



State of Vermont
Department of Liquor Control
13 Green Mountain Drive
Montpelier, VT 05602
liquorcontrol.vermont.gov

[phone] 802-828-2339
[fax] 802-828-1031

Michael J. Hogan, Commissioner

NOTICE OF HEARING

RE: Hearing to consider the suspension or revocation of the First and Third Class Licenses granted to Mount Snow, Ltd., 294 Handle Road, Dover, Vermont said licenses being granted to sell alcoholic liquor for on-premise consumption.

Please take notice that pursuant to the authority vested in the Vermont Liquor Control Board by Title 7, Section 236, Vermont Statutes Annotated, a hearing will be held before the Liquor Control Board at **the Department of Liquor Control, 13 Green Mountain Drive, Montpelier, Vermont on Wednesday, February 22, 2012 at 9:30a.m.**

The hearing will be held as a formal hearing and will be held to consider the suspension or revocation of the first and third class licenses granted to **Mount Snow, Ltd., Dover, Vermont**, said licenses being granted to sell alcoholic liquor for on-premise consumption, for alleged violation of General Regulation No. 17, 17(a) and 36 of the regulations duly adopted by the Liquor Control Board, which is set forth and specified below.

General Regulation No. 17: No alcoholic beverages shall be sold or furnished to a person displaying signs of intoxication from alcoholic beverages or other drugs/substances. No alcoholic beverages may be consumed on the licensed premises by any person displaying such signs of intoxication. No person displaying such signs of intoxication shall be allowed to stay on the licensed premises, except under direct personal supervision by a licensee or his or her employees in a segregated non public area when the patron's immediate departure could be expected to pose a risk of bodily injury to the patron or any other person.

General Regulation No. 17(a): Licensees or his or her employees shall not serve alcoholic beverages to a person whom it would be reasonable to expect would be under the influence as a result of the amount of alcohol served to that person. Under the influence, in this section, shall mean that degree of intoxication that would render it unsafe or illegal for the patron to undertake normal and expected activities upon leaving the licensed premises

General Regulation No. 36: It shall be the duty of all licensees to control the conduct of their patrons at all times. No disturbances, brawls, fighting or illegal activity shall be permitted or suffered upon any licensed premises; nor shall such premises be conducted in such a manner as to render said premises or the streets, sidewalks, parking lots or highways adjacent thereto a public nuisance.

It is alleged that on January 7, 2012 you allowed a patron displaying obvious signs of intoxication to be on the premises in a public non-segregated area in violation of General Regulation No. 17.

It is alleged that on January 7, 2012 you served alcohol to patrons whom it would be reasonable to expect would be under the influence of alcoholic beverages as a result of the amount of alcohol served to that person in violation of General Regulation No. 17(a).

It is alleged that on January 7, 2012 you failed to control the conduct of your patrons whereas the streets, sidewalks, and highways adjacent thereto became a public nuisance in violation of General Regulation No. 36.

The Liquor Control Board shall determine whether such alleged violations did occur as specified herein.

Pursuant to Title 3, Vermont Statutes Annotated, Section 809(d), the said **Mount Snow, Ltd.** shall have an opportunity by themselves or through their attorney to appear at said hearing to present evidence and



Liquor Control Board:

Stephanie M. O'Brien, Chair; John P. Cassarino, Member; Walter E. Freed, Member

argument on all issues involved in this case and bring before the Liquor Control Board all pertinent facts that the said licensee believes will have a bearing on the issues involved in this case.

If the decision of the Board is to suspend or revoke said license, you will be required to comply with Title 7, Vermont Statutes Annotated, Section 240(a) and 240(b) which are set forth and specified as follows: Title 7 S 240 Proof of financial responsibility. (a) Any first, second or third class liquor licensee whose license is suspended by the local control Commissioners or suspended or revoked by the liquor control board for selling or furnishing intoxicating liquor to a minor, to a person apparently under the influence of intoxicating liquor, to a person after legal serving hours, or to a person whom it would be reasonable to expect would be intoxicated as a result of the amount of liquor served to that person, shall be required to furnish to the liquor control department a certificate of financial responsibility within 60 days of the commencement of the suspension or revocation or at the time of reinstatement of the licenses, whichever is later. Financial responsibility may be established by any one or a combination of the following: insurance, surety bond or letter of credit. Coverage shall be maintained at not less than \$25,000.00 per occurrence and \$50,000.00 aggregate per occurrence. Proof of financial responsibility shall be required for license renewal for three years following the suspension or revocation.

