



Kim Reynolds Governor of Iowa
Adam Gregg Lieutenant Governor
Stephen Larson Administrator

GTA DK, LLC)
d/b/a Mary Lou's Bar & Grill) Docket No. D-2020-00130
2719 Center St,)
Cedar Falls IA 50613)
Liquor License No. LC0042477) **SETTLEMENT AGREEMENT
AND CONSENT ORDER**

The Iowa Alcoholic Beverages Division [ABD] and GTA DK, LLC d/b/a Mary Lou's Bar & Grill [LICENSEE] enter into this Settlement Agreement and Consent Order [AGREEMENT] pursuant to Iowa Code sections pursuant to Iowa Code § 17A.10(1) and 185 Iowa Administrative Code § 10(8).

1. **VIOLATION.** The ABD's Alcohol Compliance Unit instituted disciplinary proceedings against the LICENSEE and liquor license number LC0042477 by filing a Hearing Complaint on October 01, 2020. The LICENSEE, without admission of wrongdoing or guilt, does not contest the allegations stated in the above-referenced Hearing Complaint.

2. **WAIVER OF RIGHTS.** The LICENSEE acknowledges that it has a right to a hearing before the ABD on the merits of the violations alleged in the above-referenced Hearing Complaint. By freely and voluntarily entering into this AGREEMENT, the LICENSEE waives its right to a hearing and all attendant rights, including the right to seek judicial review of the ABD's actions in this matter.

3. **SCOPE OF AGREEMENT.** This AGREEMENT is only applicable to the disposition of Hearing Complaint Number D-2020-00130, filed by the ABD's Alcohol Compliance Unit against the LICENSEE on October 01, 2020, and shall not be binding as to any other offenses or violations of the law committed by the LICENSEE.

1. **APPROVAL OF ALL PARTIES REQUIRED.** This AGREEMENT is contingent upon the approval of all parties. The failure of the LICENSEE or the ABD to accept all terms of this AGREEMENT shall render the entire AGREEMENT null and void without force or effect upon any party. If all parties approve this AGREEMENT, the AGREEMENT shall constitute the final agency order and fully dispose of all issues in this contested case.

2. **PUBLIC RECORD.** This AGREEMENT is a public record and shall be available for public inspection. This AGREEMENT shall be considered by the ABD in determining the nature and severity of any subsequent disciplinary action to be imposed against the LICENSEE in the event of the LICENSEE's future violation of the Iowa Alcoholic Beverage Control Act – Iowa Code 123.

IT IS ACCORDINGLY AGREED AND ORDERED THAT:

6. **LICENSEE:** As an administrative sanction for the violation described in Paragraph 1 above, the LICENSEE voluntarily agrees to the following:

- a. **COMPLIANCE WITH PROCLAMATION.** The LICENSEE shall comply with the Governor's August 27, 2020, Proclamation of Disaster Emergency and any subsequent proclamation. The LICENSEE shall adhere to the food service and alcohol sale requirements, social distancing and increased hygiene measures outlined in the proclamation and any subsequent proclamation. The LICENSEE further acknowledges that its failure to maintain compliance with any and all such applicable emergency proclamations shall constitute an actionable violation of the Iowa Alcoholic Beverage Control Act.



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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 of full execution of this Settlement Agreement and Consent Order.

WHEREFORE, the terms of this Settlement Agreement and Consent Order are agreed to and accepted by the Iowa Alcoholic Beverages Division and GTA DK, LLC d/b/a Mary Lou's Bar & Grill.

IOWA ALCOHOLIC BEVERAGES DIVISION

GTA DK, LLC

11/20/2020
Date
JOSHUA J. HAPPE, J.D. CPM
Administrator's Designee

11/16/20
Date
JENNY WESTCOTT
Owner

