



Terry E. Branstad *Governor of Iowa*  
Kim Reynolds *Lieutenant Governor*  
Stephen Larson *Administrator*

IN RE: )  
Matt & Karen, Inc. ) DOCKET NO. D-2013-00125  
d/b/a O Face Bar )  
2400 9th Ave )  
Council Bluffs, Iowa 51501 )  
Liquor License No. LC-38449 ) **O R D E R**

NOW, on this 30th day of May, 2014, this matter comes before the Iowa Alcoholic Beverages Division, upon the Settlement Agreement filed herein by, among and between the Iowa Department of Public Safety and the above-captioned liquor licensee. A copy of the Settlement Agreement is attached hereto and incorporated herein by reference as Exhibit "A".

At issue is a complaint against the licensee for a violation of Iowa Code § 123.49(1), (sold, dispensed or gave an alcoholic beverage or beer to persons who were intoxicated at the time), that occurred on the licensed premises.

The Administrator FINDS that the Settlement Agreement should be accepted in its entirety.

IT IS THEREFORE ORDERED that the seven (7) day license suspension agreed to in the Settlement Agreement shall begin at 8:00 AM on Sunday, October 5, 2014, and end at 8:00 AM on Sunday, October 12, 2014. During the suspension period, beer, wine and liquor may not be sold, served, consumed or given away by any person in or on the licensed premises. The business, however, may remain open for other lawful activities as long as the activities do not include the selling, serving, consuming or giving away of any alcoholic beverages.

IT IS FURTHER ORDERED that the one thousand dollar (\$1,000.00) civil penalty agreed to in the Settlement Agreement shall be paid in full to the "Iowa Alcoholic Beverages Division," on or before June 30, 2014. Failure to timely pay the civil penalty may result in immediate suspension of liquor license number LC-38449, until the civil penalty is fully paid.

DATED this 30th day of May, 2014, Ankeny, Iowa.

IOWA ALCOHOLIC BEVERAGES DIVISION

  
STEPHEN LARSON  
Administrator

Witnesses:

Officer Poore, Officer Lake & Officer Stuart  
Council Bluffs Police Department  
227 So. 6<sup>th</sup> Street  
Council Bluffs, Iowa 51503

City Clerk  
City Hall  
209 Pearl St.  
Council Bluffs, Iowa 51503

Copies to:

John Lundquist  
Assistant Attorney General  
Department of Justice  
Hoover State Office Building  
Des Moines, Iowa 50319

Steve Bogle  
Iowa Lottery  
2323 Grand Avenue  
Des Moines, Iowa 50312

Steven Mandernach  
Social Gaming Unit  
Lucas State Office Bldg.  
Des Moines, Iowa 50319

Lt. Michael Miller  
ISP, District #3  
2025 Hunt Avenue  
Council Bluffs, Iowa 51503

Matthew Overmyer  
O Face Bar  
2400 9<sup>th</sup> Ave  
Council Bluffs, Iowa 51501

Chief Ralph O'Donnell  
Council Bluffs Police Department  
227 So. 6<sup>th</sup> Street  
Council Bluffs, Iowa 51503

STATE OF IOWA  
BEFORE THE IOWA DEPARTMENT OF COMMERCE  
ALCOHOLIC BEVERAGES DIVISION

RECEIVED  
MAY 21 2014  
REGULATION

---

In re: )  
 )  
Matt & Karen, Inc. ) DOCKET NO. D-2013-00125  
d/b/a O Face Bar )  
2400 9th Ave. )  
Council Bluffs, Iowa 51501 )  
 ) STIPULATION  
Liquor License No. LC-38449 )

---

COMES NOW the Iowa Department of Public Safety, through counsel John Lundquist, Assistant Attorney General, and Matt & Karen, Inc., d/b/a O Face Bar ("LICENSEE"), and hereby enter into the following stipulation.

1. VIOLATION. The LICENSEE admits for the purposes of the above-mentioned complaint, that on or about November 11, 2012, the LICENSEE, or an agent or employee of the licensee, sold, dispensed, or gave an alcoholic beverage or beer to persons who were intoxicated at the time, in violation of Iowa Code section 123.49(1).

2. ADMINISTRATIVE SANCTIONS. As an administrative sanction for the violation cited, the LICENSEE agrees to the following:

a) SUSPENSION. The LICENSEE shall not be permitted to sell, serve, consume or give away any type of alcoholic beverages as defined under Iowa Code chapter 123 (2013) on the licensed premises for a period of seven (7) days, Sunday, October 5, 2014, at 8:00 AM, and ending on Sunday, October 12, 2014, at 8:00 AM.

b) CIVIL PENALTY. The LICENSEE shall pay a fine in the sum of one thousand dollars (\$1,000.00.) Full payment of this civil penalty shall be made to the "Iowa

Alcoholic Beverages Division” no later than 30 days after the date the Administrator enters the order approving this stipulation.

3. LIMITATIONS OF PENALTY. The parties agree that no other penalty for the violations listed in paragraph one (1), of this document, other than those listed in paragraph two (2) shall be imposed on the LICENSEE.

4. SCOPE OF STIPULATION. This Stipulation is only applicable to the disposition of Hearing Complaint Number D-2013-00125, filed by the Department of Public Safety against the LICENSEE on August 13, 2013, and shall not be binding as to any other offenses or violations of the law committed by the LICENSEE.

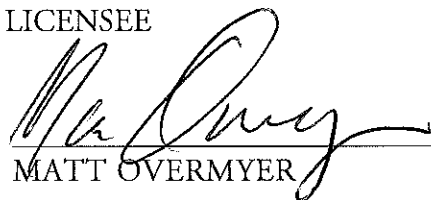
5. ADMINISTRATOR APPROVAL. The administrative sanctions imposed pursuant to this Stipulation are subject to the approval of the Administrator of the Iowa Alcoholic Beverages Division. The failure of the Administrator of the Iowa Alcoholic Beverages Division to accept the proposed Administrative Sanctions as an appropriate sanction for the offenses charged in the pending hearing complaint shall render this Stipulation null and void without force or effect upon any party.

IOWA DEPARTMENT OF PUBLIC SAFETY



JOHN LUNDQUIST  
Assistant Attorney General  
Department of Justice  
Hoover State Office Bldg.  
Des Moines, Iowa 50319  
Tel: 515.281.3658  
FAX: 515.281.4209

LICENSEE



MATT OVERMYER



# NOTICE OF SUSPENSION

## LIQUOR LICENSE LC-38449

The Iowa Alcoholic Beverages Division hereby gives notice that the above-stated liquor control license issued to:

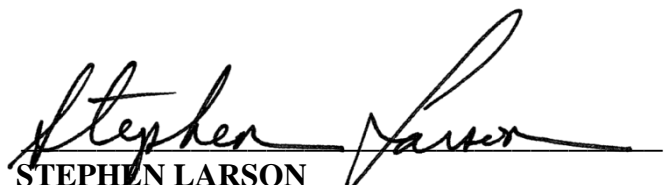
**Matt & Karen, Inc.**  
**d/b/a O Face Bar**  
**2400 9th Ave**  
**Council Bluffs, Iowa 51501**

is suspended for seven (7) consecutive days, beginning 8:00 AM, Sunday, October 5, 2014, and ending 8:00 AM, Sunday, October 12, 2014 for the following reason:

***Violation of Iowa Code § 123.49(2)(1) (serving alcoholic beverages to an intoxicated person).***

\*The above seven (7) day suspension is in addition to a \$1,000.00 civil penalty agreed to in this matter.

IOWA ALCOHOLIC BEVERAGES DIVISION

  
STEPHEN LARSON  
Administrator

Removal of this notice before expiration of the above-mentioned suspension dates by any person without approval of the Iowa Alcoholic Beverages Division or the Local Authority, is a violation of 185 Iowa Administrative Code § 4.15.