



MEMORANDUM

TO: Robert Klein, Chair and
Members of the Board
FROM: Cynthia Franklin
Director, ABC Board

DATE: January 31, 2016

RE: Fantasies on 5th # 1078

This is an application for renewal to which we have received four objections and a protest by the MOA. The basis of the municipal protest is the Department of Labor's Objection filed based on questions regarding the ownership of the license.

Date objections received: 1) January 12, 2016
2) January 12, 2016
3) January 19, 2016
4) January 19, 2016

Date of Protest: January 27, 2016

Notice given for hearing? Yes, 20 days notice in public notice for meeting

Statutes/Regulations Applicable AS 04.11.470; AS 04.11.510(b)(2); AS 04.11.320(a)(1)

Question before the board 1) The board should consider, after a review of all relevant information, whether the issuance of the license would be in the best interest of the public pursuant to AS 04.11.320(a)(1)

2) The board may use any objection and the reaction of the public and local governing body to the license, as ascertained after holding the hearing under AS 04.11.510(b)(2) to assist in its determination of the answer to question number 1 above.

Board Action Options:

1) Issue license
2) Deny; issue written findings of fact in support of decision per AS 44.62

From: [Honest, Miranda L.](#)
To: [Sawyer, Jane Preston \(CED\)](#)
Subject: RE: 1078 Fantasies on 5th
Date: Thursday, April 07, 2016 1:12:21 PM
Attachments: [AR 2016-90 1 Fantasies on 5th LL#1078.pdf](#)

Hi Jane,

The Assembly protest of Fantasies on 5th's renewal is still in effect. I have attached an Assembly Resolution that will be on the agenda for the 4/12/16 Assembly Meeting regarding a 21-day notice of public hearing for this protest.

Please let me know if you need anything else.

Regards,
Mandy Honest
Business License Official

Municipal Clerk's Office
632 W. 6th Avenue, Suite 250
Anchorage, AK 99501
Phone: (907) 343-4316
MuniFax: (907) 249-7591
Email: HonestML@muni.org
www.muni.org

From: Sawyer, Jane Preston (CED) [mailto:jane.sawyer@alaska.gov]
Sent: Thursday, April 07, 2016 10:21 AM
To: Honest, Miranda L.
Subject: 1078 Fantasies on 5th

Mandy,

We are preparing for our board meeting on 4/26/16. Fantasies on 5th is going on the agenda, is the protest from the muni still stand or are there any amendment(s) to it.

Thank you

Jane Sawyer
Business Registration Examiner
DCCED-Alcohol & Marijuana Control Office
550 W 7th Avenue Suite 1600, Anchorage, AK 99501
907-269-0350



Municipality of Anchorage

COPY

P.O. Box 190650 • Anchorage, Alaska 99519-0650 • Telephone: (907) 343-4316 • Fax: (907) 249-7533 <http://www.muni.org/assembly/license>

Office of the Municipal Clerk Licensing

January 27, 2016

Ms. Sarah Oates
Alcoholic Beverage Control Board
550 W 7th Ave. Ste. 1600
Anchorage, Alaska 99501

RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Oates:

The Anchorage Municipal Assembly at its regular meeting on **January 26, 2016** took the following final action:

PROTEST

Renewal Liquor License

- **Beverage Dispensary**
 - Fantasies on 5th LL#1078
 - **Please see attached letter.**

APPROVAL/NON -OBJECTION

New Liquor License

- **Restaurant/Eating Place**
 - Turkish Delight LL#5437
 - Won Jo Tofu House LL#5438
- **Wholesale Malt Beverage & Wine**
 - Open Wine Distributors LL#5410

Any prior conditions placed on any license are to continue until specifically removed or amended. If you require additional information or if I can be of any assistance please call me.

Cordially,

Mandy Honest
Business License Official

Concur,

Amanda K. Moser
Deputy Municipal Clerk

CC: Turkish Delight
Won Jo Tofu House
Fantasies on 5th



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Labor and
Workforce Development**

LABOR STANDARDS AND SAFETY DIVISION

Wage and Hour Administration

1251 Muldoon Road, Suite 113

Anchorage, Alaska 99504

Phone: (907) 269-4909

Fax: (907) 269-4915

<http://www.labor.alaska.gov/LSS>



January 19, 2016

HAND DELIVERED

State of Alaska
Alcoholic Beverage Control Board
550 West 7th Ave, Suite 1600
Anchorage, AK 99501

RE: OBJECTION TO THE RENEWAL OF A LICENSE

Dear Ladies and Gentlemen,

The Department of Labor, Wage and Hour Administration, is objecting under AS 04.11.370(1)(2) and 04.11.450 to the renewal of the alcohol license, 1078 (2014/2015) for Fantasies on 5th LLC.

The Department is conducting a wage compliance investigation into unpaid wages of workers and has ascertained credible information that:

1. There has been a misrepresentation of material fact on the application;
2. renewal of the license is contrary to the best interest of the public; and
3. a person(s) other than the licensee has direct and indirect financial interest in the business.

