

- d. If the Authority sets forth additional conditions to the proposed stipulation and the licensee rejects the Authority's counter offer, then the preliminary hearing ends and the previously set show cause date will be retained and the parties shall appear on that date to present evidence regarding their particular issues surrounding the alleged violation upon which probable cause was found.
- e. The preliminary hearing is not designed to provide a forum for the taking of legal or factual evidence regarding any alleged violation(s).
- f. Any party may make a motion to continue the preliminary hearing and may be granted upon consent of the opposing party and a finding by the Authority that there is good cause to continue the hearing.
- g. In addition to the above proceedings, the parties at the preliminary hearing may make legal motions regarding any matters that would be heard at the show cause hearing. These motions will include, but are not limited to, the following: Motion to Continue the Show Cause date and Motion to Subpoena Witnesses.

Consideration of this matter by the Authority is appropriate at the preliminary hearing under Section III(C)(2) (g) of the Licensing Authority Guidelines.

SUGGESTED MOTION:

I move to approve the Stipulation, Agreement and Order between the city prosecutor and the licensee. In Section 5(c) of the stipulation, the period of proposed suspension for purposes of calculating the fine in lieu of suspension shall be November 3, 2018 to November 5, 2018. The show cause hearing date, originally scheduled for January 9, 2019, is hereby vacated.

OR

I move to deny the Stipulation, Agreement and Order between the city prosecutor and the licensee. The licensee shall appear before the Licensing Authority on January 9, 2019, for its scheduled show cause hearing.