

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE CENTER, BLDGS 68-69
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND 02920**

IN THE MATTER OF: :
 :
EDWARDS WINES, LLC : **DBR No.: 18-LIQ-016**
 :
RESPONDENT. :

CONSENT AGREEMENT

The Division of Commercial Licensing (“Division”) of the Rhode Island Department of Business Regulation (“Department”) enters into this Consent Agreement with Edwards Wines, LLC (“Respondent”) pursuant to its authority under R.I. Gen. Laws § 42-35-9(d) to resolve the above-captioned matter.

It is hereby agreed:

1. Respondent is listed on the Rhode Island Secretary of State’s Office as the following:
Edwards Wines, LLC, a revoked entity.
2. Respondent held a Rhode Island Wholesale Class A license, #WCA.0000029, which expired on 12/01/2013.
3. The Respondent continued to conduct activities requiring the License after the expiration date.
4. The Respondent represented that the failure to renew the License was an administrative oversight and that the Respondent remained compliant with all requirements of the License during the lapsed period.

5. This matter is governed by the relevant provisions of Title 3 of the General Laws (entitled "Liquor Control") and Part 1 of Chapter 230-30 of the Rhode Island Code of Regulations (entitled "Liquor Control Administration" and hereinafter referred to as "the Regulation").

6. R.I. Gen. Laws § 3-5-1 entitled "License required for manufacture, sale, or importation of beverages" provides:

No person shall at any time manufacture or sell or suffer to be manufactured or sold or keep or suffer to be kept on his or her premises or possession or under his or her charge for the purpose of sale within this state any beverage unless licensed to do so as provided in this title; and except as provided in this title no person shall import, or suffer to be imported beverages into this state.

7. The Department has the "right, power, and jurisdiction to issue manufacturer's and wholesaler's licenses" (§ 3-5-14.1) and to enforce the licensing requirements through "general supervision of the conduct of the business of manufacturing, importing, exporting, storing, transporting, keeping for sale, and selling beverages." (§ 3-2-2).

8. To effect a timely and amicable resolution of the issues set forth herein without an administrative hearing and the attendant time and costs, the Respondent agrees to and shall remit payment of all back license fees (\$2,000 a year for each year 2014-2019) and late charges (\$200 for each year 2014-2019) in the aggregate amount of \$13,200.00, payable in four (4) equal installments as follows: (a) \$3,300 shall be paid to the Department concurrently with execution of this Agreement but no later than February 15, 2019, (b) \$3,300 shall be paid to the Department on or before March 15, 2019, (c) \$3,300 shall be paid to the Department on or before April 15, 2019, and (d) \$3,300 shall be paid to the Department on or before May 15, 2019. In consideration thereof and of the representations made by the Respondent as stated herein, the Department will renew the License as a

conditional license, conditioned upon Respondent performing all obligations hereunder including making all payments by the dates set forth hereunder.

9. By signing this Consent Agreement, the Respondent acknowledges that it must maintain the License in good standing, including timely renewals, in order to perform any activity in Rhode Island that requires the License.

10. *Waiver of Hearing and Appeal.* By agreeing to resolve this matter through the execution of this Consent Order, Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to pursue an appeal to the Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*

11. *Enforcement.* If the Respondent fails to comply with any term or condition of this Consent Order within any applicable time period set forth herein, including failure to make one or more of the payments set forth in Section 8, the Respondent will be in violation hereunder and the Department may take immediate and/or heightened enforcement or other action in accordance with applicable law.

For the Division:

Pamela J. Toro Dated: 2/12/19

Pamela J. Toro, Associate Director

For the Respondent:

Jonathan Edwards Dated: 2/8/19

Jonathan Edwards, President