding license year (10/01/2021 through 09/30/2022), based on the gross receipts from the sale of food and nonalcoholic beverages and the gross receipts from the sale of mixed beverages, the licensed establishment did not meet the requirements for a mixed beverage restaurant license, in violation of Sections 4.1-114, 4.1-206.3 A.1. and 4.1-225 1.b. of the Code of Virginia.</div> <div>2. On 02/10/2023 at approximately 11:15pm, the licensee delivered to a consumer an original bottle of spirits purchased under the mixed beverage license except as provided by Section 4.1-206.3. of the Code of Virginia, in violation of Sections 4.1-202, 4.1-206.3., 4.1-225 1.b. and 4.1-325 A.15. of the Code of Virginia and 3 VAC 5-50-60.</div> <div>3. The licensee failed to submit to the Board a complete and accurate annual review report for the year ending 09/30/2022, in violation of Sections 4.1-114, 4.1-202 and 4.1-225 1.b. of the Code of Virginia and 3 VAC 5-70-90 D.</div> <div><b>Incident No.: 013287451</b></div>	A. Riggott A. Spinner	<b>Nov. 17, 2023 9:00 a.m.</b>



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Franchise Matter	Attorney(s)	Appellant	Trans. No. of Pgs.	Complaints/Charges	Date & Time
<div>3.</div> <b>Premium Distributors of Virginia, LLC,</b>  <b>&amp;</b>  <b>Blue Ridge Beverage Company, Inc.,</b>  <b>Petitioners,</b>  <b>v.</b>  <b>Boston Beer Corporation,</b>  <b>Respondent.</b>	<b>Kevin R. McNally, Esq.</b> Marston & McNally, P.C. 9100 Arboretum Parkway, Suite 370 Richmond, VA 23236 (Petitioners' Counsel)  <b>Ryan Dougherty, Esq.</b> <b>Brian A. Wainger, Esq.</b> <b>David J. Sullivan, Esq.</b> Kaleo Legal 4456 Corporation Lane, Ste 135 Virginia Beach, VA 23462 (Respondents' Counsel)	Respondent	105	<b>BEER FRANCHISE COMPLAINT</b>	<b>Nov. 17, 2023</b> <b>9:00 a.m.</b>

Interpreter services provided by: Propio Language Services

c: Mr. Hugo

Mr. Euille

Mr. Hill

Ms. LaMotte

Communications

Mr. Sledd

Mr. Rubin

Mr. Daniel

Ms. Intagliato

Security

Mr. Holland

Mr. Flaherty

Office of Legal Counsel

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