

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 3/17/22

License #/Type: 3912 PACKAGE STORE

Licensee: Naabia Niign, Ltd

Address: Mile 1264, Alaska Hwy, Northway, AK

DBA: Chisana View Liquor Store

AMCO Case #: 22-0413

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 3-15-22, an inspection was conducted with General Manager Lorraine Titus at your establishment. Titus was asked to provide proof of server education. Titus stated her card had expired sometime in February. She could not locate the expired card. She was advised that when she found the card and attended another class, to provided proof to Investigator Hamilton.

Your attention is directed to AS 04.21.025: Server education, 13AAC 304.465: Server education, AS 04.150: License responsible for violations, AS 04.20.030: Responsibility of licensees, employees and agents

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

Davies, Jason M (CED)

From: Lorraine Titus <llt53.northway@gmail.com>
Sent: Wednesday, May 25, 2022 3:43 PM
To: Davies, Jason M (CED)
Subject: Re: Notice of Violation - Chisana View Liquor Store, #3912
Attachments: CHARR.pdf

Categories:

On Tue, May 24, 2022 at 11:10 AM Davies, Jason M (CED) <jason.davies@alaska.gov> wrote:

Hello,

I have not received a reply with a new copy of the server education card. If you need assistance, please let me know.

Thank you,

Jason M Davies – Criminal Justice Tech II

AMCO/ENFORCEMENT

jason.davies@alaska.gov

907-754-3410

From: Davies, Jason M (CED)
Sent: Friday, May 13, 2022 1:12 PM
To: Lorraine Titus <llt53.northway@gmail.com>
Cc: Joe Hamilton <joe.hamilton@alaska.gov>
Subject: RE: Notice of Violation - Chisana View Liquor Store, #3912

Afternoon,

I appreciate the reply, unfortunately we do not have a copy of the new card. Please reply with a new copy of the server education card. I will attached it to the notice of violation and close it out.

Thank you,

Jason M Davies – Criminal Justice Tech II

AMCO/ENFORCEMENT

jason.davies@alaska.gov

907-754-3410

From: Lorraine Titus <llt53.northway@gmail.com>
Sent: Friday, May 13, 2022 1:05 PM
To: Davies, Jason M (CED) <jason.davies@alaska.gov>
Subject: Re: Notice of Violation - Chisana View Liquor Store, #3912

I was asked to take a picture of my new card and text it. I did do that and got a responds of "thank you". I did this a few days after..

On Thu, May 12, 2022 at 8:55 AM Davies, Jason M (CED) <jason.davies@alaska.gov> wrote:

Hello,

On March 17th, 2022 Inv. Hamilton mailed a notice of violation which was received on March 22, 2022. As a licensee you are required to respond within 10 days of receiving the noticed of violation. Attached is another copy of the notice of violation for your records. If a response is not received by 5/16/2022, another notice of violation 3 AAC 304.525(a)(1)(B): Communication with licensees. Any questions or concerns, please let me know.

v/r



Jason M. Davies
Criminal Justice Technician II

AMCO Enforcement
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600

Anchorage, AK 99501
Office (907) 754-3410
jason.davies@alaska.gov



#159996

Expires: 03/25/2025

Name:

Lorraine Titus

DOB: [REDACTED]



TAP

TRAINING FOR ALCOHOL
PROFESSIONALS

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5/11/22

License #/Type: 5631 Beverage Dispensary - Tourism

Licensee: Tailwind JNU, LLC

Address: 1873 Shell Simmons Drive, Suite 220, Juneau, AK

DBA: Tailwind Concessions

AMCO Case #: 22-0836

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

You have completed an unapproved transfer of controlling interest. Details are as follows:

Change in ownership:

Jeffrey D Switzer - originally 50%, now 0

Alan Giaquinto - originally 50%, now 0

Tailwind JNU LLC now 100%

The change was made to CBL Biennial Report on 01/03/22. Licensing observed the change at renewal time (05/05/22) .

Your attention is directed to AS 04.11.040 (c): Board approval of transfers

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: *J. Hamilton*

SIGNATURE:

Delivered VIA: Mail

Date:

813.273.5216

HANNAH.BECKER@GRAY-ROBINSON.COM

May 19, 2022

VIA FEDEX OVERNIGHT AND EMAIL (AMCO.ENFORCEMENT@ALASKA.GOV)

Alaska Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Avenue, Suite 1600
Anchorage, Alaska 99501

Re: Response to Notice of Violation - AMCO Case Nos.: 22-0835, 22-0836

To Whom it May Concern:

GrayRobinson P.A. and its *Nationwide Alcohol Industry Team* serve as alcohol regulatory compliance and licensure counsel to Palladin Consumer Retail Partners, LLC (“Palladin”), a Boston-based private investment firm that focuses primarily on the retail and consumer products sectors in North America and Europe, as well Tailwind JNU, LLC (“Client”). At the end of November 2021, Palladin completed the acquisition of Tailwind Concessions, an airport concessionaire specialized in providing full-service restaurants, bars, retail and gift shops in regional airports throughout the United States. Tailwind JNU, LLC, an Alaska Alcohol & Marijuana Control Office (“AMCO”) Beverage Dispensary – Tourism licensee (license no. 5631 and 5649), was included in this transaction.

We write in response to two (2) Notices of Violation (“Notices”), dated May 11, 2022, and received by our Client on May 17, 2022. The AMCO Case numbers for the Notices are 22-0835 and 22-0836, and they correspond to two “Beverage Dispensary – Tourism” licenses numbered 5649 and 5631, respectively. We have attached copies of these notices to this letter for your reference.

Previously, we had taken the following actions to notify AMCO about the upstream ownership changes experienced by Client and comply with Alaska Stat. § 04.11.040. On November 18, 2021, we sent Carrie Craig, Acting Director/Records and Licensing Supervisor, an initial change of ownership notification letter for Client via email and FedEx. This change of ownership notification letter, a copy of which has been attached to this correspondence, explained the transaction and requested additional guidance on the future steps that were required of our Client, if any. A member of our team followed up with AMCO’s Licensing Department on December 9, 2021 regarding the change of ownership notification letter. On December 28, 2021, a member of our team spoke to an AMCO representative who confirmed that Client would need to complete *AMCO Transfer Applications* in order to obtain approval from AMCO regarding Client’s AMCO-issued alcohol licenses and its change in ownership.

In the intervening time between then and the date of the Notices, we have been working with our Client to gather relevant documents and information regarding the *AMCO Transfer Application*. As is not uncommon with a large transaction of this sort, there were difficulties with consolidating and securing the

Alcohol & Marijuana Control Office
May 19, 2022
Page 2

required information. This was further complicated by the strains placed on operations by the COVID-19 pandemic. That being said, we have gathered all required documents and information and are assisting our Client in expeditiously completing the required steps to properly gain approval from AMCO.