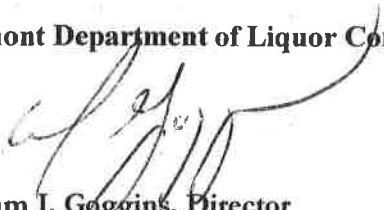
(b) Proof of financial responsibility and completion of the licensee education program established in section 239 of this title shall be conditions to resume operation after a suspension or revocation for any of the reasons in subsection (a) of this section; however, at the discretion of the suspending or revoking authority, the licensee may receive a provisional license prior to the time these conditions are met in order to allow for compliance with the education requirement or to obtain the certificate of financial responsibility. A provisional license may not be issued for a period exceeding 60 days.

The liquor control investigator's report is enclosed.

All correspondence and documents pertaining to this matter should be sent to the Vermont Department of Liquor Control, 13 Green Mountain Drive, Montpelier, Vermont, 05602, to my attention.

Dated at Montpelier, Vermont, this 24th day of January 2012.

Vermont Department of Liquor Control



William J. Goggins, Director
Education, Licensing & Enforcement Division



State of Vermont
Department of Liquor Control
13 Green Mountain Drive
Montpelier, VT 05602
liquorcontrol.vermont.gov

[phone] 802-828-2339
[fax] 802-828-1031

Michael J. Hogan, Commissioner

February 17, 2012

Mount Snow, Ltd.
294 Handle Road
West Dover, VT 05356

Dear Licensee:

We have received your request to waive your rights to the **February 22, 2012** hearing and accept a **settlement agreement** of the **First and Third** class liquor licenses of the above named licensee, which includes such suspension issued by the Vermont Liquor Control Board, a **2 (two)** day license suspension of the **first and third** class liquor licenses in the matter of violation of General Regulation Number 17, 17(a) and 36 in addition to an Administrative penalty fee of \$1200.00 (twelve hundred dollars) to be paid to the Department of Liquor Control.

If the decision of the Board is to suspend or revoke said license, you will be required to comply with Title 7, Vermont Statutes Annotated, Section 240(a) and 240(b) which are set forth and specified as follows: Title 7 S 240 Proof of financial responsibility.(a) Any first, second or third class liquor licensee whose license is suspended by the local control Commissioners or suspended or revoked by the liquor control board for selling or furnishing intoxicating liquor to a minor, to a person apparently under the influence of intoxicating liquor, to a person after legal serving hours, or to a person whom it would be reasonable to expect would be intoxicated as a result of the amount of liquor served to that person, shall be required to furnish to the liquor control department a certificate of financial responsibility within 60 days of the commencement of the suspension or revocation or at the time of reinstatement of the licenses, whichever is later. Financial responsibility may be established by any one or a combination of the following: insurance, surety bond or letter of credit. Coverage shall be maintained at not less than \$25,000.00 per occurrence and \$50,000.00 aggregate per occurrence. Proof of financial responsibility shall be required for license renewal for three years following the suspension or revocation.

(b) Proof of financial responsibility and completion of the licensee education program established in section 239 of this title shall be conditions to resume operation after a suspension or revocation for any of the reasons in subsection (a) of this section; however, at the discretion of the suspending or revoking authority, the licensee may receive a provisional license prior to the time these conditions are met in order to allow for compliance with the education requirement or to obtain the certificate of financial responsibility. A provisional license may not be issued for a period exceeding 60 days.

Therefore, the licensee's license will be suspended for a period of 2 (two) days, specifically noted to be effective at the close of business on **Thursday, March 8, 2012, until the opening of business on Sunday, March 11, 2012.** During this period the licensee may not sell/serve alcohol beverages upon the premises and shall not order or receive any deliveries of alcohol.