Sincerely,

Donna Nass
Wage and Hour Investigator
Wage and Hour Administration
Anchorage Regional Office

cc: Fantasies on 5th, LLC, 1911 E. 5th Ave., Anchorage, AK 99501
Mandy Honest, Business License Official, Municipal Clerk's Office, 632 W. 6th Avenue, Suite 250, Anchorage, AK 99501
Francis McLaughlin, Current Planning Section, 4700 Elmore Road, Anchorage, AK 99507

DN/hl

FantasiesABCObjection

Submitted by: ASSEMBLY CHAIR TRAINI, ASSEMBLY
MEMBER FLYNN AND ASSEMBLY PUBLIC
SAFETY COMMITTEE CHAIR HONEMAN

Prepared by: Municipal Clerk
For reading: January 26, 2016

CLERK'S OFFICE

APPROVED

Date: 1-26-2016

**ANCHORAGE, ALASKA
AR NO. 2016-35**

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY STATING ITS
PROTEST REGARDING THE RENEWAL OF LIQUOR LICENSE #1078 FOR FANTASIES
ON 5TH AVENUE, LLC dba FANTASIES ON 5TH, LOCATED AT 1911 E 5TH AVENUE,
ANCHORAGE, AK 99501 AND AUTHORIZING THE MUNICIPAL CLERK TO TAKE
CERTAIN ACTION.**

WHEREAS, Fantasies On 5th Avenue, LLC has made an application with the Alcoholic Beverage Control (ABC) Board and has paid the required fee for the renewal of a Beverage Dispensary Liquor License #1078, to be used for Fantasies on 5th located at 1911 E 5th Avenue, Anchorage, Alaska 99501; and

WHEREAS, the Assembly must enter any protest to the ABC Board within 60 days following receipt of the application; and

WHEREAS, the Anchorage Municipal Clerk received a copy of this application on December 4, 2015 and has determined that the last day for the Assembly to file a protest is February 5, 2016; and

WHEREAS, the Assembly Meeting on January 26, 2016 is the last scheduled regular meeting of the Anchorage Assembly prior to the expiration of the protest period; and

WHEREAS, the Municipal Clerk reports the following status concerning this location:

1. The State of Alaska Department of Labor and Workforce Development, Wage and Hour Administration, objects to the renewal under AS 04.11.370(1)(2) and 04.11.450; and
2. Any ABC Board violations and/or incidents are on file that would lead to an ABC Board violation are attached; and
3. There are no taxes owing to the Municipality of Anchorage.

WHEREAS, protest by the Assembly is in order pending Municipal Clerk confirmation that outstanding items required for this location have been completed.

NOW, THEREFORE, THE ANCHORAGE ASSEMBLY RESOLVES:

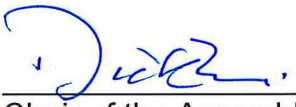
Section 1. The Anchorage Assembly hereby enters its **PROTEST** for the renewal of Beverage Dispensary Liquor License #1078 until these conditions are met:

- The State of Alaska Department of Labor and Workforce Development, Wage and Hour Administration, has been satisfied.

Section 2. A copy of this Assembly Resolution may be presented to the Alcoholic Beverage Control Board as proof that the Anchorage Assembly, as the local governing body, has stated its protest in order to allow the Director of the Alcoholic Beverage Control Board to hold processing of the renewal of Beverage Dispensary Liquor License #1078 under local protest, until receipt by the Director of confirmation from the Municipal Clerk that the conditions in Section 1 have been met, and this protest is lifted as authorized by this Assembly Resolution.


Section 3. The Anchorage Assembly hereby authorizes the Municipal Clerk, upon Municipal Clerk confirmation that all conditions in Section 1 have been met, to provide written notification to the Alcoholic Beverage Control Board that this protest by the Anchorage Assembly is lifted, without further action by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 26th day of January, 2016.



Chair of the Assembly

ATTEST:



Municipal Clerk

January 5, 2016

To: State of Alaska
Alcoholic Beverage Control Board

This is to notify you of my objection to the renewal of Fantasies on Fifth, LLC liquor license as provided for under Sec 04.11.470 for the following three (3) reasons:

Sec. 04.11.470. Objection

A person may object to an application for issuance, renewal, transfer of location, or transfer to another person of a license, or for issuance of a permit, by serving upon the applicant and the board the reasons for the objection. The board shall consider the objections and testimony received at a hearing conducted under AS 04.11.510(b)(2) when it considers the application. An objection and the record of a hearing conducted under AS 04.11.510(b)(2) shall be retained as part of the board's permanent record of its review of the application. (2 ch 131 SLA 1980)
3AAC 304.105. Application Generally.

(b) An application for a new license or for the renewal, relocation, or transfer, of an existing license, must contain the information required by AS .4.11260-04.11.290. In addition as appropriate, the application must contain the following:

(3) a statement that no one other than the applicant has a financial interest in the business to be licensed.

1) I contend that not only was this section of the application falsely filled out regarding financial interest. But the current Licensee was forbidden to drink on the property because of his alcohol related issues. Employees were threatened to be terminated if he was allowed to drink at the bar. When he was allowed to drink on the premises prior to his banishment, it resulted in very awkward situations for both employees and patrons.

Sec.4.21.030 Responsibility of the licensee's agents and employees.