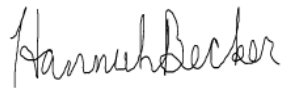
As directed by the Notices, we are timely responding to the Notices and explaining what steps our Client is taking to complete the *AMCO Transfer Application* process in accordance with Alaska Stat. § 04.11.040:

- On May 18, 2022, we posted the *AMCO Transfer Applications* on the licensed premises, as required by law, and they will remain posted for the following ten (10) days.
- We anticipate notices will begin running in a local newspaper on May 20, 2022. These notices will run for three (3) consecutive weeks in this newspaper.
- Once the newspaper notices have concluded their three (3) week run, we will submit the *AMCO Transfer Applications* and supporting documents for final approval by AMCO.

Please reply via e-mail to either me (hannah.becker@gray-robinson.com) or John Thomas (john.thomas@gray-robinson.com) as soon as possible to confirm if your agency requires any additional filings or information.

Thank you very much in advance for your understanding and assistance.

Sincerely,



Hannah Becker

ATTACHMENTS

cc: John P. Thomas II, esq.
Ashley Sadler, GrayRobinson Licensing Specialist
Carrie Craig, AMCO Acting Director/Records and Licensing Supervisor
(alcohol.licensing@alaska.gov)

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5/11/22

License #/Type: 5631 Beverage Dispensary - Tourism

Licensee: Tailwind JNU, LLC

Address: 1873 Shell Simmons Drive, Suite 220, Juneau, AK

DBA: Tailwind Concessions

AMCO Case #: 22-0836

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

You have completed an unapproved transfer of controlling interest. Details are as follows:

Change in ownership:

Jeffrey D Switzer - originally 50%, now 0

Alan Giaquinto - originally 50%, now 0

Tailwind JNU LLC now 100%

The change was made to CBL Biennial Report on 01/03/22. Licensing observed the change at renewal time (05/05/22) .

Your attention is directed to AS 04.11.040 (c): Board approval of transfers

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: *J. Hamilton*

SIGNATURE:

Delivered VIA: Mail

Date:

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5/11/22

License #/Type: 5649 Beverage Dispensary - Tourism

Licensee: Tailwind JNU, LLC

Address: 1873 Shell Simmons Drive, Suite 220, Juneau, AK

DBA: Tailwind Concessions

AMCO Case #: 22-0835

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

You have completed an unapproved transfer of controlling interest. Details are as follows:

Change in ownership:

Jeffrey D Switzer - originally 50%, now 0

Alan Giaquinto - originally 50%, now 0

Tailwind JNU LLC now 100%

The change was made to CBL Biennial Report on 01/03/22. Licensing observed the change at renewal time (05/05/22) .

Your attention is directed to AS 04.11.040 (c): Board approval of transfers

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

TRK# 0201 2862 9810 5776	FRI - 19 NOV AA PRIORITY OVERNIGHT		(850) 577-9090 REF: 115012807 DEPT:	ANCHORAGE AK 99501	(850) 577-9090 ASHLEY SADLER GRAYROBINSON, P.A. 301 S BRONOUGH ST., SUITE 600 TALLAHASSEE, FL 32301 UNITED STATES US	SHIP DATE: 18NOV21 ACTWGT: 0.50 LB CAD: 253850528WWSX13600 BILL SENDER
X4 CYMA AK-US 99501 ANC			REL# 3735346	56DJ29A7E/FE4A	TO CARRIE CRAIG ALASKA ALCOHOL AND MARIJUANA CONTROL 550 W 7TH AVE STE 1600	

FOLD on this line and place in shipping pouch with bar code and delivery address visible

1. Fold the first printed page in half and use as the shipping label.
2. Place the label in a waybill pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
3. Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.

Legal Terms and Conditions

Tendering packages by using this system constitutes your agreement to the service conditions for the transportation of your shipments as found in the applicable FedEx Service Guide, available upon request. FedEx will not be responsible for any claim in excess of the applicable declared value, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the applicable FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of 100 USD or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is 500 USD, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see applicable FedEx Service Guide. FedEx will not be liable for loss or damage to prohibited items in any event or for your acts or omissions, including, without limitation, improper or insufficient packaging, securing, marking or addressing, or the acts or omissions of the recipient or anyone else with an interest in the package. See the applicable FedEx Service Guide for complete terms and conditions. To obtain information regarding how to file a claim or to obtain a Service Guide, please call 1-800-GO-FEDEX (1-800-463-3339).

ANNA M. WIAND
ANNA.WIAND@GRAY-ROBINSON.COM

November 17, 2021

**VIA E-MAIL (ALCOHOL.LICENSING@ALASKA.GOV)
AND FEDERAL EXPRESS STANDARD OVERNIGHT**

Carrie Craig, Records and Licensing Supervisor
Alaska Alcohol and Marijuana Control Office
550 West 7th Ave., Ste. 1600
Anchorage, Alaska 99501

**Re: Notice of Ownership Change for Tailwind JNU, LLC d/b/a Tailwind
Concessions**
1873 Shell Simmons Drive, Ste. 220, Juneau, AK 99801
License numbers: 5631, 5649

Dear Ms. Craig:

GrayRobinson, P.A. and its *Nationwide Alcohol Industry Team* serve as alcohol regulatory compliance counsel to Palladin Consumer Retail Partners, LLC, a Boston-based private investment firm that focuses primarily on the retail and consumer products sectors in North America and Europe.

As demonstrated by the enclosed organizational charts, Palladin Consumer Retail Partners, LLC, through two limited partnerships, Tailwind Holdings I LP and Tailwind Holdings II LP, acquired a majority ownership interest in Tailwind Concessions (“Tailwind”), an airport concessionaire specialized in providing full-service restaurants, bars, retail and gift shops in regional airports throughout the United States. The previous owners of Tailwind retained a significant ownership interest in Tailwind, and the management of Tailwind did not change. The transaction closed on November 15, 2021.

For licensure and alcohol law compliance purposes, we are writing to you because Tailwind’s subsidiary, Tailwind JNU, LLC, is an alcohol beverage licensee in Alaska, and was included in the transaction.

November 17, 2021
Page 2

The transaction involved a stock purchase (rather than an asset acquisition), and did not disturb the corporate status of the downstream licensees themselves. Consequently, each of the current licensees remained the same post-closing. Tailwind JNU, LLC remained as the license holder in Alaska. As such, the FEIN, sales tax numbers, officers, and managers of Tailwind JNU, LLC remained the same. However, the member of Tailwind JNU, LLC changed as shown on the enclosed organizational charts.

In order to assist with your review and record updates, enclosed please find charts depicting the original and updated organizational structure of Tailwind and its subsidiary licensees, and a press release regarding the transaction.

Please reply via e-mail to either me (anna.wiand@gray-robinson.com) or Hannah Becker (hannah.becker@gray-robinson.com) as soon as possible to confirm if your agency requires any additional filings as a result of the upstream changes, described above.

Thank you very much in advance for your cooperation and assistance.

Respectfully,

GRAYROBINSON, P.A.



