

**STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

LIC. NO.: 2104-33-003-006  
AGENCY NO.: S-20-38972, H-2020-50316;

DIVISION OF ALCOHOLIC BEVERAGE )  
CONTROL, )  
)  
Petitioner, )  
)  
v. )  
)  
Billings Inc, )  
)  
Respondent. )  
)

**AMENDED  
NOTICE OF CHARGES  
SEEKING REVOCATION**

Take Notice that under the authority of the Director, as set forth in Alcoholic Beverage Control Act, N.J.S.A. 33:1-1, et seq.; and the regulations promulgated pursuant thereto, the New Jersey Division of Alcoholic Beverage Control ("Division") will seek to revoke plenary retail license 2104-33-003-006 held by Billings Inc, t/a Post Time Pub, issued by Township Committee of Blairstown Township, Warren County, for premises located at 25 Main St, Blairstown, NJ 07825, for violation of the aforementioned statute and/or regulations. The Division hereby prefers the following charges and will seek the noted penalty to wit:

<u>CHARGE</u>	<u>PRESUMPTIVE PENALTY</u>
1. On or about March 27, 2020 and/or April 2, 2020, you engaged in, allowed, permitted or suffered the violation of Executive Orders 103, 104 and/or 107 issued by Governor Philip D. Murphy by allowing patrons to eat and/or drink at your licensed premise.	Revocation
2. On March 27, 2020 and/or April 2, 2020, you sold, served, delivered, or suffered the sale, service, delivery or consumption of alcoholic beverages, viz., beyond the scope of your license, as restricted by Executive Orders 103, 104 and/or 107, by allowing patrons to eat and/or drink at your licensed premises.	10-day suspension
3. On March 27, 2020 and/or April 2, 2020, you violated N.J.A.C. 13:2-23.3 by violating Executive Orders 103, 104 and/or 107 by allowing patrons to eat and/or drink at your licensed premises during a State of Emergency.	Revocation

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|----|--|-------------------|
| 4. | On or about March 27, 2020 and/or April 2, 2020, you allowed, permitted or suffered your licensed premises to be used in furtherance of or in aid of or accessible to an illegal activity or enterprise, viz., by allowing patrons to eat and/or drink on the licensed premises; in violation of Executive Orders 103,104 and/or 107 and/or N.J.A.C. 13:2-23.5(c). | 30-day suspension |
| 5. | On or about March 20, 2020, you advertised or offered the sale of alcoholic beverages at your licensed premises contrary to the provisions of Executive Orders 103 and/or 104; in violation of N.J.A.C. 13:2-24.10(a)7.  | 5-day suspension  |
| 6. | On March 27, 2020 and/or April 2, 2020, you knowingly aided and abetted violation(s) of Executive Orders 103, 104 and/or 107 by allowing patrons to eat and/or drink on the licensed premises; in violation of N.J.S.A. 33:1-52 or N.J.S.A. 33:1-31.   | 10-day suspension |

**However, due to the aggravating circumstances in this case, the Division will seek revocation of the license based upon the total circumstances.**

The licensee must enter a plea to the charges within 30 days of its receipt. Failure to do so will result, pursuant to N.J.A.C. 13:2-19.3(c), in the entry of a non-vult plea on your behalf and the Director upon certification by the Division may impose the penalty stated in this Notice of Charges without further notice.

GURBIR S. GREWAL  
ATTORNEY GENERAL OF NEW JERSEY

By:   
Kevin Marc Schatz  
SENIOR DEPUTY ATTORNEY GENERAL

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CONTROL, )

Petitioner, )

v. )

PLEA

Billings Inc, )

Respondent. )

TO: Kevin Marc Schatz  
SENIOR DEPUTY ATTORNEY GENERAL  
ENFORCEMENT BUREAU

CIRCLE THE APPROPRIATE TERM CONTAINED IN THE PARENTHESES "( )"

I am the (owner) (partner) (member) (president/vice-president) (attorney) of this license duly authorized to enter the decision(s) in this matter as checked below:

- \_\_\_ 1. Please send me a copy of the Report of Investigation issued in this matter. I request you to extend my time to enter a plea by 14 days. Therefore, I enclose a money order or check in the amount of \$4.00 to cover the cost of the report.
- \_\_\_ 2. (For cases in which license suspension is sought and suspension is accepted by licensee): I am pleading non-vult to all of the charges listed in the Notice of Charges and accept the suspension of the subject license to be imposed thereon. I understand that by doing so I will not formally contest the charges and that they will be administratively concluded without a hearing. I am giving up my rights to a hearing and/or to repossess or have returned any cash, evidence, alcoholic beverages, or other property seized in connection with these proceedings. I request that the Director reduce the proposed suspension by 20% in consideration of my plea. I request that the Division consider the following mitigation prior to determining the ultimate penalty. (You may write on the back of this page or use additional separate pages, if necessary.)
- \_\_\_ 3. (For cases in which license suspension is sought and licensee requests to make a monetary compromise in lieu of suspension): I am pleading non-vult to all of the charges listed in the Notice of Charges.

I understand that by doing so I will not formally contest the charges and that they will be administratively concluded without a hearing. I am giving up my rights to a hearing and/or to repossess or have returned any cash, evidence, alcoholic beverages, or other property seized in connection with these proceedings. I request that the Director reduce the proposed penalty by 20% in consideration of my plea. Additionally, I petition the Director, pursuant to N.J.A.C.13:2-19.12, to accept a monetary compromise offer in lieu of suspension. I am enclosing the licensee's Federal Tax Return for the most recent year and/or a letter from the licensee's accountant showing the total sales of alcohol and the total costs of alcohol in the most recent year. I request the opportunity to offer a monetary penalty in lieu of having my license suspended. I understand that if the Director grants my request, the Division will compute the penalty amount which must be offered and provide me with a petition to sign and return for the Director's consideration. I request that the Division consider the following mitigation prior to determining the ultimate penalty. (You may write on the back of this page or use additional separate pages, if necessary.)

- \_\_\_ 4. (For cases in which license revocation is sought): I am pleading non-vult to all the charges listed in the Notice of Charges. I request the opportunity to divest the license in lieu of revocation. Therefore, I am requesting that the Division contact me to schedule a conference to discuss the options for settlement. In the event that no settlement is reached, I understand that I must surrender my license to the issuing authority.
- \_\_\_ 5. I wish to plead not guilty to all of the charges listed in the Notice of Charges and request that this matter be forwarded for a hearing.
- \_\_\_ a. I am requesting a hearing.
- \_\_\_ b. I am requesting a meeting to discuss settlement. If no settlement is reached, I request the matter be forwarded for a hearing.

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LICENSEE'S SIGNATURE

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TYPED OR PRINTED NAME

DATED: