



STATE OF ARIZONA
 ARIZONA STATE LIQUOR BOARD
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 Website: www.azliquor.gov/liquor_board.asp

JANICE K. BREWER
 Governor

J. D. GHELFI
 Board Chair

ALAN EVERETT
 Director

Arizona State Liquor Board Hearing Minutes
 May 7, 2012

Members Present: J.D. Ghelfi -Chair, Mike Farley -Vice-Chair, Robin Cantrell, Jim Carruthers, Tim Linden, Bill DuPont, Vikki Scarafiotti

Members Absent: None

Counsel Present: Mary Williams, Assistant Attorney General

Staff Present: Stefanie Murphy, Board Administrator

A. Call to Order

The hearing of the Arizona State Liquor Board was called to order on May 7, 2012 at 9:01 a.m. with Mr. Ghelfi presiding.

Roll Call

All board members were present.

B. 9:00 a.m. Agenda: review, consideration and action

1. Restaurant Liquor License No. 12078932-Original Application

Naveen Fahmi Ali, Agent
 Navoona Corp
 Gus's New York Pizza & Bar
 13824 W. McDowell Road #A100
 Goodyear, AZ 85395

This matter was set for hearing because the City of Goodyear forwarded the application with no recommendation and due to Department protest. The applicant, Naveen Fahmi Ali, did not appear at the hearing and was represented by counsel, H. J. Lewkowitz. Assistant Attorney General Mary Williams appeared on behalf of the Arizona Department of Liquor Licenses and Control. Chairman Ghelfi noted that a request to continue the hearing was filed by the applicant. There was no objection.

Motion to continue -	Farley
Seconded -	Carruthers
Yay -	Ghelfi, DuPont, Cantrell, Carruthers, Linden, Farley, Scarafiotti
Nay -	None
Abstained -	None
Disposition -	Continued to the June 7, 2012 hearings

2. Beer and Wine Bar Liquor License No. 07101000 – Agent Change/Acquisition of Control Application

Diana Trejo, Agent
Magpies Gourmet Pizza, Inc
Magpies Gourmet Pizza
605 N. 4th Avenue #603, 605 & 607
Tucson, AZ 85705

This matter was set for hearing due to Department protest. The agent, Diana Trejo, did not appear at the hearing and was represented by counsel, Thomas Aguilera. Assistant Attorney General Mary Williams appeared on behalf of the Arizona Department of Liquor Licenses and Control. Chairman Ghelfi noted that the Department withdrew its protest and the Director requested that the Board cancel the hearing as all matters have been resolved. Mr. Farley noted a conflict and abstained from the vote.

Motion to grant the Director's request and vacate the hearing -	DuPont
Seconded -	Cantrell
Yay -	Ghelfi, DuPont, Cantrell, Carruthers, Linden, Scarafiotti
Nay -	None
Abstained -	Farley
Disposition -	Director's request to cancel the hearing granted and hearing vacated

3. Restaurant Liquor License No. 12078988-Original Application

Jiten Sibal, Agent
Green FILI, LLC
Filiberto's Mexican Food
2010 E. Thunderbird Road
Phoenix, AZ 85022

This matter was set for hearing because the City of Phoenix recommended disapproval of this application and due to public protest. The applicant, Jiten Sibal, did not appear at the hearing and was not represented by counsel. It was noted that notice of hearing was sent to the applicant via certified mail to the address of record. Assistant City Prosecutor Robert Smith and Detective Eric Breindl appeared on behalf of the City of Phoenix. Mark Kaiser appeared on behalf of the Starduster Neighborhood. Mr. Kaiser and Detective Breindl were sworn and testified.

After hearing testimony, Mr. DuPont made a motion to deny the license as to person and location based on the applicant not being present at the hearing and the applicant did not present a plan to sell, had not completed the appropriate liquor law training, did not identify a manager, and the establishment is identified as a fast food restaurant.

Motion to deny -	DuPont
Seconded -	Cantrell
Yay -	Ghelfi, DuPont, Cantrell, Carruthers, Linden, Farley, Scarafiotti
Nay -	None
Abstained -	None
Disposition -	License denied as to person and location

4. Restaurant Liquor License No. 12078989-Original Application

Jiten Sibel, Agent
Filiberto's Mexican Food
Green FILI LLC
3202 E. Greenway Road #1801
Phoenix, AZ 85032

This matter was set for hearing because the City of Phoenix recommended disapproval of this application and due to public protest. The applicant, Jiten Sibal, did not appear at the hearing and was not represented by counsel. It was noted that notice of hearing was sent to the applicant via certified mail to the address of record. Assistant City Prosecutor Robert Smith and Detective Eric Breindl appeared on behalf of the City of Phoenix. Detective Breindl was sworn and testified on behalf of the City.

Testimony was incorporated from the previous hearing. Mr. DuPont made a motion to deny the license as to person and location based on the applicant not being present at the hearing, the applicant did not present a plan to sell, had not completed the appropriate liquor law training, did not identify a manager, and due to public protest filed against the application and the establishment being identified as a fast food restaurant with a drive through window.

Motion to deny -	DuPont
Seconded -	Farley
Yay -	Ghelfi, DuPont, Cantrell, Carruthers, Linden, Farley, Scarafiotti
Nay -	None
Abstained -	None
Disposition -	License denied as to person and location

Mr. Carruthers left the hearings.

C. Minutes

Motion to approve the January 5, 2012 Executive Session minutes -	Farley
Seconded -	Scarafiotti
Yay -	Ghelfi, DuPont, Cantrell, Linden, Farley, Scarafiotti
Nay -	None
Abstained -	None
Disposition -	January 5, 2012 Executive Session minutes approved

Motion to approve the February 2, 2012-	Farley
Seconded -	Scarafiotti
Yay -	Ghelfi, DuPont, Cantrell, Linden, Farley, Scarafiotti
Nay -	None
Abstained -	None
Disposition -	February 2, 2012 minutes approved

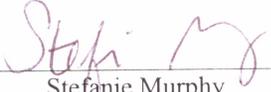
Motion to approve the February 2, 2012 Executive Session minutes -	Farley
Seconded -	Scarafiotti
Yay -	Ghelfi, DuPont, Cantrell, Linden, Farley, Scarafiotti
Nay -	None
Abstained -	None
Disposition -	February 2, 2012 Executive Session minutes approved

Motion to approve the April 2, 2012-	Farley
Seconded -	Cantrell
Yay -	Ghelfi, DuPont, Cantrell, Linden, Farley, Scarafiotti
Nay -	None
Abstained -	None
Disposition -	April 2, 2012 minutes approved

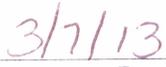
D. Call to the Public

None.

The Board adjourned at 9:39 a.m.



Stefanie Murphy
Administrator of the
Arizona State Liquor Board



Date