Anna M. Wiand

AMW/aws
Enclosures

cc: Hannah Becker, esq.
John Thomas, esq.
Ashley Sadler, Licensing Specialist

For Immediate Release



**PALLADIN CONSUMER RETAIL PARTNERS AND TAILWIND CONCESSIONS FORM
OPERATOR-DRIVEN PLATFORM**
Investment Provides Capital and Support for Growth and Acquisitions

Boston, MA and Wilmington, NC, - November 17, 2021 Palladin Consumer Retail Partners, LLC (“Palladin” or “PCR”) (pcrp.com) announces an investment in Tailwind Hospitality, Inc., dba Tailwind Concessions (“Tailwind” or the “Company”) (<https://www.tailwindconcessions.com/>) and the simultaneous acquisition of Air Host, Inc. (<https://www.airhost.net/>) creating a leading airport concession platform throughout the United States.

Tailwind Concessions is a rapidly growing airport concessionaire specialized in providing full-service restaurants, bars, retail and gift shops in regional airports throughout the United States. Founded in 2001 by partners Alan Giaquinto and Jeffrey Switzer, Tailwind has grown its operational footprint to 28 non-hub primary and small hub airports located across 18 states. At the majority of Tailwind’s airports, the Company is the sole concessionaire providing premium service and high-quality food and beverages to customers. In addition to striving for excellent service, Tailwind differentiates itself by providing unique, location-specific venues at each of its locations, meeting local tastes and needs, rather than implementing one brand across its network. Simultaneous with the closing, Tailwind and Palladin are acquiring Air Host, an airport concessionaire operating full-service restaurants, bars, retail, and gift shops in seven other regional airports. Palladin contributed the capital for Tailwind to complete the acquisition of Air Host and rapidly expand the Company’s scale and footprint. Jeff Switzer, the CEO of Tailwind, will lead the combined companies post-closing as Tailwind continues to refine its offering and expand into new airports across the United States and internationally.

Palladin, founded in 1998, has partnered with numerous founders and management teams to expand their consumer and retail companies. The portfolio team led by Robert Fioretti, Managing Director, and Mark Schwartz, CEO, will work closely with the existing Tailwind team and Palladin operating partners providing marketing, financial, real estate, systems and other expertise to help expand the Tailwind Concession platform.

Jeff Switzer, CEO of Tailwind Concessions, said “We are excited to partner with Palladin as we grow our network and work with our airport partners to provide premium services to business and leisure travelers. The additional capital and operational resources will help to strengthen the leading services, product offerings and support that are the hallmark of our Company.”

Mark Schwartz, CEO of Palladin, added, “We are excited to partner with Jeff and his team who are highly respected in the industry. They are a very experienced group building a strong brand and dedicated to serving the needs of regional airports and their customers. We are confident that, with additional capital and resources, we can work well together to significantly expand the Tailwind platform.”

Rob Fioretti, Managing Director of Palladin commented, “The experience of the management team and their commitment to employees and customer service provide an excellent foundation for growth and development. We look forward to working with the team and growing Tailwind both organically and through acquisitions.”

Advisors to Palladin included Latham & Watkins, LLP, Morgan Lewis & Bockius, LLP and Gray Robinson, PA for legal services, Crowe, LLP for accounting, Krauter & Company for insurance and Castlepole Retail for strategy. The company was represented by Gussis and Alexander, LLC for legal services and Valtus Capital for financial advice. Air Host was advised by the Winchester Law Firm.

ABOUT PALLADIN CONSUMER RETAIL PARTNERS (PCRP)

Palladin Consumer Retail Partners is a private equity firm with extensive experience investing in and building leading consumer brands. Founded in 1998, the firm prides itself on working closely with founders and management teams to create value through strategic and operational initiatives. Its principals have previously held CEO and other senior executive roles at several wholesale, retail, and related companies, and have invested in, financed, or managed over 100 public and private companies. Current and former investments include Leapfrog Brands, Decowraps, PB Metro, Splash Car Wash, KT Tape, Nic+Zoe, InMotion Entertainment, J. McLaughlin, Things Remembered, Restoration Hardware, Spencer Gifts, Jamba Juice, Worldlynx, Multi-Flow, and Kwik-Tek.

CONTACT:

TAILWIND CONCESSIONS

Jeffrey Switzer

1-720-891-7031

switzer@tailwindconcessions.com

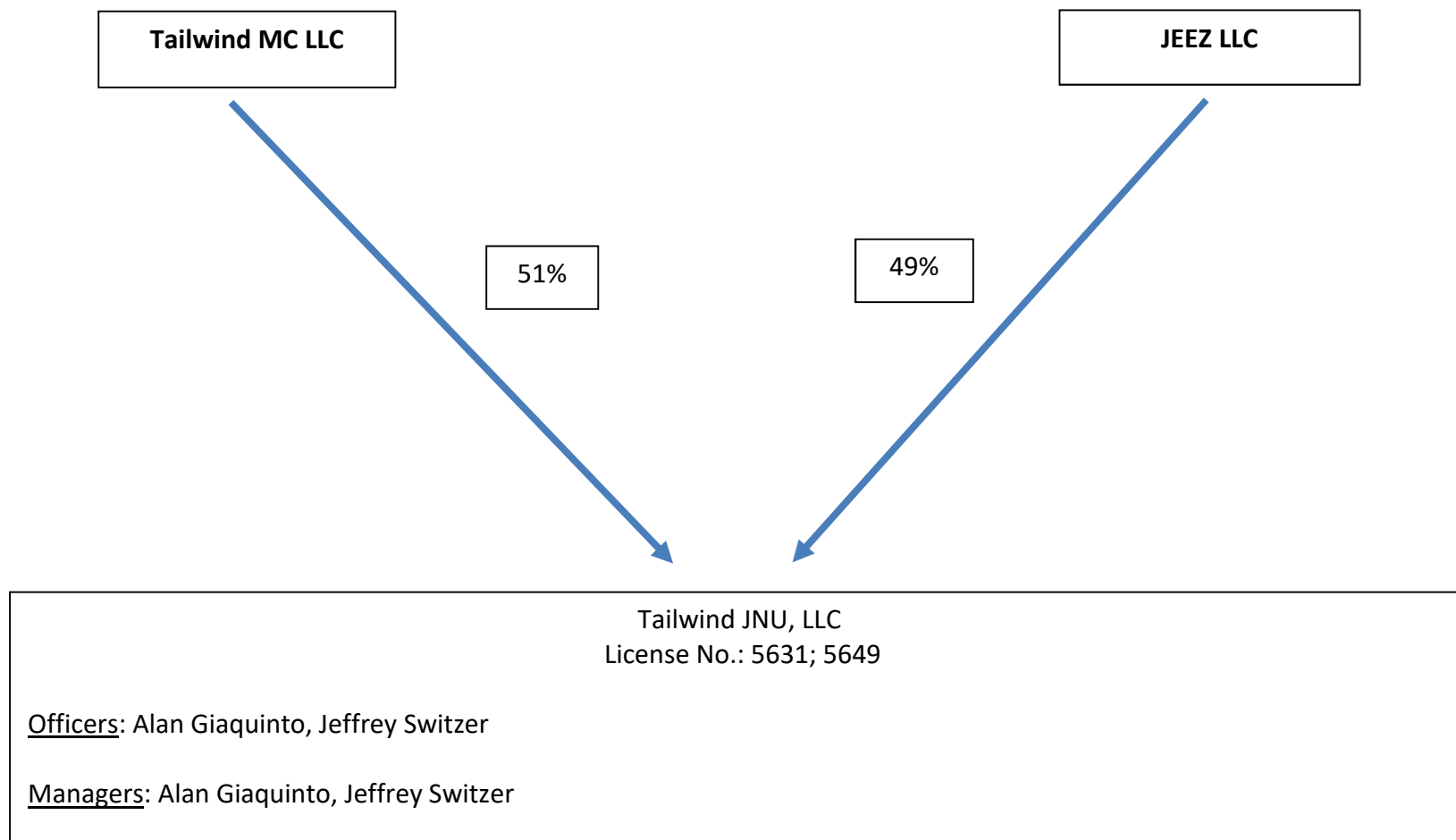
PALLADIN CONSUMER RETAIL PARTNERS

Patricia Donnelly

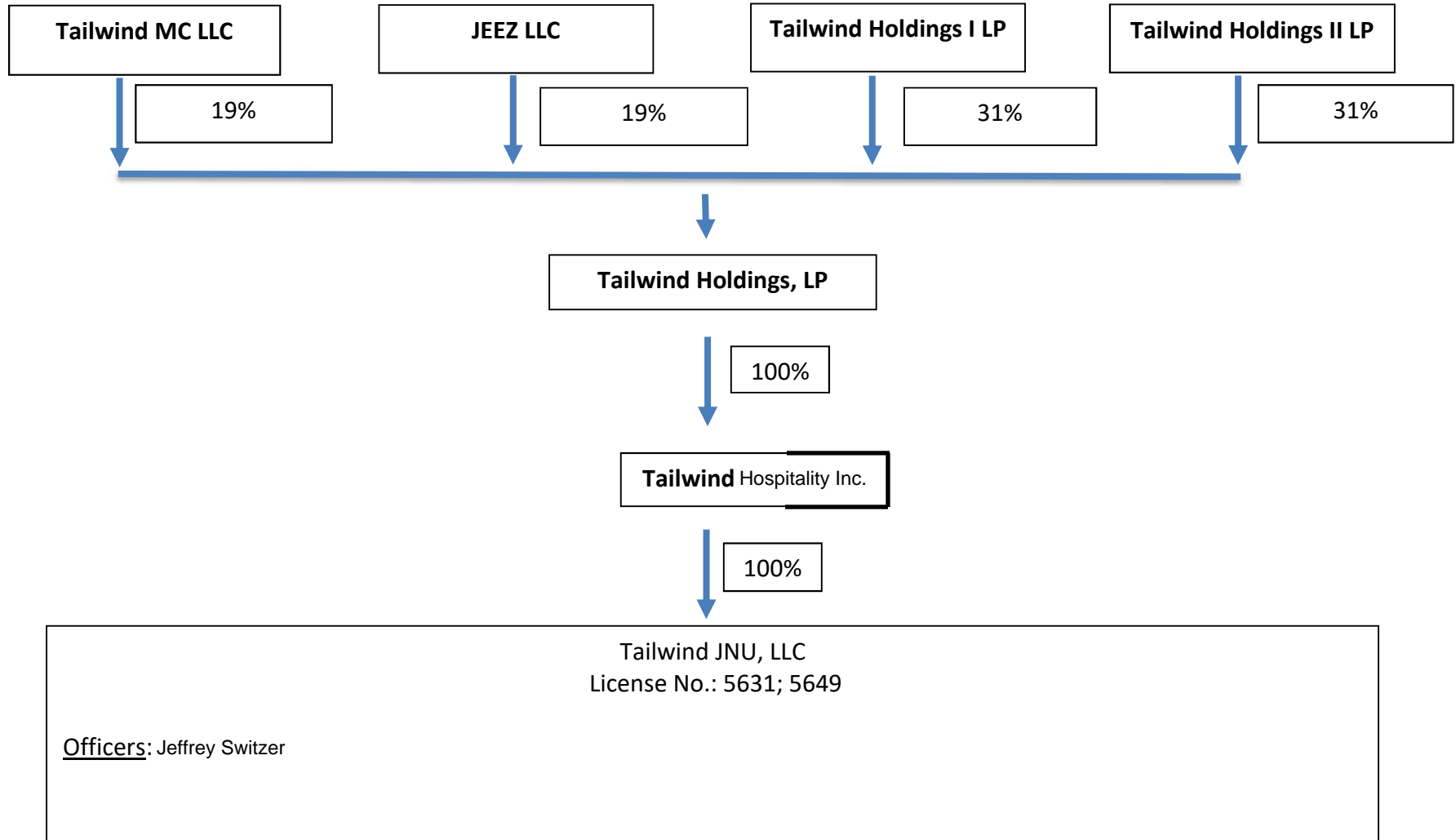
1-617-585-3802

pdonnelly@pcrp.com

Structure On File



Anticipated Post-Change Structure Chart



Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5/11/22

License #/Type: 5649 Beverage Dispensary - Tourism

Licensee: Tailwind JNU, LLC

Address: 1873 Shell Simmons Drive, Suite 220, Juneau, AK

DBA: Tailwind Concessions

AMCO Case #: 22-0835

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

You have completed an unapproved transfer of controlling interest. Details are as follows:

Change in ownership:

Jeffrey D Switzer - originally 50%, now 0

Alan Giaquinto - originally 50%, now 0

Tailwind JNU LLC now 100%

The change was made to CBL Biennial Report on 01/03/22. Licensing observed the change at renewal time (05/05/22) .

Your attention is directed to AS 04.11.040 (c): Board approval of transfers

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: *J. Hamilton*

SIGNATURE:

Delivered VIA: Mail

Date:

813.273.5216

HANNAH.BECKER@GRAY-ROBINSON.COM

May 19, 2022

VIA FEDEX OVERNIGHT AND EMAIL (AMCO.ENFORCEMENT@ALASKA.GOV)

Alaska Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Avenue, Suite 1600
Anchorage, Alaska 99501

Re: Response to Notice of Violation - AMCO Case Nos.: 22-0835, 22-0836

To Whom it May Concern:

GrayRobinson P.A. and its *Nationwide Alcohol Industry Team* serve as alcohol regulatory compliance and licensure counsel to Palladin Consumer Retail Partners, LLC (“Palladin”), a Boston-based private investment firm that focuses primarily on the retail and consumer products sectors in North America and Europe, as well Tailwind JNU, LLC (“Client”). At the end of November 2021, Palladin completed the acquisition of Tailwind Concessions, an airport concessionaire specialized in providing full-service restaurants, bars, retail and gift shops in regional airports throughout the United States. Tailwind JNU, LLC, an Alaska Alcohol & Marijuana Control Office (“AMCO”) Beverage Dispensary – Tourism licensee (license no. 5631 and 5649), was included in this transaction.

We write in response to two (2) Notices of Violation (“Notices”), dated May 11, 2022, and received by our Client on May 17, 2022. The AMCO Case numbers for the Notices are 22-0835 and 22-0836, and they correspond to two “Beverage Dispensary – Tourism” licenses numbered 5649 and 5631, respectively. We have attached copies of these notices to this letter for your reference.

Previously, we had taken the following actions to notify AMCO about the upstream ownership changes experienced by Client and comply with Alaska Stat. § 04.11.040. On November 18, 2021, we sent Carrie Craig, Acting Director/Records and Licensing Supervisor, an initial change of ownership notification letter for Client via email and FedEx. This change of ownership notification letter, a copy of which has been attached to this correspondence, explained the transaction and requested additional guidance on the future steps that were required of our Client, if any. A member of our team followed up with AMCO’s Licensing Department on December 9, 2021 regarding the change of ownership notification letter. On December 28, 2021, a member of our team spoke to an AMCO representative who confirmed that Client would need to complete *AMCO Transfer Applications* in order to obtain approval from AMCO regarding Client’s AMCO-issued alcohol licenses and its change in ownership.

In the intervening time between then and the date of the Notices, we have been working with our Client to gather relevant documents and information regarding the *AMCO Transfer Application*. As is not uncommon with a large transaction of this sort, there were difficulties with consolidating and securing the

Alcohol & Marijuana Control Office
May 19, 2022
Page 2

required information. This was further complicated by the strains placed on operations by the COVID-19 pandemic. That being said, we have gathered all required documents and information and are assisting our Client in expeditiously completing the required steps to properly gain approval from AMCO.

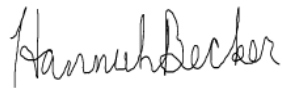
As directed by the Notices, we are timely responding to the Notices and explaining what steps our Client is taking to complete the *AMCO Transfer Application* process in accordance with Alaska Stat. § 04.11.040:

- On May 18, 2022, we posted the *AMCO Transfer Applications* on the licensed premises, as required by law, and they will remain posted for the following ten (10) days.
- We anticipate notices will begin running in a local newspaper on May 20, 2022. These notices will run for three (3) consecutive weeks in this newspaper.
- Once the newspaper notices have concluded their three (3) week run, we will submit the *AMCO Transfer Applications* and supporting documents for final approval by AMCO.

Please reply via e-mail to either me (hannah.becker@gray-robinson.com) or John Thomas (john.thomas@gray-robinson.com) as soon as possible to confirm if your agency requires any additional filings or information.

Thank you very much in advance for your understanding and assistance.

Sincerely,



Hannah Becker

ATTACHMENTS

cc: John P. Thomas II, esq.
Ashley Sadler, GrayRobinson Licensing Specialist
Carrie Craig, AMCO Acting Director/Records and Licensing Supervisor
(alcohol.licensing@alaska.gov)

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5/11/22

License #/Type: 5631 Beverage Dispensary - Tourism

Licensee: Tailwind JNU, LLC

Address: 1873 Shell Simmons Drive, Suite 220, Juneau, AK

DBA: Tailwind Concessions

AMCO Case #: 22-0836

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

You have completed an unapproved transfer of controlling interest. Details are as follows:

Change in ownership:

Jeffrey D Switzer - originally 50%, now 0

Alan Giaquinto - originally 50%, now 0

Tailwind JNU LLC now 100%

The change was made to CBL Biennial Report on 01/03/22. Licensing observed the change at renewal time (05/05/22) .

Your attention is directed to AS 04.11.040 (c): Board approval of transfers

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: *J. Hamilton*

SIGNATURE:

Delivered VIA: Mail

Date:

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5/11/22

License #/Type: 5649 Beverage Dispensary - Tourism

Licensee: Tailwind JNU, LLC

Address: 1873 Shell Simmons Drive, Suite 220, Juneau, AK

DBA: Tailwind Concessions

AMCO Case #: 22-0835

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

You have completed an unapproved transfer of controlling interest. Details are as follows:

Change in ownership:

Jeffrey D Switzer - originally 50%, now 0

Alan Giaquinto - originally 50%, now 0

Tailwind JNU LLC now 100%

The change was made to CBL Biennial Report on 01/03/22. Licensing observed the change at renewal time (05/05/22) .

Your attention is directed to AS 04.11.040 (c): Board approval of transfers

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

TRK# 0201 2862 9810 5776	FRI - 19 NOV AA PRIORITY OVERNIGHT	X4 CYMA AK-US 99501 ANC			REL# 3735346		ANCHORAGE AK 99501 (850) 577-9090 REF: 115012807 DEPT	TO CARRIE CRAIG ALASKA ALCOHOL AND MARIJUANA CONTROL 550 W 7TH AVE STE 1600	ORIGIN: TLHA (850) 577-9090 ASHLEY SADLER GRAYROBINSON, P.A. 301 S BRONOUGH ST, SUITE 600 TALLAHASSEE, FL 32301 UNITED STATES US	SHIP DATE: 18NOV21 ACTWGT: 0.50 LB CAD: 253850528WWSX13600 BILL SENDER
---------------------------------------	---	---	---	--	-----------------	--	--	---	---	---

56DJ29A7E/FE4A

FOLD on this line and place in shipping pouch with bar code and delivery address visible

1. Fold the first printed page in half and use as the shipping label.
2. Place the label in a waybill pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.
3. Keep the second page as a receipt for your records. The receipt contains the terms and conditions of shipping and information useful for tracking your package.

Legal Terms and Conditions

Tendering packages by using this system constitutes your agreement to the service conditions for the transportation of your shipments as found in the applicable FedEx Service Guide, available upon request. FedEx will not be responsible for any claim in excess of the applicable declared value, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the applicable FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of 100 USD or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is 500 USD, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see applicable FedEx Service Guide. FedEx will not be liable for loss or damage to prohibited items in any event or for your acts or omissions, including, without limitation, improper or insufficient packaging, securing, marking or addressing, or the acts or omissions of the recipient or anyone else with an interest in the package. See the applicable FedEx Service Guide for complete terms and conditions. To obtain information regarding how to file a claim or to obtain a Service Guide, please call 1-800-GO-FEDEX (1-800-463-3339).

ANNA M. WIAND
ANNA.WIAND@GRAY-ROBINSON.COM

November 17, 2021

**VIA E-MAIL (ALCOHOL.LICENSING@ALASKA.GOV)
AND FEDERAL EXPRESS STANDARD OVERNIGHT**

Carrie Craig, Records and Licensing Supervisor
Alaska Alcohol and Marijuana Control Office
550 West 7th Ave., Ste. 1600
Anchorage, Alaska 99501

**Re: Notice of Ownership Change for Tailwind JNU, LLC d/b/a Tailwind
Concessions**
1873 Shell Simmons Drive, Ste. 220, Juneau, AK 99801
License numbers: 5631, 5649

Dear Ms. Craig:

GrayRobinson, P.A. and its *Nationwide Alcohol Industry Team* serve as alcohol regulatory compliance counsel to Palladin Consumer Retail Partners, LLC, a Boston-based private investment firm that focuses primarily on the retail and consumer products sectors in North America and Europe.

