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April 21, 2022

## Via Regular & Certified Mail, RRR

James B. Graziano, Director Department of Law and Public Safety Division of Alcohol and Beverage Control P.O. Box 087 Trenton, New Jersey 08625

> In the Matter of the Disciplinary Proceedings Against: RE:

> > Licensee: TWJJ, LLC t/a TJs Hi Point Pub

License Number: 0101-33-003-004

Agency Docket Number: S-21-40129; H-2021-51115

## Dear Director Graziano:

As you are aware, this firm represents TWJJ, LLC t/a TJs Hi Point Pub (the "Pub") in the above-referenced matter. On April 14, 2022, the Division of Alcohol and Beverage Control ("ABC") issued an Order of Suspension (the "Order") suspending the Plenary Retail Consumption License, No. 0101-33-003-004, indefinitely pendete lite, effective April 14, 2022 at 5:00 p.m. Additionally, the ABC ordered that this matter be transmitted to the Office of Administrative Law for a full hearing. As part of the ABC's decision, the Pub was provided the opportunity to apply to the Director, on 14 days' notice to the ABC, to rescind or modify this suspension due to a change in circumstances warranting such relief.

At this time, the Pub requests a modification of the suspension due to a change in circumstances warranting such relief. The Pub proposes the following modifications to the indefinite suspension Order:

- 1. The Pub has taken all steps, or will take any further steps directed by Your Office, to terminate all personnel mentioned in the Order to Show Cause and police reports;
- 2. The Pub shall re-train all bartenders and security personnel. As mentioned in the April 6, 2022 Certification of Todd Jacobs, on April 1, 2022 the Pub hired Cornelius Bass, who owns a security company, to assist in the hiring and training of security staff. Additionally, as of March 15, 2022, all of the Pub's bartenders are TIPS certified:

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- 3. The Pub shall take all steps to ensure a manager is hired and assigned to work each shift to oversee all operations of the Pub, including alcoholic beverage services. These managers shall be properly trained and have the appropriate experience for their position and duties;
- 4. The Pub shall temporarily close and cease all operations each night/early morning between the hours of 3:00 a.m. to 11:00 a.m;
- 5. The Pub shall enforce a strict six alcoholic beverage maximum for all patrons of the Pub;
- 6. The Pub shall serve a suspension of 21 days commencing on April 14, 2022 and ending on May 5, 2022, with the Pub re-opening, under these conditions and others imposed by the ABC, on May 6, 2022; and
- 7. The Pub shall continue all discussions regarding divesture of the Pub, with divesture to occur as soon as possible.

The Pub submits that these measures, any additional measures required by the ABC, will permit the Pub to operate in a safe and orderly fashion.

If you have any questions or concerns, please do not hesitate to reach out to my office.

Very truly yours,

FLORIO PERRUCCI STEINHARDT CAPPELLI TIPTON & TAYLOR, LLC

By:

Louis Cappelli, Jr., Esquire

LCJ/NAS

cc: Gregory J. Sullivan, Counsel to the Director Jessica M. Saxon, Esq., Deputy Attorney General