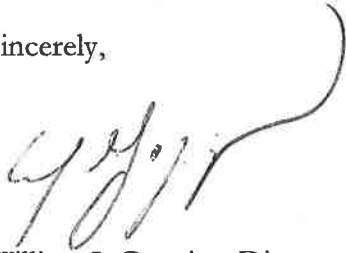


Liquor Control Board:
Stephanie M. O'Brien, Chair; John P. Cassarino, Member; Walter E. Freed, Member

The requirements of V.S.A., Title 7, § 240 (copy enclosed) relative to the proof of financial responsibility requirement following the above violation. This is a reminder that within 60 days from the start of the suspension you are required to furnish this office with a certificate of financial responsibility.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read 'W. J. Goggins', with a long, sweeping horizontal line extending to the right.

William J. Goggins, Director
Education, Licensing & Enforcement Division

cc: Investigator Wilbur
Town of Dover
Jacob Humbert, AGO
Ron Schmucker, Board Counsel
Liquor Control Board

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece.

Thomas J. Montemagni
Corporate Attorney
Mount Snow, Ltd.
39 Mount Snow Road
West Dover, VT 05356

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

- ☐ Agent
☐ Addressee

Address different from item 1? ☐ Yes
or delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7010 2780 0000 1854 6179

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

U.S. Postal Service
CERTIFIED MAIL
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com**OFFICIAL USE**

Postage \$

Certified Fee

Return Receipt Fee
(Endorsement Required)Restricted Delivery Fee
(Endorsement Required)

Total Postage & Fees \$

Postmark
Here

Sent To

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

PS Form 3800, August 2006

See Reverse for Instructions

Fitzgerald, Samara

From: Jacob Humbert [jhumbert@atg.state.vt.us]
Sent: Friday, February 17, 2012 11:27 AM
To: Tom Montemagni; ronaldvt@fairpont.net
Cc: Denise Langran; Fitzgerald, Samara; Goggins, Bill
Subject: RE: Snow Barn Settlement
Tom:

I have received a copy of the settlement agreement. My understanding is that the \$1,200 check should be sent directly to:

Vermont Department of Liquor Control
Attn. Samara Fitzgerald, Executive Office Manager
13 Green Mountain Drive
Montpelier, VT 05620

If you have any further questions about payment of the administrative penalty, please do not hesitate to contact her directly. Thank you.

JACOB A. HUMBERT
Assistant Attorney General
General Counsel and Administrative Law Division
Office of the Vermont Attorney General
109 State Street
Montpelier, VT 05609
T: (802) 828-3689
F: (802) 828-3187

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From: Tom Montemagni [mailto:tomtemagni@mountsnow.com]
Sent: Friday, February 17, 2012 9:21 AM
To: ronaldvt@fairpont.net; Jacob Humbert
Cc: Denise Langran
Subject: Snow Barn Settlement

Gentlemen:

I have faxed each of you a copy of the Snow Barn settlement agreement executed by Mount Snow's General Manager, Kelly Pawlak.

Please let me know if you have not received it at this time.

Also I assume the check for the administrative penalty should be made out to the Department Liquor Control and sent to Attorney Schmucker at 340 Dorset Avenue South Burlington.

2/17/2012

I want to thank both of you for your cooperation in settling this manner in a such a forthcoming and expeditious manner.

Thomas J. Montemagni
Corporate Attorney
Mount Snow Ltd.
39 Mount Snow Road
West Dover, Vermont 05356
Direct Line - 802-464-4039
Fax- 802-464-4135
tmontemagni@mountsnow.com

State of Vermont
Liquor Control Board
(Settlement Agreement)

TO: **MOUNT SNOW Ltd.**
39 MOUNT SNOW RD. (ON)
094 HANDLE RD.
DOVER, VT 05356

ATTN: **THOMAS J.**
MONTEMAGNI, CORP. COUNSEL

FEB 16, 2012

You have been notified of a hearing before the Liquor Control Board (LCB) on **FEB 22, 2012** at **MONTPELIER**, Vermont, to consider the suspension or revocation of your liquor license(s).

Reference is made to Notice of Hearing da attached, or to DLC ticket dated **NA**

Based upon your inquiry concerning settler Hearing, the LCB has agreed to accept a su **AND 1000 2013 AND PAY ME.** If you wish to settle and waive your right to and dated letter to:

1. Department of Liquor Cont
2. Jacob A. Humbert, Assistar

Please complete and sign this agreement an business days before the date of the hearing timely manner.