2) I contend both sections (1)(2) are being violated for the simple fact that the licensee is only a figurehead or nominal owner. That financial and management is directly and indirectly controlled by Kathy Hartman and her boyfriend, Eugene Greaves.

Sec. 04.11.330 Denial of license or permit renewal (a) An application requesting renewal of a license shall be denied if

(1) the board finds, after review of all relevant information, that renewal of the license would not be in the best interest of the public;

3) Federal and state Wage and hour laws continue to be broken even after an Alaska District Court judgment was rendered against this establishment and their wage practices. Additionally, current state Wage and Hour investigation is underway. It is unconscionably that this establishment continues to reap the financial benefits of the liquor license while violating employee rights, theft of worker's wages, in blatant disregard of a district court's judgment, and in direct violation of Alaska's Alcoholic Beverage Control laws.

Elizabeth Alta Wilson



13101 Brandon #3
Anchorage AK 99502

907 8308113

JAN 12 '16 11:14

January 5, 2016

To: State of Alaska
Alcoholic Beverage Control Board

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CHRISTY KIMURA Christy Kimura
3902 Iawa Drive 99517
Anchorage AK 99517 (907) 787-9847

JAN 12 '16 4:11:14

January 5, 2016

To: State of Alaska
Alcoholic Beverage Control Board

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Yana Tatarinova
1620 Eastridge dr # 303, Anchorage (907) 903-9407

JAN 12 '16 4:11:13

January 5, 2016

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Alcoholic Beverage Control Board

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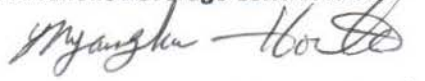
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Myounghee Harter 
5422 Lancelot Cir Anchorage, AK 99508
402-637-2520

JAN 15 '16 PM 12:54

From: [Honest, Miranda L.](#)
To: [Franklin, Cynthia A \(CED\)](#); [Oates, Sarah D \(CED\)](#)
Cc: [Jones, Barbara A.](#); [Moser, Amanda K.](#)
Subject: RE: Protest- Fantasies on 5th
Date: Thursday, February 04, 2016 4:06:57 PM

Hi Cindy,

Please see answers to questions in red below.

Could you please verify the time of the meeting on the 10th? I'd like to confirm that I'm going to be listening in and Muni Legal will as well?

Regards,
Mandy Honest
Business License Official

Municipal Clerk's Office
632 W. 6th Avenue, Suite 250
Anchorage, AK 99501
Phone: (907) 343-4316
MuniFax: (907) 249-7591
Email: HonestML@muni.org
www.muni.org

From: Franklin, Cynthia A (CED) [mailto:cynthia.franklin@alaska.gov]
Sent: Wednesday, February 03, 2016 5:39 PM
To: Moser, Amanda K.; Honest, Miranda L.
Cc: Oates, Sarah D (CED)
Subject: Protest- Fantasies on 5th

Hi Amanda and Mandy,

I have a couple of questions about the MOA Protest to Fantasies on 5th renewal application.

Was there an Assembly meeting or resolution relating to the protest? If not, why is it different than your usual protests?

Yes, it appeared before the Assembly on January, 26, 2016.

Was the applicant given "a reasonable opportunity to defend its application before a meeting of the local governing body"? Usually when you have had an Assembly meeting we know they had that. This is a requirement of 3 AAC 304.145(d). It does not have to be an assembly meeting, it could be a planning meeting or even just a meeting with an MOA official.

No.

If there was no assembly meeting or no other opportunity for Fantasies to be heard before the protest, we will ask the board to table until the April meeting so that the MOA can correct it. We did that last year with a couple of other LGB's that protested renewals without realizing they had not

met the 304.145(d) notice requirement. We just need to know the situation here.

The Clerk's Office agrees to your proposal to ask the board to table the protest until the April meeting so the MOA can address 3 AAC 304.145(d).

Sarah and I will be working on this some more tomorrow morning if you would rather call us. We will be in my office at my direct line below.

Cynthia Franklin, Director
Alcoholic Beverage & Marijuana Control Boards
907-269-0351



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Labor and
Workforce Development**

LABOR STANDARDS AND SAFETY DIVISION

Wage and Hour Administration

1251 Muldoon Road, Suite 113

Anchorage, Alaska 99504

Phone: (907) 269-4909

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January 19, 2016

HAND DELIVERED

State of Alaska
Alcoholic Beverage Control Board
550 West 7th Ave, Suite 1600
Anchorage, AK 99501

RE: OBJECTION TO THE RENEWAL OF A LICENSE

Dear Ladies and Gentlemen,

The Department of Labor, Wage and Hour Administration, is objecting under AS 04.11.370(1)(2) and 04.11.450 to the renewal of the alcohol license, 1078 (2014/2015) for Fantasies on 5th LLC.

The Department is conducting a wage compliance investigation into unpaid wages of workers and has ascertained credible information that:

1. There has been a misrepresentation of material fact on the application;
2. renewal of the license is contrary to the best interest of the public; and
3. a person(s) other than the licensee has direct and indirect financial interest in the business.

Sincerely,

A handwritten signature in black ink that reads "Donna Nass".

