

SARAH N, INC. D/B/A TEQUILA ROCK § BEFORE THE STATE OFFICE
TRAVIS COUNTY, TEXAS §
§
§ OF
PERMIT APPLICATION FILED WITH §
THE TEXAS ALCOHOLIC BEVERAGE §
COMMISSION (CASE NO. 598231) § ADMINISTRATIVE HEARINGS

PROPOSAL FOR DECISION

Sarah N, Inc. d/b/a Tequila Rock (Applicant) filed an original application for a retailer's mixed beverage permit and mixed beverage late hours permit with the Texas Alcoholic Beverage Commission (TABC). TABC protested the issuance of the application asserting that the way in which Applicant may conduct business warrants the refusal of the permits. Applicant contended it has always cooperated fully with all TABC and police department regulations and requests and will continue to do so if granted these permits. Based on the evidence received, the Administrative Law Judge (ALJ) recommends the application should be denied.

I.

PROCEDURAL HISTORY, JURISDICTION, AND NOTICE

After TABC referred the matter to the State Office of Administrative Hearings (SOAH), ALJ Georgie B. Cunningham convened the hearing at the William P. Clements Building, 300 West Fifteenth Street, Austin, Texas on July 11, 2002. Attorney Dewey A. Brackin represented the TABC staff (Staff), and Attorney Don E. Walden represented Applicant. The hearing notice and jurisdiction were not contested issues, as reflected in the proposed findings of fact and conclusions of law. After evidence was received, the hearing was recessed to permit the parties an opportunity to file written closing arguments and legal briefs.¹ The hearing was closed on July 29, 2002.

II.

DISCUSSION

A. Introduction

Applicant is a domestic business corporation which applied for permits for the premises at 612-614 East Sixth Street, Austin, Travis County, Texas. Akram Sami Nasreddine is Applicant's president and sole stockholder. Mr. Nasreddine has owned and managed other businesses including numerous clubs. His previous clubs include Club 2020, South Beach, Club Inferno, Club Just Us, Eden 2000, Club Detour, Club Infinity, Club LaBeau, and Millennium all located in the 200 to 700 blocks of East Sixth Street in Austin. Some of the clubs such as Club Detour, Eden 2000, Club Infinity, Club Just Us, and South Beach have been located in the premises proposed for Tequila

¹ Applicant timely filed a brief, however, Staff did not file one.

Rock. Mr. Nasreddine presently owns the Roxy located at 304 East Sixth Street. Previously, he owned the Club Inferno at 222 East Sixth Street.

In its hearing notice, Staff alleged that the manner in which Applicant may conduct its business warrants the refusal of the permits based on the general welfare, health, peace, morals, and safety of the people and the public sense of decency. Specifically, Staff alleged that Mr. Nasreddine's manner of operation at other licensed premises is detrimental to the public safety, and the proposed Tequila Rock location is subject to an inordinate amount of calls for police assistance.

If TABC reasonably believes an applicant will conduct its business in a way that endangers public peace and safety, it may deny a permit as specified in Section 11.46(a) of the Texas Alcoholic Beverage Code (the Code). According to Section 11.41 of the Code, TABC may give due consideration to local officials' recommendations in evaluating an application.

At the hearing, Staff presented the testimony of its agent, Tim Humphreys, and Officer Desiree Small of the Austin Police Department (APD). Mr. Nasreddine, along with two of his employees, Michael Manuel Harb and Kathy Ibarra Contreras, testified on behalf of Applicant. The documentary evidence included the application, affidavits of Mr. Humphreys and Chief of Police Stanley L. Knee, police reports, several orders related to other TABC cases, and the rules for Mr. Nasreddine's club employees.

B. Summary of the Evidence

1. Staff's Evidence

Both Mr. Humphreys and Officer Small addressed Mr. Nasreddine's manner of operation at other licensed premises. Mr. Humphreys, who has been a TABC agent for 17 years, has known Mr. Nasreddine for approximately 12 years and is familiar with the operation of his various clubs. Mr. Humphreys testified he is aware of many infractions of the law including assaults, minor-in-possession, and public intoxication occurring at the clubs, and in his opinion, Mr. Nasreddine "does not run a tight ship." Although he and others from TABC and APD have talked with Mr. Nasreddine, the problems are on-going.