By signing and faxing this letter, you have though it were the original.

If this matter is not settled in the manner se further consequence. The LCB may, after depending upon the evidence.

If there are any questions, I can be reached (802) 660-7050.

I accept the **2** days suspension

Dated: **FEB 16, 2012** ✓

DLC ENFORCEMENT DIVISION	
ADMINISTRATIVE NOTICE OF AGENCY ACTION	
Notice	
No. 00332	

License Number			
176961-0004-11CAB-011			
Corporation Name		DBA	
Mount Snow Ltd.		Snow Barn	
Physical Mailing Address			County
294 Handle Road			Windsor
City	State	Zip Code	Business Phone
Dover	VT	05356	964-4693

Licensee did then and there commit the following acts in violation of V.S.A. Title 7 Provision, or Liquor Board Regulation:

no person displaying signs of Intoxication shall be allowed to stay on the licensed premise

6FS-12V600010

WHICH CONSTITUTES A VIOLATION OF:

General Regulation # 17	TITLE 7 Provision: 7 VSA
<input type="checkbox"/> Written Warning- No Fines or Penalties copy of warning placed in licensee file	<input type="checkbox"/> See Attached Waiver Fine
<input type="checkbox"/> Administrative Referral	<input checked="" type="checkbox"/> Hearing

If you plead **DENIED** and the state proves the violation, you will forfeit the waiver amount and be subject to an administrative referral.

If you plead **ADMITTED** or **NO CONTEST**, you may pay the waiver amount instead of appearing in court.

WAIVER AMOUNT → \$ **—**

Delivered To: Last	First	MI	Date of Birth
MORGAN	JESSIE	J	11/26/82
Signature:		<input checked="" type="checkbox"/> M <input type="checkbox"/> F	Title:
			MGR

The undersigned complains that the Licensee did violate the above identified V.S.A. Title 7 provision, or Liquor Control Board Regulation on this **16** day of **Feb**, 2012 at **Windsor** county.

Investigator Name:	Investigator Signature:
Wilbur	[Signature]
Investigator #:	Date Served:
2050	1-8-12
Time:	
01:00 PM	

☒ Hand ☐ US Mail



Mount Snow, Vermont 05356 • Phone 802.464.3333 • www.mountsnow.com

Date: 2/17/12
~~12-13-11~~

To: Jacob Humbert, Ass't AG. & Ronald Schmucker Esq.
Company

Fax #:

From: THOMAS J. MONTENAGNI

Re:

Page: 1 of 2

Note: Settlement Agreement between
Mount Snow Ltd D/B/A The Snow
Barn & the Vermont Liquor Control
Enforcement Division Recited by
Kelly Pawalk, General Manager
Mount Snow Ltd.



February 13, 2012

✓ State of Vermont
Department of Liquor Control
13 Green Mountain Drive
Montpelier, VT 05602
Attn: Investigator Ladd E. Wilbur

Mr. Ladd E. Wilbur
709 Eastman Rd.
Grafton, VT 05146-9788

Re: Mount Snow Ltd., d/b/a Snow Barn

Dear Director Goggins:

Attached herewith is a Subpoena Duces Tecum regarding the above caption matter.

Sincerely,

A handwritten signature in blue ink that reads "Thomas J. Montemagni". The signature is fluid and cursive, written over the typed name.

Thomas J. Montemagni
Corporate Attorney
Mount Snow Ltd.
39 Mount Snow Rd.
West Dover, VT 05356
tmontemagni@mountsnow.com
P: 802-464-4039
F: 802-464-4135

Cc: Mr. William J. Goggins, Director

STATE OF VERMONT

Department of Liquor Control

v.