As demonstrated by the enclosed organizational charts, Palladin Consumer Retail Partners, LLC, through two limited partnerships, Tailwind Holdings I LP and Tailwind Holdings II LP, acquired a majority ownership interest in Tailwind Concessions (“Tailwind”), an airport concessionaire specialized in providing full-service restaurants, bars, retail and gift shops in regional airports throughout the United States. The previous owners of Tailwind retained a significant ownership interest in Tailwind, and the management of Tailwind did not change. The transaction closed on November 15, 2021.

For licensure and alcohol law compliance purposes, we are writing to you because Tailwind’s subsidiary, Tailwind JNU, LLC, is an alcohol beverage licensee in Alaska, and was included in the transaction.

November 17, 2021
Page 2

The transaction involved a stock purchase (rather than an asset acquisition), and did not disturb the corporate status of the downstream licensees themselves. Consequently, each of the current licensees remained the same post-closing. Tailwind JNU, LLC remained as the license holder in Alaska. As such, the FEIN, sales tax numbers, officers, and managers of Tailwind JNU, LLC remained the same. However, the member of Tailwind JNU, LLC changed as shown on the enclosed organizational charts.

In order to assist with your review and record updates, enclosed please find charts depicting the original and updated organizational structure of Tailwind and its subsidiary licensees, and a press release regarding the transaction.

Please reply via e-mail to either me (anna.wiand@gray-robinson.com) or Hannah Becker (hannah.becker@gray-robinson.com) as soon as possible to confirm if your agency requires any additional filings as a result of the upstream changes, described above.

Thank you very much in advance for your cooperation and assistance.

Respectfully,

GRAYROBINSON, P.A.



Anna M. Wiand

AMW/aws
Enclosures

cc: Hannah Becker, esq.
John Thomas, esq.
Ashley Sadler, Licensing Specialist

For Immediate Release



**PALLADIN CONSUMER RETAIL PARTNERS AND TAILWIND CONCESSIONS FORM
OPERATOR-DRIVEN PLATFORM**
Investment Provides Capital and Support for Growth and Acquisitions

Boston, MA and Wilmington, NC, - November 17, 2021 Palladin Consumer Retail Partners, LLC (“Palladin” or “PCR”) (pcrp.com) announces an investment in Tailwind Hospitality, Inc., dba Tailwind Concessions (“Tailwind” or the “Company”) (<https://www.tailwindconcessions.com/>) and the simultaneous acquisition of Air Host, Inc. (<https://www.airhost.net/>) creating a leading airport concession platform throughout the United States.

Tailwind Concessions is a rapidly growing airport concessionaire specialized in providing full-service restaurants, bars, retail and gift shops in regional airports throughout the United States. Founded in 2001 by partners Alan Giaquinto and Jeffrey Switzer, Tailwind has grown its operational footprint to 28 non-hub primary and small hub airports located across 18 states. At the majority of Tailwind’s airports, the Company is the sole concessionaire providing premium service and high-quality food and beverages to customers. In addition to striving for excellent service, Tailwind differentiates itself by providing unique, location-specific venues at each of its locations, meeting local tastes and needs, rather than implementing one brand across its network. Simultaneous with the closing, Tailwind and Palladin are acquiring Air Host, an airport concessionaire operating full-service restaurants, bars, retail, and gift shops in seven other regional airports. Palladin contributed the capital for Tailwind to complete the acquisition of Air Host and rapidly expand the Company’s scale and footprint. Jeff Switzer, the CEO of Tailwind, will lead the combined companies post-closing as Tailwind continues to refine its offering and expand into new airports across the United States and internationally.

Palladin, founded in 1998, has partnered with numerous founders and management teams to expand their consumer and retail companies. The portfolio team led by Robert Fioretti, Managing Director, and Mark Schwartz, CEO, will work closely with the existing Tailwind team and Palladin operating partners providing marketing, financial, real estate, systems and other expertise to help expand the Tailwind Concession platform.

Jeff Switzer, CEO of Tailwind Concessions, said “We are excited to partner with Palladin as we grow our network and work with our airport partners to provide premium services to business and leisure travelers. The additional capital and operational resources will help to strengthen the leading services, product offerings and support that are the hallmark of our Company.”

Mark Schwartz, CEO of Palladin, added, “We are excited to partner with Jeff and his team who are highly respected in the industry. They are a very experienced group building a strong brand and dedicated to serving the needs of regional airports and their customers. We are confident that, with additional capital and resources, we can work well together to significantly expand the Tailwind platform.”

Rob Fioretti, Managing Director of Palladin commented, “The experience of the management team and their commitment to employees and customer service provide an excellent foundation for growth and development. We look forward to working with the team and growing Tailwind both organically and through acquisitions.”

Advisors to Palladin included Latham & Watkins, LLP, Morgan Lewis & Bockius, LLP and Gray Robinson, PA for legal services, Crowe, LLP for accounting, Krauter & Company for insurance and Castlepole Retail for strategy. The company was represented by Gussis and Alexander, LLC for legal services and Valtus Capital for financial advice. Air Host was advised by the Winchester Law Firm.

ABOUT PALLADIN CONSUMER RETAIL PARTNERS (PCRP)

Palladin Consumer Retail Partners is a private equity firm with extensive experience investing in and building leading consumer brands. Founded in 1998, the firm prides itself on working closely with founders and management teams to create value through strategic and operational initiatives. Its principals have previously held CEO and other senior executive roles at several wholesale, retail, and related companies, and have invested in, financed, or managed over 100 public and private companies. Current and former investments include Leapfrog Brands, Decowraps, PB Metro, Splash Car Wash, KT Tape, Nic+Zoe, InMotion Entertainment, J. McLaughlin, Things Remembered, Restoration Hardware, Spencer Gifts, Jamba Juice, Worldlynx, Multi-Flow, and Kwik-Tek.