Mr. Humphreys presented summaries of APD calls from the premises located at 612-614 East Sixth and from the Roxy. APD has encountered a high number of calls from both locations, in his opinion. Mr. Humphreys explained that the number of calls has an effect on both TABC and APD resources. Of the eight agents TABC has assigned to Travis County, four agents usually have to be out every night. Problems with clubs on East Sixth Street drain resources from effective TABC policing of other areas.

Officer Small, who has been a peace officer for seven years, is assigned to work in the East Sixth Street area. She is also familiar with Mr. Nasreddine's clubs including the Roxy and Club Inferno. TABC denied Club Inferno's permit renewal application. According to Officer Small,

some of the investigations are complaint-driven and some are officer-initiated. Many times the bouncers at the clubs shove the problem patrons outside, and then the problem becomes a police problem. In her opinion, if the bouncers themselves called the police many of the problems could be resolved without so much violence.

Officer Small's worst experience with Mr. Nasreddine's clubs occurred three years ago on the street between the Roxy and the Club Inferno. She and Officer David Romo observed a bouncer shove four men, who were fighting, out of the Roxy. When she and Officer Romo intervened to stop the fight, she was kicked in the head by one of the men. She explained that instead of the club's containing the problem before it escalated, it was moved to the street where other APD officers had to assist Officers Small and Romo in a multi-block chase of the intoxicated men.

After Mr. Nasreddine had leased the 612-614 East Sixth Street club to another permit holder, APD continued having problems arise at the location. APD officers spoke with Mr. Nasreddine, who represented that he "would take care of it." He left the impression that he was in charge or could control the behavior of the new permit holder.

Officer Small further testified that 40 to 60 clubs are located in the East Sixth Street area; however, most of the police problems arise from 10 of the clubs including the locations where Mr. Nasreddine has owned or operated clubs. According to Officer Small, APD officers have talked with him about multiple incidents of disorderly conduct, including fighting between patrons and his bouncers. They also talked with him about his need to train bouncers not to use excessive force; nonetheless, he has not cooperated and neither have the bouncers, in her opinion. When officers try to interview bouncers about complaints in which they may be involved, according to Officer Small, the bouncers flee or other bouncers protect them. In Officer Small's opinion, Mr. Nasreddine's staff should be properly trained to handle problems and be accountable. If not, then the problem is a management problem. She admitted that complaints frequently go unresolved after victims decide not to pursue allegations for various reasons.

In his affidavit, APD Chief Knee requested that TABC deny Applicant's permits based on the excessive amount of assaults and other criminal violations APD has been called to investigate. Chief Knee stated it is in the best interest of the community that Applicant be denied a permit to sell alcoholic beverages.

Between January 1, 2000, and September 30, 2001, APD received 45 calls for police assistance at 612-614 East Sixth Street. During the same time period, APD generated 33 reports involving calls from the Roxy location.² Chief Knee explained in his affidavit that officers used these addresses because the incident originated there or because of its proximity to where the offense was discovered. The police reports from the 612-614 East Sixth Street location involved complaints

² These records were admitted to show that the complaints were filed rather than that the alleged criminal activity occurred. In some instances, the officer preparing the report actually observed criminal conduct, and the report thus established the alleged conduct occurred.

of alleged assaults, criminal mischief, public intoxication, theft, and several miscellaneous complaints.

The complaints involving the Roxy were similar in nature; however, these reports also contained records from five officers who issued citations to minors in possession of alcohol in the club. In another incident, multiple officers had to pursue and arrest three very intoxicated men who had injured one of the Roxy's bouncers. Moreover, the complaints involved several alleged assaults by the club's bouncers and a gang fight.

Staff also presented the TABC order accompanied by the underlying proposal for decision regarding Club Inferno. Mr. Nasreddine was the president and sole stockholder of NA OK, Inc., which owned the club. TABC denied the renewal of its permit applications because the manner in which its business might be conducted was inimical to the general welfare, health, peace, and safety of the public. The findings of fact set forth numerous violations including minors in possession of alcohol and assaults. One of the bartenders was assaulted in 1998, and bouncers assaulted several patrons in 1999.

2. Applicant's Evidence

Mr. Nasreddine testified that he managed another club between 1987 and 1991 before he became a permit holder in 1991. For five years thereafter he operated three clubs simultaneously. He testified further that he has always cooperated with TABC staff. In addressing the specific problems alleged with the 612-614 East Sixth Street premises, Mr. Nasreddine testified that in 1995 he requested APD assistance with a drug problem in the area. He further testified he has spoken with TABC agents many times, has always complied with the agents' requests within one month, and has always complied with all TABC rules and regulations. He described Tequila Rock as a "high class" club for college people older than age 23. No one under age 21 would be admitted. If the permits are issued, he is willing to meet again with agents about the club.