Mount Snow Ltd. d/b/a Snow Barn

Violation of General Regulations
No. 17, 17 (a), and 36

SUBPOENA DUCES TECUM

TO ANY SHERIFF OR CONSTABLE IN THE STATE, GREETING:

BY THE AUTHORITY OF THE STATE OF VERMONT, you are hereby commanded to summon Ladd Wilbur or any other such person with the best knowledge, custody and control of the requested documents at the Vermont Department of Liquor Control to produce copies of the following documents:

GENERAL INSTRUCTIONS

For the purpose of this Subpoena Duces Tecum, "document(s)" refers to and includes, but is not limited to any letters, notes, files, information, records or papers, whether maintained in hard copy, computer, DVD or other recording for preservation or data form, including any computer storage and retrieval or any other form of document whether typed, printed, handwritten or otherwise.

REQUESTS

You are hereby summoned and commanded to produce the following:

1. Any and all documents, photographs, videos, or films taken or obtained on January 7th and 8th in or around the Snow Barn 294 Handle Road, West Dover, Vermont including the bar and seating area of the Snow Barn, the parking lot area surrounding the said Snow Barn, and any ingress and egress routes to the Snow Barn building.

STATE OF VERMONT

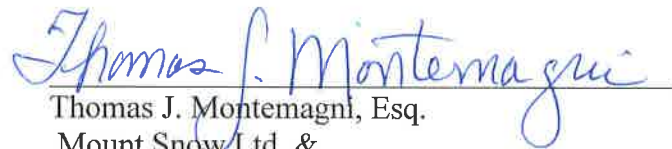
2. Any notes, files, records or documents of or related to the Snow Barn's violation of the State of Vermont Department of Liquor Control General Regulation 17 and 36 as memorialized on Administrative Notice of Agency Action notice numbers 00332 and 00333 on or about January 7th or 8th.

3. Any notes, files, records or documents of or related to the Snow Barn's violation of the State of Vermont Department of Liquor Control General Regulation 17 (a) which was not memorialized on or about January 7th or 8th on any Administrative Notice of Agency Action received by Mount Snow Ltd.

DATED at West Dover, Vermont, this 13th day of February 2012.

MOUNT SNOW, LTD.

By:



Thomas J. Montemagni, Esq.

Mount Snow Ltd. &

39 Mount Snow Road

West Dover, Vermont 05356

802-464-4039

tmontemagni@mountsnow.com



State of Vermont
Department of Liquor Control
13 Green Mountain Drive
Montpelier, VT 05602
liquorcontrol.vermont.gov

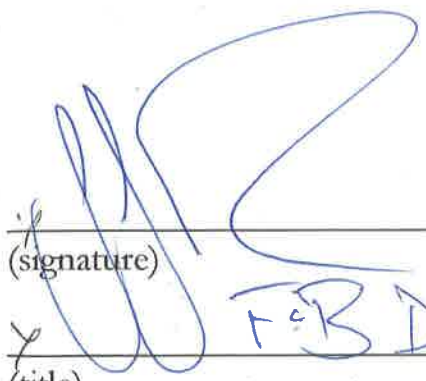
[phone] 802-828-2339
[fax] 802-828-1031

Michael J. Hogan, Commissioner

NOTICE OF HEARING RECEIPT

Received this date from Liquor Control Investigator Wilbur, a Notice of Hearing for appearance before the Liquor Control Board at the Department of Liquor Control, 13 Green Mountain Drive, Montpelier, Vermont on Wednesday, February 22, 2012 at 9:30 a.m. to show cause why license should not be suspended or revoked.

RE: Mount Snow, Ltd.
d/b/a same
294 Handle Road
West Dover, Vermont 05356


(signature)
FEB DIRECTOR
(title)
1/31/12
(date)



01/09/12
12:48

Vermont Liquor Control
Deputy Report

3216
Page: 1

Incident Number: 12DV00046
Nature: Assault

Case Numbers:

Addr: HANDLE RD; Snow Barn Area: 1304 DOVER
City: Dover St: VT Zip: Contact: 2050

Complainant: Alert Codes:

Lst: Fst: Mid:
DOB: **/**/** SSN: Adr:
Rac: Sx: Tel: Cty: St: Zip:

Reported: NC Not Classified
Observed: CDIS Citizen Dispute
Offense
Codes: CDIS Citizen Dispute

Circumstances: LT03 Bar/Night Club

Responding Officers: Arbogast, M M75
Gallup, Ian M77

Rspnsbl Officer: Arbogast, M Agency: 1304
Received By: Field, T. Last RadLog: 01:17:15 01/08/12 CMPLT
How Received: O Officer Report Clearance: RFA Ready for Approval