CONTACT:

TAILWIND CONCESSIONS

Jeffrey Switzer

1-720-891-7031

switzer@tailwindconcessions.com

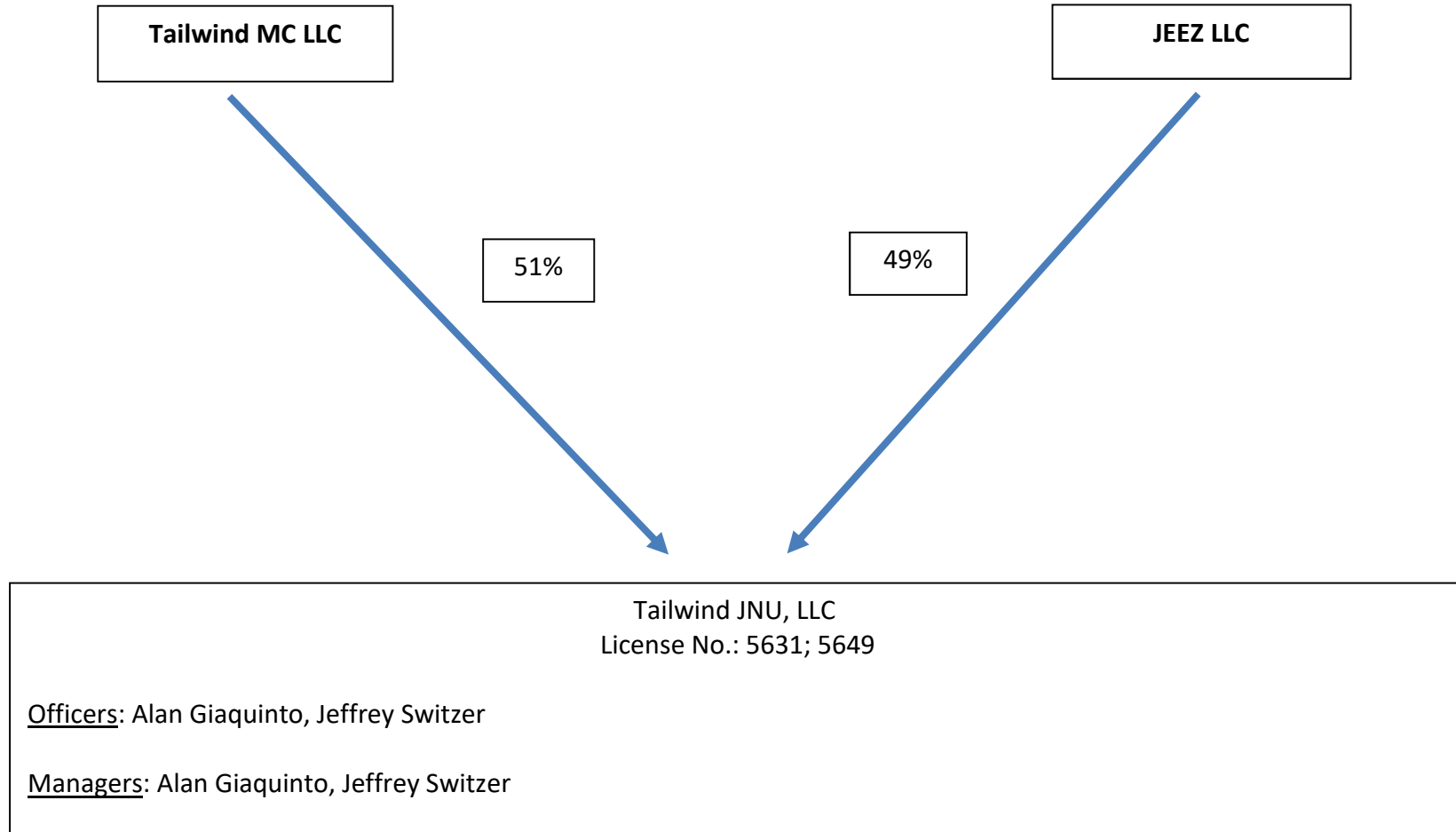
PALLADIN CONSUMER RETAIL PARTNERS

Patricia Donnelly

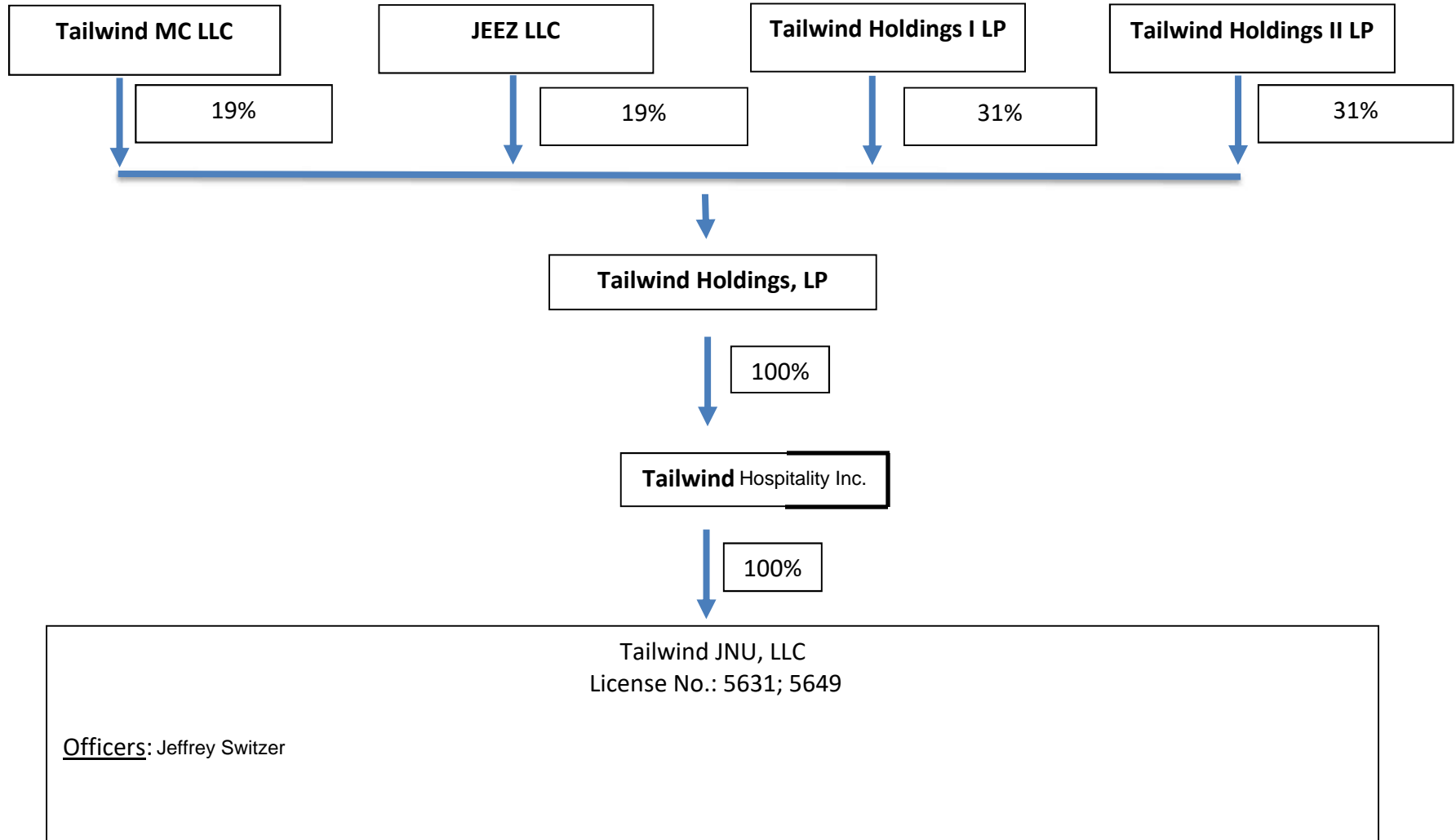
1-617-585-3802

pdonnelly@pcrp.com

Structure On File



Anticipated Post-Change Structure Chart



Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: License #/Type:
Licensee: Address:
DBA: AMCO Case #:

