

<p>BEFORE THE COLORADO SPRINGS LIQUOR AND BEER LICENSING BOARD CITY OF COLORADO SPRINGS, STATE OF COLORADO Address: 107 North Nevada Avenue Council Chambers, City Hall Colorado Springs, CO 80903</p>	<p>CITY CLERK'S OFFICE 2014 DEC 31 A 9:02</p>
<p>IN THE MATTER OF:</p> <p>CRAB ADDISON INC d/b/a JOE'S CRAB SHACK 805 Citadel Drive Colorado Springs, CO 80909</p>	<p>▲ COURT USE ONLY ▲</p>
<p>Michael Curran, Division Chief - Prosecution P.O. Box 1575, Mail Code 1540 224 East Kiowa Street, Suite 410 Colorado Springs, CO 80903 Telephone: (719) 385-5925 Fax number: (719) 385-6438 Atty. Reg. # 28590</p>	<p>License No: 712827</p>
<p align="center">ORDER TO SHOW CAUSE AND NOTICE OF HEARING</p>	

WHEREAS, it has been made to appear to the Liquor and Beer Licensing Board, City of Colorado Springs, State of Colorado that Crab Addison Inc. d/b/a Joe's Crab Shack, 805 Citadel Drive, Colorado Springs, CO 80909 has violated the statutes and/or the rules and regulations of the State of Colorado, or City of Colorado Springs governing its Hotel & Restaurant Liquor License in the following particulars:

- I. On November 5, 2014 the licensee, and/or its managers, employees or agents, did sell, serve, give away, dispose of, exchange, or deliver or permit the sale, serving, giving, or procuring of an alcohol beverage to or for a person under the age of twenty-one (21) years [a person six (6) years of age], on the licensed premises in violation of C.R.S. §12-47-901(1)(a.5)(I) entitled "Unlawful Acts-exceptions".
- II. On November 5, 2014 the licensee, and/or its managers, employees or agents, did sell, serve, give away, dispose of, exchange, or deliver or permit the sale, serving, giving, or procuring of an alcohol beverage to or for a person under the age of twenty-one (21) years [a person four (4) years of age], on the licensed premises in violation of C.R.S. §12-47-901(1)(a.5)(I) entitled "Unlawful Acts-exceptions".
- III. On November 5, 2014 the licensee, and/or its managers, employees or agents, did sell, serve, give away, dispose of, exchange, or deliver or permit the sale, serving, giving, or procuring of an alcohol beverage to or for a person under the age of twenty-one (21) years [a person seven (7) years of age], on the licensed premises in violation of C.R.S. §12-47-901(1)(a.5)(I) entitled "Unlawful Acts-exceptions".

- IV. On November 5, 2014 the licensee, and/or its managers, employees or agents, did sell, serve, give away, dispose of, exchange, or deliver or permit the sale, serving, giving, or procuring of an alcohol beverage to or for a person under the age of twenty-one (21) years [a person two (2) years of age], on the licensed premises in violation of C.R.S. §12-47-901(1)(a.5)(I) entitled "Unlawful Acts-exceptions".
- V. On November 5, 2014 the licensee, and/or its managers, employees or agents, did sell, serve, give away, dispose of, exchange, or deliver or permit the sale, serving, giving, or procuring of an alcohol beverage to or for a person under the age of twenty-one (21) years [a person five (5) years of age], on the licensed premises in violation of C.R.S. §12-47-901(1)(a.5)(I) entitled "Unlawful Acts-exceptions".
- VI. On November 5, 2014 the licensee, and/or its managers, employees or agents, did sell, serve, give away, dispose of, exchange, or deliver or permit the sale, serving, giving, or procuring of an alcohol beverage to or for a person under the age of twenty-one (21) years [a person eight (8) years of age], on the licensed premises in violation of C.R.S. §12-47-901(1)(a.5)(I) entitled "Unlawful Acts-exceptions".

NOW THEREFORE, you are hereby **ORDERED** to appear before the Liquor and Beer Licensing Board, City of Colorado Springs, State of Colorado on Friday **January 16, 2015** at **9:00 A.M.** in Council Chambers, City Hall, 107 North Nevada Avenue, Colorado Springs, CO 80903, or at such other time and place as the Board may direct to **SHOW CAUSE** why your Hotel & Restaurant Liquor License should not be suspended or revoked as by law provided. Said hearing is conducted pursuant to C.R.S. §12-47-601 and §2.5.601 of the Code of the City of Colorado Springs, 2001 as amended ("City Code") and governed by the Liquor Licensing Authority, City of Colorado Springs, Colorado Rules of Procedure.

You are entitled to have an attorney represent you at the hearing. If you should retain an attorney, you should do so well in advance of the hearing.

You are entitled to utilize the services of a qualified foreign language interpreter pursuant to Rule 9.10 of the Colorado Springs Liquor and Beer Licensing Board Rules of Procedure. Any interpreter must meet the requirements of that rule, and any relationship to you may disqualify a proposed interpreter. You will be responsible for securing and paying the costs associated with foreign language interpretation services and you should do so well in advance of the hearing. A foreign language interpreter will not be provided for you. If you are unable to locate a qualified foreign language interpreter, you should contact the City Clerk's Office well in advance of the hearing to obtain a list of qualified interpreter services.