When Reported: 23:53:40 01/07/12 Disposition: ECV Disp Date: 01/08/12

Occurrd between: 23:53:40 01/07/12 Judicial Sts:
and: 23:53:40 01/07/12 Misc Entry:

Modus Operandi:
Factor Description Method

INVOLVEMENTS:

Date Description Relationship

01/09/12
12:48

Vermont Liquor Control
Deputy Report

3216
Page: 2

Narrative Section

On 01/07/2012 at approximately 2353 hours I responded to the Snowbarn for a report of an assault. Upon arrival the parties involved were separated and speaking with Ofc Gallup of this department and an officer from DLC. None of the parties involved were willing to give a written statement and no one wanted to cooperate with any charges being filed. What we did learn however was that Andrew Palenza had been ejected from the Snowbarn for being too intoxicated. Palenza then became upset and was flailing his arms and accidentally hit the girlfriend of Joseph Neri

This upset Neri who then threw a punch at Palenza which caused injury to Palenza's nose and left eye. Neri and Palenza and four others were all old high school friends from CT that came to VT together for the weekend. This is the reason no one was cooperative with the investigation and prosecution of an assault case. Palenza was checked by rescue and he declined being transported to the hospital for further treatment. The entire group left in two separate cabs and promised to keep Neri and Palenza apart until they were sober in the morning. Palenza blew a 0.211% at the scene but had several responsible adults with him who advised that they would take care of him.

While speaking with all the witnesses none would give an official statement and they finally came to the consensus that Palenza had "fallen down". Nothing further to report. M75 MA.

Responsible LEO:

Approved by:

Date

VERMONT DEPARTMENT OF LIQUOR CONTROL
VIOLATION REPORT CFS 12VL00010

License Number: 7696-004-1CAB-01

DBA: Snow Barn

OWNER: Mount Snow LTD.

ADDRESS: 294 Handle Rd., Dover, VT 05356

COUNTY: Windham

PHONE NUMBER: 802-464-4693

PERSON NOTIFIED: Jesse Morgan

DATE OF VIOLATION: January 8, 2012 at approximately 11:45 PM.

REGULATION VIOLATED: 17. No alcoholic beverages shall be sold or furnished to a person displaying signs of intoxication from alcoholic beverages or other drugs / substances. No alcoholic beverages may be consumed on the licensed premises by any person displaying such signs of intoxication. No person displaying such signs of intoxication shall be allowed to stay on the licensed premises, except under direct personal supervision by a licensee or his or her employees in a segregated nonpublic area when the patron's immediate departure could be expected to pose a risk of bodily injury to the patron or any other person.

36. It shall be the duty of all licensees to control the conduct of their patrons at all times. No disturbances, brawls, fighting or illegal activity shall be permitted or suffered upon any licensed premises; nor shall such premises be conducted in such a manner as to render said premises or the streets, sidewalks, parking lots or highways adjacent thereto a public nuisance.

On January 7, 2012, I conducted an inspection of The Snow Barn located at 294 Handle Rd, in the town of Dover, Vermont. After being in the bar area a while, I noticed an individual that was sitting at a table who appeared to be passed out and had a couple of beers in front of him. I noticed this individual's friends' laughing and taking pictures of him and putting things on his head. He was clearly passed out when I asked one of his friends how much he had to drink. She replied plenty, and another friend said he was going to the hospital tonight. I located the manager, Jesse Morgan and brought it to his attention that there was person passed out in his bar. He admitted that he should not have been in the bar and that he was very intoxicated. I went out to my cruiser to retrieve some paperwork when I came across a person sitting on the steps of the Snow Barn that was bleeding very badly from his face. I asked the security person who was with him, what had happened. They explained to me that he had been in a fight after having been thrown out of the Snow Barn. I met with Joseph Neri, DOB: [redacted] who provided me with a sworn written statement in which he said that his friend Drew, later identified as Andrew Palenza, DOB: [redacted] whom he had been in a altercation with had a drink or two at the bar before the bar cut him off. Somehow his friend Drew got another beer and when Snow Barn employees found it they asked him to leave. At some point Drew hit Joseph's girlfriend and another individual named Chris. Before Joseph hit Drew, Joseph said in his statement that Drew was out of control and very intoxicated. He did indicate that this altercation happened in the Snow Barn parking lot after leaving the bar.

