STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement

Application of Mussel Bar AC, LLC d/b/a Mussel Bar AC for a Casino Hotel Alcoholic Beverage (CHAB) License	)))))	ORDER **(Interim CHAB Authorization)** **3333-01-081-001**

By its Application, Mussel Bar AC, LLC d/b/a Mussel Bar AC ("Mussel Bar"), VRF #84882, Log # 14-73, seeks to obtain a Casino Hotel Alcoholic Beverage ("CHAB") license as required to operate within the casino hotel facility of Revel Entertainment Group, LLC d/b/a Revel ("Revel").

Upon review of the Application and upon review of the information obtained during the Division's preliminary investigation to date, the Division has found Mussel Bar preliminarily qualified to hold a CHAB license pending the conclusion of the Division's investigation.

Having considered the relevant provisions of the Casino Control Act, *N.J.S.A.* 5:12-1 *et seq.*, and pursuant to the Division of Gaming Enforcement's ("Division") authority to issue a CHAB license under *N.J.S.A.* 5:12-103(a), I hereby ORDER that the request be granted and that Mussel Bar be issued an interim CHAB authorization, number **3333-01-081-001,** with the following conditions:

1. Mussel Bar is issued an interim CHAB authorization based upon the Division's preliminary review of the applicant. At any time during the completion of the Division's full review should Mussel Bar be found by the Division to be unqualified to hold a CHAB license, the interim authorization issued to Mussel Bar will be revoked upon that determination.

2. At the conclusion of the Division's investigation of Mussel Bar, the Division will issue a plenary CHAB license to Mussel Bar upon a finding that Mussel Bar is qualified to hold a CHAB license.

3. Mussel Bar is authorized as a Type II CHAB location in Revel as depicted on the architectural drawings submitted in connection with Mussel Bar's license application. This entitles Mussel Bar to sell alcoholic beverages by the glass or other open receptacle for on-premise consumption as well as to possess or store alcoholic beverages within its authorized bar/restaurant location on the casino level (Revelry Level) of Revel. Mussel Bar is also authorized for two (2) Type V (storage) CHAB locations: at its beer pump room (#1PL01) located on the Operations Level of Revel; and at its alcoholic beverage storage room (#018A) located on the loading dock level (Warehouse Level). Both storage locations are depicted on the architectural drawing submitted with its license application.

4. The Division reserves the right to suspend, limit, condition or revoke Mussel Bar's interim CHAB authorization or to take any other actions authorized by and pursuant to *N.J.S.A.* 5:12-109 and 129 in appropriate circumstances.

5. The Division retains the right to take any and all action authorized by the Casino Control Act regarding the suitability of Mussel Bar to transact business with Revel including those vendors operating within that casino hotel.

6. Mussel Bar shall not transfer any ownership interest, except between existing natural person or entity qualifiers, without first receiving prior written approval from the Division.

7. Mussel Bar shall not enter into any management agreement, profit sharing agreement, franchise agreement or service agreement with any person or entity in connection with the operation of the premises without first receiving prior written approval from the Division.

8. Mussel Bar shall not amend or assign its lease with Revel without first receiving prior written approval from the Division.

9. Mussel Bar is to comply with the provisions of *N.J.S.A.* 33:1-25 and 26, *N.J.A.C.* 13:2-14.5, as well as *N.J.A.C.* 13:69I-1.5, 2.2 and 2.3 which pertain to employment eligibility in a licensed CHAB facility.

10. Mussel Bar is to maintain on its premises at Revel an updated and current Employee Listing pursuant to *N.J.A.C.* 13:69I-2.3(a) and provide a copy of this listing to the Division on the first day of each calendar quarter pursuant to *N.J.A.C.* 13:69I-2.3(d). The listing must also be available for inspection upon request by staff of the Division.

11. Mussel Bar must obtain all necessary approvals required by other governmental agencies prior to the sale of any alcoholic beverages. Mussel Bar is also required to update and maintain any of these approvals as appropriate.

12. Mussel Bar will comply with all requirements attendant to Type II CHAB authorization, pursuant to *N.J.S.A.* 5:12-103g(2), with all requirement attendant to Type V authorization, pursuant to *N.J.S.A.* 5:12-103g(5) and *N.J.A.C.* 13:69I-3.5, and with all applicable alcoholic beverage laws and regulations of the Division of Gaming Enforcement and, as deemed applicable, the Division of Alcoholic Beverage Control.

13. Mussel Bar will train its employees and implement procedures to insure that the service of alcoholic beverages on its licensed premises will be only to those patrons who are over the age of 21 and who are not actually or apparently intoxicated.

Dated: March 22, 2012

DAVID L. REBUCK
DIRECTOR