Donna Nass
Wage and Hour Investigator
Wage and Hour Administration
Anchorage Regional Office

cc: Fantasies on 5th, LLC, 1911 E. 5th Ave., Anchorage, AK 99501
Mandy Honest, Business License Official, Municipal Clerk's Office, 632 W. 6th Avenue, Suite 250, Anchorage, AK 99501
Francis McLaughlin, Current Planning Section, 4700 Elmore Road, Anchorage, AK 99507

DN/hl

FantasiesABCObjection

**BEFORE THE STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD**

**RE: OBJECTION TO THE RENEWAL OF THE ALCOHOL LICENSE, 1078
(2014/2015) FOR FANTASIES OF 5TH, LLC**

AFFIDAVIT OF DONNA NASS

Donna Nass, having been first duly sworn upon oath, depose and state as follows:

1. I am an investigator for the Department of Labor and Workforce Development, Wage and Hour Administration ("Department") assigned to conduct a wage compliance audit for FANTASIES ON 5TH, LLC ("Fantasies").
2. Department investigators provide sole enforcement of Alaska's statutes and regulations dealing with the payment of wages to workers (wage claims, minimum wage and overtime). The agency acts on behalf of workers to collect unpaid or underpaid monies from employers through a variety of administrative, quasi-judicial and judicial procedures with regard to the payment of wages to workers.
3. On November 5, 2015, the Department mailed a letter to Fantasies notifying them of the Department's intent to conduct a wage audit for the time period of December 2013 through November 2015. The letter scheduled an opening conference for November 23, 2015 and listed documents and information to be submitted to the Department prior to the initial conference. (See Attachment A).
4. On or about November 20, 2015, Eugene Greaves, Fantasies' General Manager, telephoned me requesting to reschedule the opening conference date. During the course of this conversation Mr. Greaves made the following statements:
 - There was no point in Travis Gravelle (owner on record) attending the opening conference because Travis does not know anything about the business.
 - That Travis has "no lick of business sense" so he (Eugene Greaves) manages the club as a favor for Kathleen (Kathleen Hartman, mother of Travis Gravelle and former owner of record). Further stating that he (Greaves) has a manager/dancer handing everything and he (Greaves) comes in from California on occasion to check on things.

- That Kathleen was trying to sell the business because they (Hartman and Greaves) were “getting too old for this [...]” I clarified his answer by asking if he meant the building or the business. Mr. Greaves responded, both.
5. I directly asked Mr. Greaves who owned Fantasies, Kathleen Hartman or Travis Gravel? He responded, “Travis, but he is a nominal owner only.”
6. On November 30, 2016, the initial conference was held at Fantasies place of business. Investigator Charlotte Hughes attended with me. Travis Gravelle, Eugene Greave, and Natasha Gill attended for Fantasies. During the initial conference, Travis Gravelle could not answer any questions about the business including how taxes were filed. I specifically asked Mr. Gravelle if Fantasies filed its taxes separately as a corporation or if he (Gravelle) filed Fantasies taxes as part of his personal tax return. Mr. Gravelle said “I have no idea.” My mom (Kathleen Hartman) takes care of my taxes. I asked Travis if he signed his own taxes and he replied that his mom had power of attorney to handle his taxes.
7. After the initial conference, I asked for a tour of the business. As we were touring the first floor bar and dance area, Travis stated, that he (Travis) had not been in the club for more than a year.
8. On January 15, 2016, the Department subpoenaed from Alaska USA Federal Credit Union, Fantasies’ checking/merchant account information. Specifically, account application documents and signing authority documents. (See Attachment B).
9. Travis Gravelle is not listed on the checking/merchant account and therefore has no access to business funds. Persons having access are Kathleen Hartman as President, Eugene Greaves as Vice President, and Lawrence Trotter, an attorney. (See Attachment C.)
10. There is a 1987 Alaska Supreme Court decision and a 2012 Alaska District Court case that recognize dancers as employees entitled to minimum wage under the FLSA and the AWWHA Kathleen Hartman was specifically named as a defendant in the 2012 case. Ms. Hartman had to pay back wages to one of the plaintiffs.

11. On December 1, 2015, Fantasies asserted through a letter from Mr. Greaves, that dancers are not employees but tenants that lease space. The Department does not find this defense persuasive and holds the position that Fantasies dancers are employees. (Attachment D).

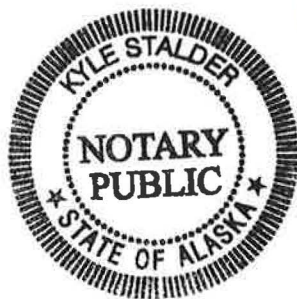
12. The Department's investigation is ongoing. We are still interviewing past and present workers and still identifying and collecting information. Based on information received thus far, we believe Kathleen Hartman and Eugene Greaves to have sole control of Fantasies' finances and business operations and that from the period of December 2013 through November 2015, thirty or more workers did not receive minimum wage, or any wage, to which they were entitled under AS 23.10.065 (AWHA).