I also obtained a sworn written statement from Kathryn Raffensperger, DOB:

who indicated in her statement that Drew had been kicked out of The Snow Barn the previous night for bringing his own alcohol into the bar and that Drew was asked to leave the bar the night of the fight because he appeared intoxicated. She indicated that she had been hit in the face during the altercation between Drew and Joseph. I met with the manager Jesse Morgan, who also provided a sworn written statement acknowledging the individual that I found, passed out, to be very intoxicated and admitted that the altercation in the parking lot might not have happened if he had had enough personnel working and they might have seen the person passed out as well. I issued two administrative tickets, one for violation general Regulation #17 and the second for general Regulation #36. Please see photo of Drew and a video of intoxicated patron passed out. It should be noted that Andrew Palenza consented to provide me with a Alco that revealed he had a BAC of .211.

VIOLATION:

Respectfully Submitted by,

Ladd Wilbur

Investigator

VT. Dept. of Liquor Control



VERMONT DEPARTMENT OF LIQUOR CONTROL
Witness List CFS 12VL00010

License Number: 7696-004-1CAB-01

DBA: Snow Barn

OWNER: Mount Snow LTD.

ADDRESS: 294 Handle Rd., Dover, VT 05356

COUNTY: Windham

PHONE NUMBER: 802-464-4693

PERSON NOTIFIED: Jesse Morgan

DATE OF VIOLATION: January 8, 2012 at approximately 11:45 PM.

Snow Barn Manager: Jesse Morgan 802-464-4693 also 413-687-4068

Snow Barn 294 Handle Rd., Dover, VT 05356

Bar Patrons all patrons were from Connecticut.

Joseph Neri

Kathryn Raffensperger DOB

.9 cell phone 860-933-8685

Andrew Palenza DOB

VIOLATION:

Respectfully Submitted by,

Ladd Wilbur

Investigator

VT. Dept. of Liquor Control





Vermont Department of Liquor Control
Statement Form

CF51600010

Page 1 of 1

Time Commenced 12:41am

Time Ended 12:45AM

I Joseph F Neri (DOB) _____
at Snow Barn, Dover, VT

age 23 Who resides _____

Do hereby make the following sworn written statement to Investigator Ladd Wilbur of the Vermont Department of Liquor Control of my own free will without any threats or promises made to me. The following statement is true and accurate to the best of my Knowledge and belief.

We drove to Snow Barn and we all had a few drinks. We had a sober ride to the bar so nobody drove here intoxicated. Upon arriving to the bar Drew had a drink or two before they cut him off. Somehow he managed to get another beer and the bartender asked Drew to leave. I grabbed my coat and his and went out after him. He pushed some guy into my girlfriend and hit my friend Chris before I hit him because he was out of control. Things escalated and somehow folks got involved and split us up. We had some drinks before arriving and I am not sure how many Drew had but he was definitely drunk before arriving. Snow Barn handled the situation appropriately by asking him to leave. We do not wish to press any charges as this is something we would like to handle in-house.

Thank you,

Joseph F Neri

We arrived at about 9 or 9:30

And were asked to leave around 11:30pm.

The incident occurred ~~I arrived~~ right after leaving the Snow Barn in their parking lot.

Signed and sworn before me this 7th day of January, 2010 at 12:41am County of 2012 Windham
State Vermont.

Signature:

[Signature]

Notary Public

I went to the bar with Carlos Martens, Kathryn Raffensperger, Chris Venezia, and Drew Palenza.



Vermont Department of Liquor Control
Statement Form

CFS12VL 00010

Page 1 of 1

Time Commenced 12:05⁴

Time Ended 12:45^{Am}

I Kathryn Raffensperger, (DOB) _____
at _____

age 22 Who resides _____

Do hereby make the following sworn written statement to Investigator Ladd Wilbur of the Vermont Department of Liquor Control of my own free will without any threats or promises made to me. The following statement is true and accurate to the best of my Knowledge and belief.