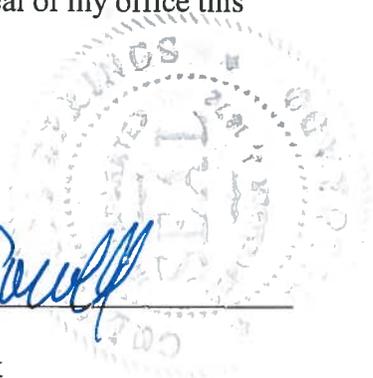
If you are hearing impaired and require the services of a sign interpreter, you should notify the City Clerk's office in advance of the hearing and one will be provided for you free of cost.

A postponement of the hearing will not be granted except for good cause shown. **If you should fail to appear at the scheduled time and place for the hearing, or appear despite an inability to present evidence in the absence of a qualified interpreter or counsel, testimony may be taken in reference to the allegations, upon which evidence your Retail Liquor License may be suspended or revoked.**

If you have any questions concerning these proceedings, you should contact Michael Curran, Division Chief - Prosecution at (719) 385-5925.

IT IS FURTHER ORDERED that a copy of this Order and Notice shall be served upon the above-mentioned Licensee.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of my office this 31st day of December 2014.



William Powell

William Powell
Deputy City Clerk

I hereby certify that I have served the foregoing **ORDER TO SHOW CAUSE AND NOTICE OF HEARING** on this 2ND day of JANUARY, 2015 by personally delivering to:

Name: ANTHONY WILLIAMS - REGISTERED MANAGER

Address: 805 CITADEL DRIVE



License Enforcement Officer
City Clerk's Office
30 S. Nevada Avenue
Colorado Springs, CO 80903

2015 JAN 13 P 3:20

<p>BEFORE THE COLORADO SPRINGS LIQUOR AND BEER LICENSING BOARD CITY OF COLORADO SPRINGS, STATE OF COLORADO Address: 107 North Nevada Avenue Council Chambers, City Hall Colorado Springs, CO 80903</p>	
<p>IN THE MATTER OF: CRAB ADDISON INC d/b/a JOES' CRAB SHACK 805 Citadel Drive Colorado Springs, CO 80909</p>	<p>▲ COURT USE ONLY ▲</p>
<p>Attorney for Licensee: Brian C. Proffitt, Reg. No. 31101 FOSTER GRAHAM MILSTEIN & CALISHER, LLP 360 S. Garfield Street, 6th Floor Denver, Colorado 80209 Telephone: 303-333-9810 Email: brian@fostergraham.com</p>	<p>License No: 712827</p>
<p>LICENSEE'S UNOPPOSED MOTION FOR CONTINUANCE OF SHOW CAUSE HEARING</p>	

Licensee Crab Addison, Inc. d/b/a Joe's Crab Shack ("Licensee"), through undersigned counsel, hereby submits its Unopposed Motion for Continuance Of Show Cause Hearing as follows:

1. On or about December 31, 2014, the Colorado Springs Liquor and Beer Licensing Board ("Licensing Board") issued its Order To Show Cause and Notice of Hearing for January 16, 2015 at 9:00 a.m.
2. Undersigned counsel entered his appearance, on behalf of Licensee, on January 6, 2015. Counsel, however, is unavailable on the morning of January 16 due to a previously-scheduled conference. As a result, Licensee seeks a brief continuance of the Show Cause Hearing until the Licensing Board's next hearing date, February 6, 2015 at 9:00 a.m.
3. Undersigned counsel has discussed the requested continuance with the City Attorney's Office and is authorized to State that the City Attorney has no objection to a brief continuance.

WHEREFORE, Licensee respectfully requests that this Licensing Board continue the Show Cause Hearing scheduled for January 16, 2015 and re-set this matter for February 6, 2015 and for any other relief it may deem appropriate.

DATED this 13th day of January, 2015.

FOSTER GRAHAM MILSTEIN & CALISHER, LLP

By: s/ Brian C. Proffitt
Brian C. Proffitt

Attorneys for Licensee

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 13th day of January, 2015, a true and correct copy of the foregoing **LICENSEE’S UNOPPOSED MOTION FOR CONTINUANCE OF SHOW CAUSE HEARING** was served via email upon the following:

Lee McRae
License Enforcement Officer
lmcrae@springsgov.com

Ellen Wagner
Asst. City Clerk
ewagner@springsgov.com

Brian M. Stewart
Asst. City Attorney
bmstewart@springsgov.com

s/ Brian C. Proffitt

Brian C. Proffitt

In accordance with C.R.C.P. 121 § 1-26(9), a printed copy of this document with original signature(s) is maintained by Foster Graham Milstein & Calisher, LLP and will be made available for inspection by other parties or the Court upon request.