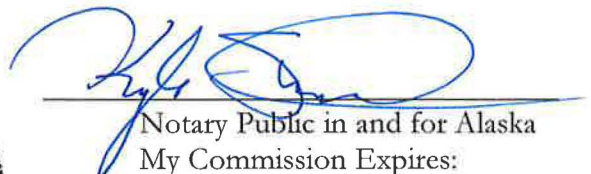
FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this ^{day} of February 8, 2016 in Anchorage, Alaska.


Donna Nass

SUBSCRIBED AND SWORN TO before me this day of February 8, 2016.




Notary Public in and for Alaska
My Commission Expires:
with office.



THE STATE
of ALASKA
GOVERNOR BILL WALKER

Department of Labor and
Workforce Development
LABOR STANDARDS AND SAFETY DIVISION

Wage and Hour Administration

1251 Muldoon Road, Suite 113
Anchorage, Alaska 99504
Phone: (907) 269-4909
Fax: (907) 269-4915
<http://www.labor.alaska.gov/LSS>

November 5, 2015

Travis Gravelle dba/Fantasies on 5th Avenue, LLC
c/o Eugene Greaves, Registered Agent
1911 E. 5th Avenue
Anchorage, AK 99501

Dear Mr. Gravelle,

The Department of Labor and Workforce Development, Wage and Hour Office is responsible for the administration and enforcement of a number of laws dealing with the payment of wages to workers such as Alaska's minimum wage and overtime laws. The agency acts on behalf of workers to collect unpaid or underpaid wages. The agency also oversees the enforcement of child labor laws to ensure that minor workers are not exploited or placed in hazardous working conditions.

While there are several exceptions to Alaska's minimum wage and overtime laws under AS 23.10.055, most private sector employees are subject to minimum wage and overtime requirements. Alaska's overtime law, AS 23.10.060, requires an employer to pay one and one-half times the regular rate when an employee works more than eight hours in a day and for hours worked by an employee over forty straight-time hours in a week. Minimum wage in Alaska is currently \$8.75 per hour and applies to all hours worked in a pay period regardless of how the employee is paid: whether by time, piece, commission, or otherwise. Tips do not count towards the minimum wage under Alaska law (see AS 23.10.065(a)).

This letter is to inform you that our office intends to conduct an investigation to determine compliance with one or more of the requirements outlined above. An opening conference has been scheduled for your firm on Monday, November 23, 2015 at 9:00 am to discuss the process and begin the investigation. It is requested that you and a representative of the firm, familiar with the firm's pay policies and practices, be available for the opening conference with me at your establishment.

ACTION NEEDED

In order to conduct the investigation with as little disruption to your business operations as possible, please have available for inspection all documents providing the following information for the last two years, ending with your last month's completed payroll. Additionally, in preparation for our compliance conference, please submit the below requested information and records to our office no later than Thursday, November 19, 2015. If you own more than one branch or do business at more than one location in Alaska, submit the information and records listed below for all locations.

1. Federal tax identification number(s).
2. Legal name of the firm(s) and how long the firm(s) has been in business.
3. If the business is a corporation, list the names of all corporate officers. If the business is an LLC, list the names of all members and provide a copy of your Operating Agreement.
4. Provide the starting date of firm's current fiscal year.
5. Identify the accounting and payroll software used.

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Travis Gravelle dba/Fantasies on 5th Avenue, LLC
c/o Eugene Greaves, Registered Agent
November 5, 2015
Page 2

6. Provide a list of all minors under age 18 employed by your firm during the last 24 months, dates of birth, dates of hire, and dates of termination.
7. List all labor employed by your firm during the last 24 months, the names, addresses, telephone numbers, dates of hire, dates of termination, their job titles and their wage rates. Labor is defined as all individuals regardless of whether they are current or former workers, employed on a part-time, full-time, or volunteer basis, whether temporary or permanent, under contract, or employed as independent contractors. If employed under contract or employed as an independent contractor, provide a copy of the current employment contract and any 1099's issued for the most recent tax year.
8. Provide a copy of your payroll records, including but not limited to schedules, time cards, sign in sheets, etc., covering the most recent 30 day period.
9. Provide a copy of time and earnings records for all labor covering the following time periods:
 - 2013: December 15-21 and December 29-January 4, 2014.
 - 2014: February 2-8, March 23-29, April 20-26, May 4-10, July 20-26, August 3-9, August 31-September 6, and November 1-11.
 - 2015: February 8-14, March 8-14, April 19-April 25, April 26-May 2, July 19-25, August 30-September 6, and October 4-10.
10. Provide a copy of all employee handbooks issued from 2013-2015 and position descriptions for all workers.

Be advised that the last 24 months needs to be accessible, if requested, but is not required at this time.

We will take the following steps during the course of the review:

- Hold an opening conference with the firm's representatives.
- Review time and earnings records and all related records.
- Interview certain workers.
- Request you to make transcriptions and/or computations of time and earnings records for back wage purposes if needed.
- Hold closing conference with the firm's representatives to summarize the findings of the review.

Authority for this investigation is contained in Alaska Statutes 23.05.060(1); 23.10.080 (1-2) and; 8 AAC 15.180(a).