Drew went to the Snowbarn on 1/6/2012
and was kicked out for bringing his own beer
into the bar. 1/7/12 Drew was again
intoxicated and kicked out. I fought
him fighting Chris and Joe in the
parking lot. I tried to pull them apart
when Drew accidentally hit me in the
face.

Signed and sworn before me this 1st day of January, 2010 at Windsorham County of
State Vermont.

Signature: Kathryn E. Raffensperger
_____, Notary Public



(860) 933-8685

211

10/23

**Vermont Department of Liquor Control
Statement Form**

Page of

Time Commenced

Time Ended

I Kathryn Ruffenberger (DOB) ge 22 Who resides
at 15 Benjamin Way S. Windsor CT 06074

Do hereby make the following sworn written statement to Investigator Ladd Wilbur of the Vermont Department of Liquor Control of my own free will without any threats or promises made to me. The following statement is true and accurate to the best of my Knowledge and belief.

Drew went to the snow Barn 1/6/2012
and was kicked out for bringing his own
beers into the bar. Tonight 1/7/12 up
he was intoxicated and again kicked
out. He then started a fight with Chris
Verneau Joe had defended him when
I saw the three of them fighting
in the parking lot I defended myself
by hitting Joe when Drew punched
me in the face then security
broke it.

Signed and sworn before me this day of , 2010 at County of
State Vermont.

Signature: Kathryn E. Ruffenberger

 Notary Public



Vermont Department of Liquor Control
Statement Form

CFS 12 V600010

Page 1 of 1

Time Commenced 1:30 AM

Time Ended 1:41 AM

I JESSE MORGAN (DOB) 11/18/82 age 29 Who resides
at PO BOX 2046 W. RIVER, VT 05756 1 802-464-4693 413-687-4068
Do hereby make the following sworn written statement to Investigator Ladd Wilbur of the Vermont Department
of Liquor Control of my own free will without any threats or promises made to me. The following statement is
true and accurate to the best of my Knowledge and belief.

OUR FIRST PRIORITY IS SAFETY. AFTER SEEING THE OPERATION
TODAY, I HAVE DECIDED TO ADD MORE FLOOR STAFF TO BETTER MANAGE
THE CROWD AND PARKING LOT. I WAS UNDERSTAPPED AND WILL FIX
IN THE FUTURE. ~~THE~~ THERE WAS AN INEBRIATED GENTLEMAN THAT
SHOULD HAVE BEEN REMOVED BUT WASNT. THERE WAS ALSO A FIGHT
THAT ENSUED WHICH COULD HAVE BEEN PREVENTED WITH ENOUGH PERSONNEL

BEARS CROSSING
POLAR BEARS. ART 7E

W. RIVER

Signed and sworn before me this 8th day of JAN, 2012 at WINDHAM County of
State Vermont.

Signature: [Signature] 1/7/2012
Notary Public



February 22, 2012

William J. Goggins, Director
Education, Licensing & Enforcement Division
State of Vermont
13 Green Mountain Dr.
Montpelier, VT 05602

Re: Mount Snow Ltd., d/b/a Snow Barn

Dear Director Goggins:

In accordance with our agreed upon settlement we are enclosing a check in the amount of \$1,200 in full monetary settlement of such violations. Further to the agreement, the license for the Snowbarn will be suspended for a period of two (2) days as detailed in your February 17 letter.

Thank you for your assistance in this matter.

Sincerely,

Thomas J. Montemagni
Corporate Attorney
Mount Snow Ltd.

20 Mount Snow Rd.

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

33327

MOUNT SNOW LTD.
12 MOUNT SNOW RD.
WEST DOVER, VT 05356

HUNTINGTON BANKS

033327

6-15/410

*ONE THOUSAND TWO HUNDRED AND XX / 100

PAY
TO THE
ORDER OF

DATE

AMOUNT

2/21/2012

*****1,200.00*

VT Dept of Liquor Control
13 Green Mtn Dr Drawer 20
Montpelier, VT 05620-4501

VOID AFTER 180 DAYS

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK. TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT.

⑈0033327⑈ ⑆041000153⑆ 01661931339⑈