



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

Civil Division
400 City Hall
15 West Kellogg Blvd.
Saint Paul, Minnesota 55102

Telephone: 651 266-8710
Facsimile: 651 298-5619

February 26, 2013

NOTICE OF INTENT TO SUSPEND LICENSES

Barun Bajracharya and Ujjwal Adhikari
Cat Man Do
1659 Grand Avenue
Saint Paul, MN 55105

RE: All licenses held by The Cat Man Do, LLC d/b/a Cat Man Do for the premises located at 1659 Grand Avenue in Saint Paul
License ID #20070005009

Dear Barun Bajracharya and Ujjwal Adhikari:

The Department of Safety and Inspections (DSI) has recommended suspension all licenses held by The Cat Man Do, LLC d/b/a Cat Man Do for the premises located at 1659 Grand Avenue in Saint Paul. The basis for the recommendation is as follows:

On January 23, 2013, a letter was hand-delivered to you from the Department of Safety and Inspections (DSI) stating your liquor liability insurance expired as of December 18, 2012. This insurance is required while holding an On Sale Wine and On Sale Malt (Strong) license in the City of Saint Paul. You were informed at that time no alcohol is to be served in the licensed establishment until DSI receives a current liquor liability insurance certificate effective December 18, 2012 and expiring December 18, 2013.

Also, according to DSI records, you have not paid the license fees for your Restaurant (3) 13-50 Seats, Malt On Sale (Strong) and Wine On Sale licenses which all expired on December 18, 2012. You currently owe \$2,760.50 in delinquent license and late fees.

In addition, you have not submitted the following information: 1) a copy of your state sales and use tax statements for the previous twelve (12) months from the Minnesota Department of Revenue for verification of gross food and beverage sales; 2) State Wine renewal certificate and 3) a completed Certificate of Compliance Minnesota Workers' Compensation Law form.

As of today's date, DSI has not received payment for delinquent license and late fees or any of the information required to maintain the license.

In addition to the suspension of your licenses, per Saint Paul Legislative Code §310.05 (m) (2), the licensing office will also recommend a \$500.00 matrix penalty for failure to submit required information in order to maintain your licenses.

At this time, you have four (4) options on how to proceed:

1. You can submit payment of the delinquent license and late fees and the required information. If this is your choice you should send the payment and information directly to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, March 8, 2013**. A self-addressed envelope is enclosed for your convenience. Payment of the delinquent license and late fees and submission of the required information will be considered to be a waiver of the hearing to which you are entitled.
2. If you wish to admit the facts but contest the penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting the facts and requesting a public hearing no later than **Friday, March 8, 2013**. The matter will then be scheduled before the City Council for a public hearing to determine whether to suspend your licenses and impose the \$500.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter no later than **Friday, March 8, 2013**, disputing the facts and requesting an administrative hearing. At that hearing both you and the City will appear and present witnesses, evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a public hearing will need to be scheduled. At that time, the City Council will decide whether to adopt, modify or reject the ALJ's report and recommendation.

Please note: If you choose an administrative hearing, the Department of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing per Saint Paul Legislative Code § 310.05 (k).

4. If you no longer wish to do business in the City of Saint Paul, you will need to send a written statement to that effect to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, March 8, 2013**. A self-addressed envelope is enclosed for your convenience.

If you have not contacted me by Friday, March 8, 2013, I will assume that you do not contest the suspension of your licenses and imposition of the \$500.00 matrix penalty. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please feel free to contact me at 266-8710.

Sincerely,



Daphne Lundstrom
Assistant City Attorney

cc: Christine Rozek, Deputy Director of DSI
Ujjwal Adhikari, 128 Jessamine Avenue East, Saint Paul, MN 55117
Afton Martens, Executive Director, Macalester Groveland Community Council
320 South Griggs Street, Saint Paul, MN 55105-2800

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Julie Kraus, being first duly sworn, deposes and says that on the 26th day of February she served the attached **NOTICE OF INTENT TO SUSPEND LICENSES** and correct copy thereof in an envelope addressed as follows:

Barun Bajracharya and Ujjwal Adhikari
Cat Man Do
1659 Grand Avenue
Saint Paul, MN 55105


Ujjwal Adhikari
128 Jessamine Avenue East
Saint Paul, MN 55117

Afton Martens, Executive Director
Macalester Groveland Community Council
320 South Griggs Street
Saint Paul, MN 55105-2800

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Julie Kraus

Subscribed and sworn to before me
this 26th day of February, 2013


Notary Public