AS 23.05.060(1) states that the Department may: (1) enforce all state labor laws.
AS 23.10.080(1-2) The director, or an authorized representative of the director, shall (1) investigate and ascertain the wages and related conditions and standards of employment of any employee in the state; (2) enter the place of business or employment of an employer at reasonable times for the purpose of inspecting payroll records that relate to the question of wages paid or hours worked. 8 AAC 15.180(a) The Labor Standards and Safety Division will investigate potential violations of AS 23.10.050-23.10.150 on its own motion.

Travis Gravelle dba/Fantasies on 5th Avenue, LLC
c/o Eugene Greaves, Registered Agent
November 5, 2015
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Please call me at (907) 269-4900 upon receipt of this letter to confirm this appointment and to discuss any questions you may have regarding this review.

Sincerely,



Donna Nass
Wage and Hour Investigator
Wage and Hour Administration
Anchorage Regional Office

cc: Travis Gravelle, 4203 W Dimond Blvd., Anchorage, AK 99502
Enclosures: Statutes

DN/cw

Fantasies5thllc1st

ATTACHMENT A:

Sec. 23.10.065. Minimum wages.

(a) Except as otherwise provided for in law, an employer shall pay to each employee a minimum wage, as established herein, for hours worked in a pay period, whether the work is measured by time, piece, commission or otherwise. An employer may not apply tips or gratuities bestowed upon employees as a credit toward payment of the minimum hourly wage required by this section.

Sec. 23.10.060. Payment for overtime.

(a) An employer who employs employees engaged in commerce or other business or in the production of goods or materials in the state may not employ an employee for a workweek longer than 40 hours or for more than eight hours a day. (b) If an employer finds it necessary to employ an employee for hours in excess of the limits set in this subsection, overtime compensation for the overtime at the rate of one and one-half times the regular rate of pay shall be paid. An employee is entitled to overtime compensation for hours worked in excess of eight hours a day. An employee is also entitled to overtime compensation for hours worked in excess of 40 hours a week; in determining whether an employee has worked more than 40 hours a week, the number of hours worked shall be determined without including hours that are worked in excess of eight hours in a day because the employee has or will be separately awarded overtime compensation based on those hours.

ALASKA DEPARTMENT OF LABOR and WORKFORCE DEVELOPMENT
WAGE and HOUR ADMINISTRATION
1251 Muldoon, Suite 113
ANCHORAGE, AK 99504
(907) 269-4904

STATE OF ALASKA,)
WAGE & HOUR ADMINISTRATION)

Plaintiffs)

vs.)

FANTASIES ON 5TH AVE, LLC)

Defendant.)

ADMINISTRATIVE SUBPOENA

Case : A0811-183D

HAND DELIVERED

TO: Alaska USA Federal Credit Union
4000 Credit Union Dr. #100
Anchorage, Alaska 99503

PURSUANT TO ALASKA STATUTES 23.05.050, 23.05.190, 23.05.200 and 23.10.080,
YOU ARE HEREBY COMMANDED to produce for inspection by the Alaska
Department of Labor and Workforce Development, Division of Labor Standards and
Safety, 1251 Muldoon, Suite 113, Anchorage, Alaska 99504, on or before 4:00 p.m. on
January 22, 2016 the following documents:

1. Copies of any and all account application documents, any and all signing authorizations, amendments of signing authority. on for the time period of November 1, 2013 through October 31, 2014 for FANTASIES ON 5TH, 1911 E. 5th Ave, Anchorage, AK 99501, checking account number 17018140 and/or any accounts for FANTASIES ON 5TH.

DEFINITIONS

Any/all/each

The word "any" includes the word "all" and the word "all" includes the word "any."

The word "each" includes the word "every" and the word "every" includes the word "each."

B
P 1/3

And/or

The word "and" shall include the word "or" and the word "or" shall include the word "and."

Document

The word "document" means any written, recorded or graphic matter, however produced or reproduced. It includes all materials that relate or refer in whole or in part to the subjects referred to in the subpoena. If a document has been prepared in several copies, or if additional copies have been made, and the copies are not identical, or have undergone alteration, each non-identical copy is a separate "document." The word "document" shall also include all drafts of any requested documents.

The word "document" shall also include any kind of written or graphic matter, however produced or reproduced, of any kind or description, whether sent or received or neither, including originals, copies and drafts, and including but not limited to: papers, books, accounts, letters, photographs, objects, tangible things, correspondence, telegrams, cables, telex messages, memoranda, notes, desk calendars, diaries, notations, work papers, communications to, between and among directors, officers, agents, partners, secretaries, or any other employees, transcripts, minutes, reports, and recordings of telephone or other conversations, or interviews, or of committee meetings or other meetings, affidavits, statements, summaries, opinions, reports, studies, analyses, evaluations, contracts, licenses, agreements, balance sheets, income statements, appointment books, telephone logs, lists, tabulations, data sheets, computer tapes, discs, magnetic tapes, punch cards, computer programs, computer printouts, all other records kept by electronic, photographic or mechanical means, and thing similar to any of the foregoing, regardless of their author or origin, however denominated by it.

YOU ARE HEREBY FURTHER ADVISED that this subpoena is issued pursuant to Alaska Statutes 23.05.050, 23.05.190, 23.05.200 and 23.10.080 and that if you fail to comply with this subpoena, the Alaska Department of Labor and Workforce Development will seek an order from the Superior Court compelling obedience, in accordance with Alaska Statute 23.10.080(5).

