

**OFFICE OF THE DIRECTOR OF EXCISE AND LICENSES
CITY AND COUNTY OF DENVER, COLORADO**

ORDER REGARDING PETITION FOR EVENING HEARING

IN THE MATTER RELATING TO TAGERT LLC, DOING BUSINESS AS TAGERT FINE WINES, REGARDING THE APPLICATION FOR A NEW RETAIL LIQUOR STORE LICENSE FOR THE PREMISES KNOWN AND DESIGNATED AS 2625 E. 12TH AVENUE, DENVER, COLORADO

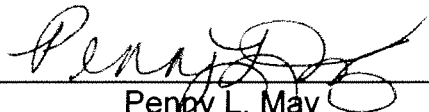
The hearing on the new retail liquor store license for Tagert LLC, doing business as Tagert Fine Wines, for the premises known and designated as 2625 E. 12th Avenue, is set for January 7, 2011 at 9:00 a.m. A Petition for an evening hearing was submitted to the department on December 7, 2010. The Petition was signed by seventeen (17) residents of the neighborhood designated as the immediately affected are by the Department of Excise and Licenses, and thus, the signatories are all parties in interest.

It is the policy of the Department that Petitions for evening hearings be submitted within 15 days of the date set for the hearing. The Petition was timely submitted.

It is the policy of the Department that Petitions for evening hearings contain at least ten (10) valid signatures of residents or owners/managers of businesses in the designated area, each of whom is over 21 years of age. The Petition contains seventeen (17) entries. The signatures were obtained between December 3 and December 5, 2010.

I HEREBY ORDER, THEREFORE, that the Petition for an Evening Hearing on the application of Tagert LLC, doing business as Tagert Fine Wine, for a retail liquor store license, is hereby accepted and an evening hearing shall be held on Friday, January 7, 2011 at 6:00 p.m. The posting shall be changed to show the new hearing time.

Dated this 8th day of December, 2010.



Penny L. May
Director of Excise and Licenses

CERTIFICATE OF DELIVERY

The undersigned hereby certifies that a true copy of the foregoing Order Regarding Petition for Evening Hearing was sent e-mailed, or sent via fax, hand-delivered or deposited in the U.S. Postal Service, postage prepaid, this 8th day of December, 2010, addressed to the following:

Dustin Swenson
Tagert, LLC
d/b/a Tagert Fine Wines
2625 E. 12th Avenue
Denver, CO 80206

John Poley, Esq.
Assistant City Attorney
201 West Colfax Ave., Dept, #1207
Denver, CO 80202

Councilwoman J. Robb
Nora Kimball, Council Aide
Capitol Hill United Neighbors
Congress Park Neighbors
Neighborhood Advisory Committee to the Botanic Gardens
Inter-Neighborhood Cooperation



License Technician



John Hickenlooper
Mayor

CITY AND COUNTY OF DENVER

DEPARTMENT OF EXCISE AND LICENSES

OFFICE OF DIRECTOR
201 West Colfax Avenue, Dept. 206
Denver, Colorado 80202

November 4, 2010

Tagert, LLC
Dba Tagert Fine Wines
Attn: Dustin Swenson
2625 E 12th Avenue
Denver, Colorado 80206

You recently filed an application for a liquor store license at 2625 E 12th Avenue, Denver, Colorado. You are notified to appear in this office on January 7, 2011 at 9:00 am for a public hearing on the application. At that time you will be required to prove why said application should be approved. You will be required to present evidence demonstrating that the neighborhood needs and that the residents and/or business owners or managers in the area around your location desire that the license issue even if the application is not contested.

Enclosed herewith for the applicant is a copy of the findings rendered in this matter. Findings in this matter have already been provided.

The Department of Excise and Licenses will designate an area around your location on a map. You will be allowed to present up to three adult witnesses who are residents or business owners/managers from the designated area to testify individually regarding the application. You may bring an unlimited number of other residents and business owners/managers from the designated area to testify as a group in support of the application. A manager must have general supervisory authority over the business. The protestants to the application, if there are any, will also be allowed to present up to three witnesses to testify individually and others to testify as a group. Representatives from any registered neighborhood organizations in the area will also be allowed to testify regarding the organization's position.

In addition, you may present petitions that have been signed by residents or business owners/managers in the designated area in support of the application. Petitions that are filed five days prior to the hearing at the Department of Excise and Licenses and accompanied by completed affidavits furnished by the Department will be admitted without testimony. Petitions not filed in this manner

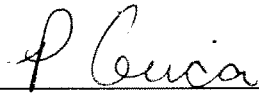
will be admitted into evidence only through the testimony of the circulators in person at the hearing. The same restrictions apply to protestants' petitions.

Publication of notice of this application will occur on December 1, 2010 and posting of the premises shall commence on that same day and continue through the date of your hearing. Petitions may be circulated beginning December 3, 2010. Signatures obtained prior to this date will not be accepted.

Please be advised that if you are not prepared to proceed with the hearing on January 7, 2011 you may be required to reapply with new application forms and the payment of another application fee and reposting of the premises.

Thank you for your attention to these matters

Yours truly,
Penny May,
Director

By:  _____
Priscilla Garcia, Administrative Assistant

cc: Councilwoman Jeanne Robb
Aide Nora Kimball
Capitol Hill United Neighborhoods
Congress Park Neighbors
Neighborhood Advisory Committee to the Botanic Gardens
Inter-Neighborhood Cooperation

19. If applicant is a corporation, partnership, association or limited liability company, applicant **must list ALL OFFICERS, DIRECTORS, GENERAL PARTNERS, AND MANAGING MEMBERS.** In addition applicant **must list** any stockholders, partners, or members with **OWNERSHIP OF 10% OR MORE** IN THE APPLICANT. ALL PERSONS LISTED BELOW must also attach form DR 8404-I (Individual History record), and submit finger print cards to their local licensing authority.

NAME	HOME ADDRESS, CITY & STATE	DOB	POSITION	% OWNED*
Dustin Swenson	[REDACTED]		owner	9%

*If total ownership percentage disclosed here does not total 100% applicant must check this box

Applicant affirms that no individual other than these disclosed herein, owns 10% or more of the applicant

Additional Documents to be submitted by type of entity

- CORPORATION Cert. of Incorp. Cert. of Good Standing (if more than 2 yrs. old) Cert. of Auth. (if a foreign corp.)
 PARTNERSHIP Partnership Agreement (General or Limited) Husband and Wife partnership (no written agreement)
 LIMITED LIABILITY COMPANY Articles of Organization Cert. of Authority (if foreign company) Operating Agrmt.
 ASSOCIATION OR OTHER Attach copy of agreements creating association or relationship between the parties

Registered Agent (if applicable)

Address for Service

OATH OF APPLICANT

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature

Title

Date

Owner

10/12/10

REPORT AND APPROVAL OF LOCAL LICENSING AUTHORITY (CITY/COUNTY)

Date application filed with local authority

Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1)) C.R.S.

THE LOCAL LICENSING AUTHORITY HEREBY AFFIRMS:

That each person required to file DR 8404-I (Individual History Record) has:

Yes No

- Been fingerprinted Yes No
 Been subject to background investigation, including NCIC/CCIC check for outstanding warrants Yes No

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license Yes No

(Check One)

- Date of Inspection or Anticipated Date _____
 Upon approval of state licensing authority.

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S. **THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority for

Telephone Number

- TOWN, CITY
 COUNTY

Signature

Title

Date

Signature (attest)

Title

Date

