



Alcohol  
and Gambling  
Enforcement

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Criminal  
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Marshal

## Alcohol and Gambling Enforcement

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age.dps.mn.gov

December 19, 2020

Ricci Enterprises, LLC  
d/b/a Cork  
Licensees: Robert Ricci,  
Robert Martin, Russell Martin  
1918 1<sup>st</sup> Ave  
Anoka, MN 55303

Via Email/Certified Mail

### NOTICE OF AGENCY ACTION 60-DAY LIQUOR LICENSE SUSPENSION

Pursuant to Governor Walz's Executive Order 20-99 *Implementing a Four Week Dial Back on Certain Activities to Slow the Spread of COVID-19* (EO-99), all restaurants and bars are prohibited from selling alcohol for on-premises consumption from Friday, November 20, 2020 at 11:59 p.m. through Friday, December 18, 2020 at 11:59 p.m.<sup>1</sup>

The Minnesota Department of Public Safety Alcohol and Gambling Enforcement division (AGED) may take civil action in the form of a fine, license suspension or license revocation for any violation of Statute, Rule or Ordinance related to alcoholic beverages or the operation of a licensed establishment. Minn. Stat. § 340A.415.

On December 17, an Anoka Police Department officer entered Cork at 6:00 p.m. and observed customers being served food in violation of EO-99.

On December 18, AGED agents attempted to enter Cork but were informed they could not because it was too full and the number of patrons needed to be kept down due to COVID-19. Agents were told that alcohol was not being sold out of a concern for losing the liquor license, but alcohol was being given away and patrons could make a donation to charitable organization by placing money in a piggy bank on a shelf. Agents took photos capturing two female patrons at a table with a wine bottle and a male patron seated at a table with a wine bottle with what appeared to be two glasses of red wine. Agents were informed they could patronize three other establishments that were open for business.

As a result of these actions, AGED intends to suspend wine license #39619 and 3.2 beer on-sale license #39665 for a period of 60 days. Pursuant to the Minnesota

<sup>1</sup> EO-99 has "the full force and effect of law" pursuant to Minnesota Statutes, section 12.32 (2020).

Administrative Procedures Act,<sup>2</sup> this suspension is not effective until you have had the opportunity for a hearing before the Office of Administrative Hearings. AGED will schedule this hearing at the earliest possible date. You will receive further instructions from the Office of Administrative Hearings.

Sincerely,

*Carla Cincotta*

Carla Cincotta

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<sup>2</sup> Minn. Stat. ch. 14.