In October 1999, Mr. Nasreddine sold his 612-614 East Sixth Street club to three non-affiliated individuals, according to his testimony. He remained as a sub-lessor to comply with the terms of his lease. Thereafter, TABC requested that he assist the new permit holders with the transition for one month. He had not encountered even one problem prior to the time the club was sold.

Mr. Nasreddine met with TABC and APD representatives about their concern that too many people congregate outside the Roxy at closing. He agreed to close earlier and have patrons depart by both the front and side doors. He conceded that once a minor fight occurred inside the club.

Continuing his testimony about other clubs, Mr. Nasreddine explained that the problems he had with Club Inferno arose when the pay telephone was connected to his business telephone resulting in excessive calls being attributed to the club itself. Instead, the complaints were made by people on the street. According to Mr. Nasreddine, TABC staff never told him it had a problem with

the way he operated Club Inferno. Mr. Humphreys has always told him that he was doing a good job and TABC was 100 percent satisfied.

Michael Manual Harb, the Roxy's general manager, testified he has worked for Mr. Nasreddine for 10 years. The Roxy employs 18 bouncers, 6 bar tenders, and 3 persons to work at the door, all of whom are required to have TABC's seller/server training. He described the Roxy as a 14,000 square-foot, three-level club with a perfect record. It is a safe place for patrons to have fun. No one has ever been injured in the club, and the police have only been called once or twice. He was injured once in 1996 when he tried to break-up a street fight outside the Roxy.

Mr. Harb provided a copy of a document, *Rules and Regulations for Club Employees*, which was admitted as an exhibit. The rules addressed various regulations regarding checking identification, looking for underage drinkers, coming to work sober, not socializing with patrons, bartenders' employment requirements, and handling intoxicated or disruptive patrons.

Kathy Ibarra Contreras and her husband work at Mr. Nasreddine's car lot. During the early 1990s, she worked at several of his clubs. She continues to work occasionally at the clubs taking money and checking identification. Although fights are common on East Sixth Street, she feels safe working or taking her family to Mr. Nasreddine's clubs.

C. Analysis

Even though Mr. Nasreddine contended he has always cooperated fully with all TABC and APD requests, the ALJ finds the manner in which he has conducted his business in other clubs a more persuasive performance indicator. Based on his history of operations, his willingness to meet with TABC and APD officials provides no reassurance that his manner of operations will change. Mr. Nasreddine should be very aware of TABC's and APD's interest in public safety as a result of his club operations since 1991 and his numerous meetings with them. Nonetheless, his clubs have been among the few requiring a disproportionate amount of TABC and APD resources on East Sixth Street.

The ALJ recognizes that a call for APD assistance does not mean that a criminal act actually occurred. In fact, Staff could have better served TABC's position regarding this application had it screened the complaints prior to the hearing. The complaints at the 612-614 premises occurred after Mr. Nasreddine had transferred ownership of the club to others. The ALJ does find it unusual, however, that he left the impression with APD that he still had control of the operations.

In examining the complaints related to the Roxy, one involved alleged theft at a street fair and several others involved various incidences occurring near the Roxy. In another complaint, the Roxy was the alleged victim of a patron's attempt to use counterfeit money. Such complaints should not be attributed to the Roxy or used as the basis for a permit denial. Nonetheless, the ALJ noted that officers had cited five minors for being in possession of alcohol and had to pursue and arrest seven intoxicated men who had been fighting in the Roxy. In another incident, officers had to travel

several hundred miles to arrest a suspect for alleged organized criminal activity occurring in the club. The ALJ further noted that Mr. Nasreddine and his employees were witnesses in several incidents and that many of the alleged victims did not pursue their complaints, as Officer Small testified.

Applicant objected to hearsay statements within the reports, but not to statements made by officers with knowledge of events. Even though Applicant objected to hearsay statements and argued that TABC's rule, 16 Tex. Admin. Code § 35.31, required proof that an alleged offense actually occurred, Staff did not allege that the incidences actually occurred. Instead, Staff alleged that Mr. Nasreddine's clubs are subject to an inordinate amount of calls for police assistance. Even discounting the inapplicable reports, Staff did establish through its witnesses' testimony and the APD reports that an inordinate number of calls occurred to investigate alleged criminal activity. It is not necessary to further examine whether the violations actually occurred; however, based on the officers' statements, the reports established multiple violations against Mr. Nasreddine's Roxy.