Issued at Anchorage, Alaska, this 15TH day of January 15, 2016.

Heidi Drygass, Commissioner
Alaska Department of Labor
and Workforce Development

By _____

Donna Nass
Wage and Hour Investigator
Wage and Hour Administration
Anchorage Regional Office

0001701814B1

Master Account Number	Name of Account	For Credit Union Use Only
0001701814	FANTASIES ON 5TH AVE LLC	

**ALASKA USA FEDERAL CREDIT UNION
BUSINESS, ORGANIZATION, ASSOCIATION OR PUBLIC UNIT MASTER ACCOUNT AGREEMENT**

Membership Eligibility 180/existing member		Business License State: AK Number: 977419		<input type="checkbox"/> TIN <input checked="" type="checkbox"/> SSN [REDACTED]
Mailing Address 1911 E 5th Ave	City Anchorage	State AK	Zip Code + 4 99501-2918	Business Telephone 907-563-0042
Business Street Address 1911 E 5th Ave	City Anchorage	State AK	Zip Code + 4 99501-2918	E-Mail Address
Account Type Limited Liability Company				

I/We, on behalf of the above named account, hereby make application for membership in Alaska USA Federal Credit Union (Credit Union) and affirm that the information regarding my/our membership eligibility is true and correct. I/We understand membership is contingent upon satisfactory account verification. I/We agree to conform to the Credit Union's bylaws and amendments thereof and subscribe to at least one share. I/We hereby authorize the Credit Union to establish a master account record for the business, organization or association and to open any type of sub account, including a checking account, excluding a Keogh or Individual Retirement Account (IRA), which I/We may request from time to time verbally or in writing. I/We have read and understand and agree to the terms, conditions and fee schedules associated with those accounts as established by the Credit Union both now and in the future. If more than one signatory appears below, I/We understand that the terms of the Master Account Access Agreement on page 1 of this form also apply to this master account record. Further, I/We understand that this member account will be nonassignable and nontransferable to third parties. I/We authorize the Credit Union to perform a credit check or obtain a credit report at any time. This agreement is accepted at the headquarters of Alaska USA Federal Credit Union in Anchorage, Alaska, and all accounts are governed and controlled by the laws of the United States and applicable laws of the State of Alaska.

Initial type of account(s) to be opened:

☒ Share Savings

☐ Business Checking

☐ Overdraft Protection

☐ Credit Line Loan

☒ Savings Account 10 89*

☐ Money Market Account

☐ Declined

TWO SIGNATURES

If more than one person is authorized to write checks or draw items on your account, you agree that we can honor checks signed by any ONE or more authorized signers, even if there are two or more lines on the items for a signature and the item purports to require two or more signatures. You agree that any condition on an account that purports to require two or more signers on items drawn on the account is an internal condition to your operations and is solely for your internal control purposes and is not binding on us.

**MASTER ACCOUNT ACCESS AGREEMENT
(Including Credit Line Access)**

Alaska USA Federal Credit Union (Credit Union) is hereby directed to accept any of the signatures reflected below as authorization for the payment of funds or the transaction of any business on all share, checking and certificate accounts and lines of credit associated with the master account number indicated, excluding Keogh and Individual Retirement Accounts.

The person, business, organization, association, sole proprietorship, corporation, partnership or limited liability company in whose name the account is held (Member) and the authorized signers agree to conform to the bylaws of the Credit Union and agree to the terms, conditions and fee schedules established by the Credit Union from time to time for any accounts associated with this master account number. The Member and the authorized signers agree with each other and with the Credit Union that any authorized signer may establish verbally or in writing additional accounts associated with this master account number.

All accounts covered by this agreement shall be subject to withdrawal or receipt by any of the authorized signers, and payment to any of them shall be valid and shall discharge the Credit Union from any further liability for such payment. Each of the signers is authorized to access the accounts associated with this master account number by any means approved by the Credit Union. If the Credit Union receives conflicting instructions or a dispute arises as to authorization with regard to the handling of an account, Member agrees the Credit Union may place a hold on that account until such conflict or dispute is resolved to Credit Union's satisfaction, and the Credit Union will not be liable for dishonored items as a result of such hold.

The signatories hereto acknowledge and agree that they are pledging all or any part of the shares/funds in accounts associated with this master account number as collateral security for a loan or loans with the Credit Union. Any authorized signer may access any credit line loan established with this account through any access means made available by the Credit Union. The Member and authorized signers agree that the Credit Union is authorized to charge at any time against any account associated with this master account number any indebtedness owing to the Credit Union by the Member.

