

**STATE OF ILLINOIS
ILLINOIS GAMING BOARD**

IN RE THE DISCIPLINARY ACTION OF:

**JD's Firewater Incorporated d/b/a
Dive Bar
Licensed Establishment**

DC-V-21-35

COMPLAINT FOR PROPOSED DISCIPLINARY ACTION

The Illinois Gaming Board, for its Complaint against JD's Firewater Incorporated d/b/a Dive Bar, states as follows:

NATURE OF ACTION

1. The Illinois Gaming Board (the "Board" or "IGB") brings this action against licensed video gaming establishment JD's Firewater Incorporated d/b/a ("JD's") for failing to maintain the statutory minimum criteria required for holding an Illinois video gaming establishment license.
2. JD's conduct violates provisions of the Video Gaming Act (the "VGA") and the Board's Adopted Rules for Video Gaming (the "Rules") prohibiting Board licensees from engaging in any conduct that would discredit, or tend to discredit, or reflect adversely on the integrity of the Illinois gaming industry, including but not limited to engaging in conduct that results in suspension or revocation of any liquor license.
3. The Board brings this action pursuant to Sections 55, 78(a)(2), 78(a)(3) and 80 of the VGA; Section 17 of the Illinois Gambling Act; and Sections 5(b)(2), and 5(c)(5) of the IGA; and Sections 1800.270 and 1800.310 of the Rules.

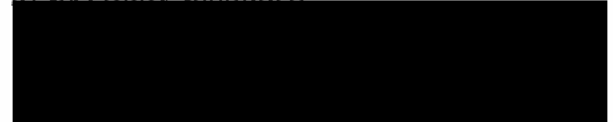
FACTS

4. The Board is the Illinois regulatory agency charged with the responsibility of administering, regulating and enforcing the system of gambling in Illinois, including all video gaming. The Board's jurisdiction extends to every person, association, corporation, partnership, and trust involved in Illinois video gaming operations.
5. JD's holds licensed establishment number 120708468. As a licensee, JD's, its employees, and its agents are required to comply with the VGA and the Rules at all times.
6. As a precondition for licensure, all licensed establishments must have a valid liquor license at the time of application and at all times thereafter.

7. Licensed establishments have an ongoing obligation to abide by all laws concerning the sale, dispensing or consumption on premises of alcoholic beverages, including the duty to avoid any conduct that results in suspension or revocation of any liquor license.
8. On or around July 20, 2021, the City of Fairview Heights, Illinois suspended the liquor license issued to JD's.

WHEREFORE, based on the foregoing, JD's Illinois video gaming establishment license should be REVOKED. Per Section 17 of the Illinois Gambling Act, JD's video gaming establishment license is summarily suspended pending the outcome of this Complaint.

Respectfully submitted,



Marcus D. Fruchter
Administrator

Dated: July 21, 2021

NOTIFICATION OF PROPOSED DISCIPLINARY ACTION

Pursuant to Rule 715 [11 Ill. Adm. Code 1800.715] the Administrator finds facts sufficient to authorize the issuance of a Disciplinary Complaint against JD's Firewater Incorporated d/b/a Dive Bar ("JD's") and to propose its license be REVOKED. JD's license is SUMMARILY SUSPENDED until there is a final order addressing this discipline.

If you choose to file an Answer, it will not be accepted unless it complies with every requirement listed in Section 720 of the Rules [11 Ill. Adm. Code 1800.720]. If you file an Answer that complies with all requirements under Rule 720, a hearing officer will be appointed to conduct a hearing. Failure to file an Answer within 21 days of receiving this Complaint will result in the proposed disciplinary action becoming effective and final. The Answer shall be mailed to:

Illinois Gaming Board
Attn: Legal Department
160 N. LaSalle St., Suite 300
Chicago, IL 60601

OR IGB.Legal@IGB.Illinois.Gov

Dated: 7/21/2021



Mareus D. Fuchter
Administrator

**STATE OF ILLINOIS
ILLINOIS GAMING BOARD**

IN RE THE DISCIPLINARY ACTION OF:

**JD's Firewater Incorporated d/b/a
Dive Bar
Licensed Establishment**

DC-V-21-35

AMENDED COMPLAINT FOR PROPOSED DISCIPLINARY ACTION

The Illinois Gaming Board, for its Complaint against JD's Firewater Incorporated d/b/a Dive Bar, states as follows:

NATURE OF ACTION

1. The Illinois Gaming Board (the "Board" or "IGB") brings this action against licensed video gaming establishment JD's Firewater Incorporated d/b/a ("JD's") for failing to maintain the statutory minimum criteria required for holding an Illinois video gaming establishment license.
2. JD's conduct violates provisions of the Video Gaming Act (the "VGA") and the Board's Adopted Rules for Video Gaming (the "Rules") prohibiting Board licensees from engaging in any conduct that would discredit, or tend to discredit, or reflect adversely on the integrity of the Illinois gaming industry, including but not limited to engaging in conduct that results in suspension or revocation of any liquor license.
3. The Board brings this action pursuant to Sections 55, 78(a)(2), 78(a)(3) and 80 of the VGA; Sections 5(b)(2), and 5(c)(5) of the IGA; and Sections 1800.210, 1800.270 and 1800.310 of the Rules.

FACTS

4. The Board is the Illinois regulatory agency charged with the responsibility of administering, regulating and enforcing the system of gambling in Illinois, including all video gaming. The Board's jurisdiction extends to every person, association, corporation, partnership, and trust involved in Illinois video gaming operations.
5. JD's holds licensed establishment number 120708468. As a licensee, JD's, its employees, and its agents are required to comply with the VGA and the Rules at all times.
6. As a precondition for licensure, all licensed establishments must have a valid liquor license at the time of application and at all times thereafter.

7. Licensed establishments have an ongoing obligation to abide by all laws concerning the sale, dispensing or consumption on premises of alcoholic beverages, including the duty to avoid any conduct that results in suspension or revocation of any liquor license.
8. Licensees also have an ongoing obligation to refrain from behavior that violates any statute, rule, or local ordinance.
9. On or around July 18, 2021, local officials cited JD's for having patrons in its establishment after the time permitted by local ordinance.
10. Relying on the July 18, 2021 violation, the City of Fairview Heights, Illinois ("City") suspended JD's local liquor license on July 20, 2021 pending a hearing.
11. On July 21, 2021, the IGB summarily suspended JD's license and issued a Disciplinary Complaint seeking to revoke JD's license relying on the City's actions and JD's underlying violation.
12. On July 26, 2021, JD's and the City stipulated to suspending JD's local liquor license until July 27, 2021 at 3:00 p.m. as discipline for the July 18, 2021 violation.

WHEREFORE, based on the foregoing, JD's should be FINED \$1,500. The summary suspension levied in the Board's July 21, 2021 Disciplinary Complaint is HEREBY RESCINDED.

Respectfully submitted,



Dated: July 27, 2021

Daniel Gerber
Deputy General Counsel

***ISSUED UNDER THE AUTHORITY OF THE ADMINISTRATOR OF
THE ILLINOIS GAMING BOARD***

NOTIFICATION OF PROPOSED DISCIPLINARY ACTION

Pursuant to Rule 715 [11 Ill. Adm. Code 1800.715] the Administrator finds facts sufficient to authorize the issuance of a Disciplinary Complaint against JD's Firewater Incorporated d/b/a Dive Bar ("JD's") and to propose a \$1,500 FINE.

JD's shall be FINED \$1,500 for violations of the Video Gaming Act and the Adopted Rules, as set forth in Disciplinary Complaint No. DC-V-21-35 unless it files an answer to the Disciplinary Complaint within 21 days from the date of service of the complaint.

Payments should be sent to:

Illinois Gaming Board
Revenue Accounting Unit
801 South Seventh Street, Suite 400 - South
Springfield, Illinois 62703

OR Made Electronically By [Clicking Here](#)

If JD's chooses to file an Answer, it will not be accepted unless it complies with every requirement listed in Section 720 of the Rules [11 Ill. Adm. Code 1800.720]. If you file an Answer that complies with all requirements under Rule 720, a hearing officer will be appointed to conduct a hearing. Failure to file an Answer within 21 days of receiving this Complaint will result in the proposed disciplinary action becoming effective and final. The Answer should be mailed to:

Illinois Gaming Board
Attn: Legal Department
160 N. LaSalle St., Suite 300
Chicago, Illinois 60601

OR

IGB.LEGAL@igb.illinois.gov

Dated: July 27, 2021



Daniel Gerber
Deputy General Counsel