The evidence clearly demonstrates that responding to calls for police assistance requires a disproportionate amount of APD resources. It appears that Mr. Nasreddine's bouncers maintain order in the clubs by removing problems to the street for APD to handle. Not only does such action require an inordinate amount of APD resources, but it places uninvolved pedestrians at risk. For example, as Mr. Harb testified, he was injured in trying to control a fight that did not originate in the club. Although Officer Small indicated it would be better if the club called for police assistance to intervene for prompt control of fights, it appeared that Mr. Nasreddine and Mr. Harb equated a call for police assistance as a complaint against the club. Although they took the position that they could not control what happened on the sidewalks, they are actually contributing to crowd control problems when bouncers are allowed to evict disorderly patrons without calling APD.

Although it was kind of them to take their time to appear at the hearing, Mr. Harb's and Ms. Ibarra's testimony did little to support the application process. The witnesses, who are employed by Mr. Nasreddine, may have a vested interest in the outcome of the hearing. Moreover, Mr. Harb's testimony that the Roxy had a "perfect" record was inconsistent with Mr. Nasreddine's testimony that the Roxy had a "minor fight once." A police officer's report shows that one of the Roxy bouncers was injured in a fight. Their testimony significantly differed from the evidence Staff produced, and Mr. Harb's testimony regarding his employment was inconsistent. He testified that he started working for Mr. Nasreddine at Club Inferno and that he had worked only at the Roxy.

Mr. Harb's set of club rules failed to further Applicant's case. The document specified that it pertained to rules for employees of Twenty-Twenty, Inc., C Kan, Inc., and NA OK, Inc. Applicant did not establish that the rules would be adopted by Sarah N, Inc., for use at Tequila Rock. Considering the five citations to minors for possessing alcohol, the rule that patrons must be at least 18 years of age appears to have been ineffective at the Roxy. In a similar manner, the police reports of chasing and arresting seven intoxicated patrons suggests the rule prohibiting serving intoxicated patrons seems ineffective also.

In recommending denial, the ALJ considers Officer Small's and Mr. Humphrey's testimony even more significant than the APD reports. Their testimony was based on personal knowledge and experience in dealing with Mr. Nasreddine. Applicant did not refute Officer Small's testimony about the bouncers' evicting the four fighting men that resulted in her injury and multiple officers having to engage in the fighters' pursuit. Mr. Humphrey's and Officer Small's testimony was consistent that Mr. Nasreddine's problems at his clubs are on-going in spite of his assurances of compliance. Furthermore, the recommendation of a local official, Chief Knee, is significant along with TABC's denial of Club Inferno's renewal application based on the way Mr. Nasreddine may conduct his business.

As the protestant, TABC had the burden of proof to show grounds exist to deny the application. Staff established that Mr. Nasreddine has a history of problems in operating his clubs in a manner to ensure the public's safety, peace, and general welfare. In turn, Mr. Nasreddine provided no credible evidence to demonstrate that his manner of operating a club will change. His willingness to meet with TABC and APD representatives if the permits are granted provides little assurance of compliance. Although he has met with them repeatedly, the problems are on-going. A club owner should be aware of and comply with pertinent laws and regulations without having to meet repeatedly with TABC agents and local peace officers. Thus, the ALJ finds that Staff proved by a preponderance of the evidence that Applicant may conduct its business in a manner detrimental to the public's safety.

III. PROPOSED FINDINGS OF FACT

1. In December 2001, Sarah N, Inc. d/b/a Tequila Rock (Applicant) filed an original application with the Texas Alcoholic Beverage Commission (TABC) for a retailer's mixed beverage permit and a mixed beverage late hours permit.
2. Tequila Rock is located at 612-614 East Sixth Street, Austin, Travis County, Texas.
3. Akram Sami Nasreddine is Applicant's president and sole stockholder.
4. Mr. Nasreddine has owned and managed other businesses including numerous clubs on East Sixth Street in Austin, Texas.
5. Mr. Nasreddine presently owns the Roxy at 304 East Sixth Street in Austin, Texas.
6. Mr. Nasreddine previously owned the Club Inferno located at 222 East Sixth Street in Austin, Texas.
7. Mr. Nasreddine's other clubs have included South Beach, Club Just Us, Eden 2000, Club Detour, Club Infinity, Millennium, Club LaBeau, and Club 2020.