The Credit Union reserves the right to require the Member to provide a new Master Account Agreement and board minutes for corporations, associations and organizations or other documentary evidence satisfactory to the Credit Union informing the Credit Union who is authorized to act on the Member's behalf. No POD beneficiary designation or other designation shall apply to the account. You agree to notify the Credit Union of any change in the authority of your agents or signatories. The Credit Union may rely on your written authorization until such time as the Credit Union is informed of changes in writing and such changes shall not affect transactions made within one business day of receipt of notice by the Credit Union. If an authorized signer is deleted from the account, any checks bearing such signer's signature that are presented for payment shall be honored by the Credit Union. Accordingly, the Member shall be solely responsible for recovering any checks in the possession of a signer whose name is deleted from the Master Account Agreement. The Credit Union may require that third-party checks payable to a business may only be deposited to a business account. You agree that the Credit Union shall have no notice of any breach of fiduciary duties arising from any transactions by any agent of the account owner, unless the Credit Union has actual notice of such breach.

The authorized signers hereto agree to read the separate Business Account Disclosure Statement upon receipt, which contains specific account information, all of which is fully incorporated by reference herein. This Master Account Access Agreement is accepted at the headquarters of Alaska USA Federal Credit Union in Anchorage, Alaska, and all accounts are governed and controlled by the laws of the United States and applicable laws of the State of Alaska.

Master Account Number	Name of Account	For Credit Union Use Only
0001701814	FANTASIES ON 5TH AVE LLC	

CERTIFICATION: Under penalties of perjury, I certify that: (1) the number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and (2) I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and (3) I am a U.S. person (including a U.S. resident alien).

Certification Instructions: You must check here ☐ if you have been notified by the IRS that you are subject to backup withholding because you have failed to report all interest and dividends on your tax return.

The Internal Revenue Service does not require your consent to any provisions of this document other than the certifications required to avoid backup withholding.

SOLE PROPRIETORSHIP

The undersigned affirms that he/she is the sole proprietor of the sole proprietorship named on this account or the individual doing business as a commercial enterprise named on this account. Alaska USA Federal Credit Union may accept and/or endorse checks made payable to the undersigned or the sole proprietorship which Alaska USA Federal Credit Union receives for deposit.

Signature X _____ Printed Name (First, MI, Last, Suffix) _____ Date _____

PARTNERSHIP

The partners hereby severally certify that the signatures hereto are the original genuine signatures of all the partners required to transact business on behalf of the partnership, and they hereby consent that Alaska USA Federal Credit Union is authorized to recognize these signatures, as well as any other agent or signatories designated herein, from time to time, to open and maintain accounts for deposit of funds, to initiate loan transactions, to sign checks, to withdraw funds of the organization and transact all manner of business as authorized on page 1 of this form with Alaska USA Federal Credit Union. The partners further certify that their authority shall continue in force until written notice to the contrary is received by Alaska USA Federal Credit Union.

Signature X _____ Printed Name (First, MI, Last, Suffix) _____ Date _____

Signature X _____ Printed Name (First, MI, Last, Suffix) _____ Date _____

CORPORATION, ORGANIZATION, ASSOCIATION OR PUBLIC UNIT

The undersigned certify that on _____ (date) the directors, governing board or body of _____ adopted a resolution authorizing those officers whose names appear below, from time to time, to open and maintain accounts for deposit of funds, to initiate loan transactions, to sign checks, to withdraw funds of the organization and transact all manner of business as authorized on page 1 of this form with Alaska USA Federal Credit Union. We further certify that the undersigned are duly elected to the office set opposite their respective names, they and the authorized account signers are authorized in the resolution recorded in the minutes, that the signature(s) appearing below is/are the genuine signature(s) of said authorized person(s), and that their authority shall continue in force until written notice to the contrary is received by Alaska USA Federal Credit Union.

Chairman/President Name/Title	Secretary or Public Unit Official Custodian Name/Title
Signature _____	Signature _____
Date _____	Date _____

LIMITED LIABILITY COMPANY

The undersigned certify that on 8-6-2012 (date) the governing members or managers of FANTASIES ON 5TH AVE LLC adopted a resolution authorizing those members/managers (whose names appear below), from time to time, to open and maintain accounts for deposit of funds, to initiate loan transactions, to sign checks, to withdraw funds of the organization and transact all manner of business authorized on page 1 of this form with Alaska USA Federal Credit Union. We further certify that the signature(s) appearing below is/are genuine signature(s) of said authorized persons and that their authority shall continue in force until written notice to the contrary is received by Alaska USA Federal Credit Union.

Member/Name/Title	President	Manager/Name/Title	V. President/Sec
<u>Kathleen A Hartman</u>		<u>Eugene J Greaves</u>	

Signature _____	Date _____	Signature _____	Date _____
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AUTHORIZED SIGNERS

Number of Authorized Signers 2

Signature <u>X</u> _____	<u>Kathleen A Hartman</u>	Printed Name (First, MI, Last, Suffix)	SSN	DOB	Date
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Signature <u>X</u> _____	<u>Eugene J Greaves</u>	Printed Name (First, MI, Last, Suffix)	SSN	DOB	Date
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Signature <u>X</u> _____		Printed Name (First, MI, Last, Suffix)	SSN	DOB	Date
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Signature <u>X</u> _____		Printed Name (First, MI, Last, Suffix)	SSN	DOB	Date
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Signature <u>X</u> _____		Printed Name (First, MI, Last, Suffix)	SSN	DOB	Date
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Signature <u>X</u> _____		Printed Name (First, MI, Last, Suffix)	SSN	DOB	Date
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