



STATE OF NEW YORK
EXECUTIVE DEPARTMENT

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

STATE LIQUOR AUTHORITY

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MEDIA ADVISORY

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**LIQUOR AUTHORITY SUSPENDS LICENSE OF CLUB HUSH
Fights, Stabbings, and Shooting Death Prompts Summary Suspension**

NEW YORK – (October 20, 2006) The New York State Liquor Authority (SLA) summarily suspended the license of 580 11th Avenue LLC, also known as “Club Hush” at 572 11th Avenue in Manhattan. The suspension was ordered by the Members of the State Liquor Authority, Chairman Daniel B. Boyle, Commissioner Lawrence J. Gedda, and Commissioner Noreen Healey at an emergency full board meeting on Friday, October 20, 2006.

The SLA’s Rapid Enforcement Unit (REU) received a referral from the New York Police Department (NYPD) detailing a fight occurring inside the bar on October 16, 2006 ultimately resulting in the shooting death of a man outside the premises. The report also revealed on October 15, 2006 there was another fight involving several patrons that resulted in the stabbing of two men and injures from gun shots fired into the air. The bar, licensed in February of 2006, was also charged with disorderly premises, building, fire and health code violations, improper use of a trade name, unlicensed cabaret activity, and failure to provide adequate supervision.

After a thorough investigation, the REU rapidly forwarded the matter to the Members of the Authority. The Members determined the bar posed an imminent threat to the public and voted for suspension. Effective immediately, no alcohol can be served or consumed on the premises.

“The Members of the State Liquor Authority continue to send the clear message that dangerous, violent establishments will not be tolerated,” State Liquor Authority Chief Executive Officer, Joshua B. Toas said, “Nightclub owners that cannot maintain control of their establishments will lose the privilege of holding a liquor license when violence is the outcome.”

The State Administrative Procedure Act authorizes a State agency to summarily suspend a license when the agency finds that public health, safety, or welfare imperatively requires emergency action. When the SLA summarily suspends a liquor license, it also serves upon the

licensee a Notice of Pleading alleging one or more disciplinary violations. In invoking a summary suspension, the SLA has deemed the violation(s), considering each licensee's disciplinary history, to be sufficiently serious upon initial review to warrant an immediate suspension.

The SLA's decision to summarily suspend a license is not a final determination on the merits of the case. The licensee is entitled to an expedited hearing before an administrative law judge to address the alleged violation(s) that led to the suspension. An order of summary suspension remains in effect until such time as it is modified by the State Liquor Authority or a reviewing Court.

On April 11, 2006, Governor Pataki directed the SLA to establish a Rapid Enforcement Unit to conduct priority investigations and institute prompt disciplinary action when allegations of criminal activity and serious repeat violations of the ABC Law occur. The REU coordinates with law enforcement to quickly react to emergency situations, prosecute disciplinary charges and refer matters to the Members of the Authority for action.

The State Liquor Authority regulates and controls the manufacture, sale and distribution of alcoholic beverages within the State. The Authority works with local law enforcement agencies and localities across the State to ensure compliance with the Alcoholic Beverage Control Law. In addition, the Authority issues and renews licenses and permits to manufacturers, distributors, wholesalers and retailers of alcoholic beverages.

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