8. Mr. Nasreddine has operated some of the clubs at 612-614 East Sixth Street, the premises proposed for his Tequila Rock club.
9. Between 40 and 60 clubs are located in the East Sixth Street area.
10. Most of the problems the Austin Police Department (APD) is called to investigate arise from 10 of the clubs, including Mr. Nasreddine's clubs.
11. On April 18, 2001, TABC issued an order denying the renewal application of NA OK, Inc. d/b/a Club Inferno because the manner in which the business would be conducted was contrary to the general welfare, health, peace, and safety of the public.
12. Mr. Nasreddine was the president and sole stockholder of NA OK, Inc.
13. During 1998 and 1999, APD responded to 90 calls at Club Inferno or in the area outside the club.
14. The Club Inferno violations included minors in possession of alcohol and assaults.
15. One of the bartenders was assaulted in 1998, and bouncers assaulted several patrons in 1999.
16. Between January 1, 2000, and September 30, 2001, APD received an excessive number of calls regarding disturbances at the Roxy.
17. The APD incident reports at the Roxy include five incidents of minors in possession of alcohol, the pursuit of three intoxicated men who had injured one of the bouncers, several alleged assaults by the bouncers, and an alleged gang fight. APD officers had to travel several hundred miles to arrest one suspect arising from alleged organized criminal activity at the Roxy.
18. Approximately three years ago, Roxy bouncers evicted four intoxicated men who were fighting.
19. Two police officers observed the Roxy's eviction and attempted to stop the men from fighting in the street.
20. One of the men kicked a police officer in the head.
21. Other police officers had to assist in the multi-block chase to arrest the intoxicated men.
22. The high number of calls requiring an APD or TABC response has an effect on their resources.

23. Mr. Nasreddine has managed or owned clubs since 1989.
24. Both APD officers and TABC agents have talked with Mr. Nasreddine about handling problems at his clubs and the need to properly train bouncers not to use excessive force.
25. Mr. Nasreddine should be aware of pertinent regulations involving club operations.
26. Mr. Nasreddine should be aware of TABC's and APD's interest in public safety.
27. Mr. Nasreddine and his clubs' bouncers have failed to cooperate with TABC and APD in correcting problems.
28. The infractions at Mr. Nasreddine's clubs are on-going.
29. Club rules for employees have been ineffective in controlling infractions.
30. Mr. Nasreddine has a history of problems in operating his clubs in a manner to ensure the public's safety.
31. Mr. Nasreddine provided no credible evidence that his manner of operating clubs will improve.
32. On May 8, 2002, TABC sent notice of the hearing by certified mail, return receipt requested, to Applicant and by facsimile transmission to Applicant's counsel.
33. The hearing notice informed Applicant of the issue to be decided, the right to appear and present evidence, the date and place of the hearing, and the statutes and rules involved.

IV. PROPOSED CONCLUSIONS OF LAW

1. The Texas Alcoholic Beverage Commission (TABC) has jurisdiction over this matter, pursuant to TEX. ALCO. BEV. CODE ANN. § 11.46.
2. The State Office of Administrative Hearings has jurisdiction over matters related to the hearing in this proceeding, including the authority to issue a proposal for decision with proposed findings of fact and conclusions of law as provided by TEX. GOV'T CODE ANN. ch. 2003 and TEX. ALCO. BEV. CODE ANN. § 5.43.
3. Service of proper and timely notice of the hearing was effected upon Applicant, as required by TEX. GOV'T CODE ANN. ch. 2001 and TEX. ALCO. BEV. CODE ANN. § 11.63.

4. As provided in TEX. ALCO. BEV. CODE ANN. § 11.46(a)(8), TABC may deny an application if it finds reasonable grounds to believe the manner in which the applicant may conduct its business warrants a refusal of a permit based on the general welfare, health, peace, and safety of the people.
5. TABC may give due consideration to the recommendation of the local police department chief to deny the permit application, as set forth in TEX. ALCO. BEV. CODE ANN. § 11.41.
6. Based on the foregoing findings of fact and conclusions of law, the application of Sarah N., Inc. d/b/a Tequila Rock, Austin, Travis County, Texas, for mixed beverage and mixed beverage late hours permits should be denied.

SIGNED this 26th day of September, 2002.