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator:

Received by:

SIGNATURE: *A.P. Hamilton*

SIGNATURE:

Delivered VIA:

Date:

May 18 2022

Tazlina River Trading Post
License number 1122
Amco case # 22-0865

I have Registered for The
Tap Webinar training on
May 23 2022

James R Hornell

James R Hornell

Davies, Jason M (CED)

From: Copper Basin Dist.Tazlina River <trtp@cvinternet.net>
Sent: Tuesday, May 24, 2022 12:21 PM
To: Davies, Jason M (CED)
Cc: Copper Basin Dist.Tazlina River
Subject: Re: NOV AM 22-0865 - Tazlina Liquor, #1122
Attachments: Document_2022-05-24_121625.pdf

Categories:

Mr Davies a copy of my certificate of completion. James Horrell

From: "Davies, Jason M (CED)" <jason.davies@alaska.gov>
To: "Copper Basin Dist.Tazlina River" <trtp@cvinternet.net>
Cc: "Hamilton, Joe (CED)" <joe.hamilton@alaska.gov>
Sent: Friday, May 20, 2022 3:47:02 PM
Subject: NOV AM 22-0865 - Tazlina Liquor, #1122

To Mr. Hornell,

AMCO Enforcement has received your letter dated 5/18/2022 regarding your registering for an alcohol server education class on 5/23/2022. Once the class is complete, please email me a copy of your alcohol server card.

Regards,



Jason M. Davies
Criminal Justice Technician II
AMCO Enforcement
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501
Office (907) 754-3410
jason.davies@alaska.gov

CERTIFICATE *of* COMPLETION

THIS ACKNOWLEDGES THAT

James Horrell

HAS SUCCESSFULLY COMPLETED THE

Online Alaska TAP® Responsible Beverage
Server and Seller Training Program



Date of Completion:
This Certificate Expires on: June 7th, 2022

Edward J. Canfield

SIGNED, *Edward Canfield*, Training



NOTE - This is your temporary certification form. Your official certification card will be mailed to you within 5 business days.

This certificate is NOT valid if the person listed is under the age of 21.

Please contact Alaska CHARR at 907-274-8133 with questions regarding this certification

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: License #/Type:
Licensee: Address:
DBA: AMCO Case #:

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator:

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA:

Date:

Davies, Jason M (CED)

From: Chanel McKinley <chanel_mckinley68@hotmail.com>
Sent: Saturday, June 18, 2022 4:42 PM
To: CED AMCO Enforcement (CED sponsored)
Subject: Craig Inn license # 283

Categories:

I know this letter is overdue. The day I recieved it in the mail I sent the day in the ER with my nephew and got medivaced to Anchorage the next day for over a week. I reached out to Steve Johnson the inforcement agent for southeast.

I have addressed the issues in the notice of violation letter.

AS 04.16.049. No longer are anyone under 21 allowed in without a parent or guardian. If they order togo we run the food outside to them once they are close. The 18 year old male I have bussing tables I have legal gaurdian ship over and he is only in there when I am.

AS 04.21.065 I did have signs hanging up at at two of my doors but one you couldnt see well because of a vendint machine in the way. They are posted again where they are visible. Also, I made sure that all door have warning signs posted and are visible with no obstruction in the way.

If you have any further questions I can be reached at this email or my cell phone 907 401 1891.

Chanel McKinley
Owner
Craig inn #283

Sent via the Samsung Galaxy S7 edge, an AT&T 4G LTE smartphone

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: License #/Type:
Licensee: Address:
DBA: AMCO Case #: 1017

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

F.R. Hamilton

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator:

Received by:

SIGNATURE: *F.R. Hamilton*

SIGNATURE:

Delivered VIA:

Date:

Davies, Jason M (CED)

From: Casey Cho <kjc99517ak@gmail.com>
Sent: Wednesday, June 8, 2022 12:00 PM
To: CED AMCO Enforcement (CED sponsored)
Subject: License #5160 Amco Case #22-1017

Categories:

Dear Mr. Hamilton:

This is Kang Cho who works as an accountant & real estate agent for the Tempura Express restaurant of the current and previous owner. I am responding to the violation notice you mailed to the restaurant.

I helped with the transaction of business sale between Tempura Express Sushi & Teriyaki, Inc and Han's Tempura Express LLC. To do that, I set up Han's Tempura Express LLC on April 19, 2022 in advance. The contract day was May 5, 2022. Before they signed the sale agreement, I wanted to make sure what the buyer and seller needed to do in terms of abiding by all the rules and regulations. As a follow up, I emailed AMCO about this transaction and got a response as follows from Audrey.

Good Afternoon,

If the owner is selling the business and the alcohol license, our office will require a transfer application for the license. Forms, instructions and fees can be found here: <https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx>. If the transfer is a transfer of ownership and NOT location, it is imperative that the transferor (current licensee) maintain right/title and interest in the premises until the transfer is effectuated therefore we would need to continue with the renewal process in the meantime and the owner can continue to operate the license. However, if the owner would like to allow the buyer to operate the day to day business and continue to serve alcohol, our office will require a management agreement between both parties. AMCO management will need to approve the agreement before it can go in to effect. There are certain statute and regulatory requirements that need to be addressed in this contract. I have attached a copy of the checklist we utilize when reviewing the agreement as well as a management agreement template for your convenience.

The renewal application is deemed complete, please let us know how you want to proceed. I can send a temporary license if the licensee would like.

Audrey

I think we followed what she advised us to do. **In fact, the business sale did not include the liquor license #5160; the contract specify that the license will be sold if the license transfer is complete.** Anything before that, The license owner is Tempura express sushi & teriyaki, inc.

Of course, Tempura Express Sushi & Teriyaki, Inc is responsible for anything related to the liquor license until the license transfer is complete and the current owner is well aware of this fact. They both also recognize that the restaurant should not sell any alcohol until the transfer completes unless a management agreement is approved by AMCO. In fact, the restaurant has not sold a single beer after the transaction.

I am going to help them with the license transfer as well, but I have not been feeling well for the last few weeks. With agreement by the new owner, I took time but am about to gather information for a transfer application soon. Anyway, Tempura Express sells alcohol on average less than \$200 a month for the last couple of years, so it doesn't impact the restaurant business sales and doesn't make us hurry up to transfer. But it's about time to do that.

I don't think we violate rules. Even if the restaurant does not sell much alcohol, some customers look for it, especially in summer. Please allow the new owner to transfer the license soon.

Sincerely,
Kang Cho

Accountant for both seller and buyer.