GEORGIE B. CUNNINGHAM
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

DOCKET NO. 598231

IN RE THE ORIGINAL	§	BEFORE THE
APPLICATION OF SARAH N, INC.	§	
INC., D/B/A TEQUILA ROCK	§	
MB & LB	§	STATE OFFICE OF
	§	
	§	
TRAVIS COUNTY, TEXAS	§	
(SOAH DOCKET NO. 458-02-2637)	§	ADMINISTRATIVE HEARINGS

ORDER

CAME ON FOR CONSIDERATION this 3rd day of February, 2003, the above-styled and numbered cause.

After proper notice was given, this case was heard by Administrative Law Judge Georgie B. Cunningham. The hearing convened on July 11, 2002, and the hearing was closed on July 29, 2002. The Administrative Law Judge made and filed a Proposal For Decision containing Findings of Fact and Conclusions of Law on September 26, 2002. This Proposal For Decision was properly served on all parties who were given an opportunity to file Exceptions and Replies as part of the record herein. Exceptions to the Proposal have been filed by the Applicant.

The Acting Assistant Administrator of the Texas Alcoholic Beverage Commission, after review and due consideration of the Proposal for Decision, adopts the Findings of Fact and Conclusions of Law of the Administrative Law Judge, which are contained in the Proposal For Decision and incorporates those Findings of Fact and Conclusions of Law into this Order, as if such were fully set out and separately stated herein. All Proposed Findings of Fact and Conclusions of Law, submitted by any party, which are not specifically adopted herein are denied.

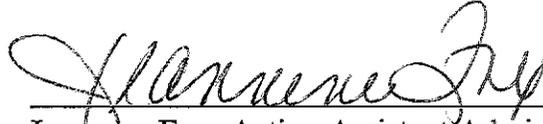
IT IS THEREFORE ORDERED, by the Acting Assistant Administrator of the Texas Alcoholic Beverage Commission, pursuant to Subchapter B of Chapter 5 of the Texas Alcoholic Beverage Code and 16 TAC §31.1, of the Commission Rules, that the Original Application of Sarah N, Inc., d/b/a Tequila Rock, for a Mixed Beverage Permit and a Mixed Beverage Late Hours Permit be **DENIED**.

This Order will become final and enforceable on February 24, 2003 unless a Motion for Rehearing is filed before that date.

By copy of this Order, service shall be made upon all parties by facsimile and by mail as indicated below.

WITNESS MY HAND AND SEAL OF OFFICE on this the 3rd day of February, 2003.

On Behalf of the Administrator,



Jeannene Fox, Acting Assistant Administrator
Texas Alcoholic Beverage Commission

DA/B/yt

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Licensing Division
Austin District Office

10-17
State Office of Administrative Hearings



Shelia Bailey Taylor
Chief Administrative Law Judge

September 26, 2002

SEP 26 2002

Mr. Rolando Garza, Administrator
Texas Alcoholic Beverage Commission (TABC)
5806 Mesa, Suite 160
Austin, Texas 78711

HAND DELIVERY

RE: Docket No. 458-02-2637; TABC vs. Sarah N. Inc. d/b/a Tequila Rock Travis
County, Texas Permit Application Filed with TABC (598231)

Dear Mr. Garza:

Please find enclosed a Proposal for Decision that has been prepared for your consideration in the above referenced case. A copy of the Proposal for Decision is being sent to Dewey Brackin, Attorney representing the Texas Alcoholic Beverage Commission, and to Don E. Walden, Attorney for Respondent in this matter. For reasons discussed in the Proposal for Decision, I recommend the application should be denied.

Pursuant to TEX. GOV'T CODE ANN. §2001.062, each party has the right to file exceptions to the Proposal for Decision and to present a brief with respect to the exceptions. If any party files exceptions or briefs, all other parties may file a reply. A copy of any exceptions, briefs on exceptions, or reply must also be filed with the State Office of Administrative Hearings and served on the other party in this case.

Sincerely,

A handwritten signature in cursive script that reads "Georgie B. Cunningham".

Georgie B. Cunningham
Administrative Law Judge

GBC/vg
Enclosure

xc: Dewey Brackin, Attorney, TABC, 5806 Mesa, Suite 160, Austin, Texas - VIA HAND DELIVERY
Don Walden, Attorney, 4408 Spicewood Springs Rd., Austin, TX 78759 - VIA REGULAR MAIL
Rommel Corro, Docket Clerk, State Office of Administrative Hearings - VIA HAND DELIVERY