



MEMORANDUM

TO: Alcoholic Beverage Control Board DATE: July 9, 2019
FROM: Erika McConnell, Director RE: 527 The Moose Creek Lodge

Requested Action: License renewal

Statutory Authority: AS 04.06.090(b): “The board shall review all applications for licenses made under this title and may order the director to issue, renew, revoke, transfer, or suspend licenses and permits authorized under this title.”

AS 04.11.480(a): “A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application... The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application... If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable.”

AS 04.11.510(b)(2): “The board may review an application for the issuance, renewal, transfer of location, or transfer to another person of a license without affording the applicant notice or hearing, except... (2) the board may, on its own initiative or in response to an objection or protest, hold a hearing to ascertain the reaction of the public or a local governing body to an application if a hearing is not required under this subsection;”

Update: At the last meeting, the board voted to uphold the protest and deny the renewal with abeyance to the next meeting, and asked for information regarding the judgment mentioned by the Borough. At the April meeting, the Fairbanks North Star Borough asserted that taxes began to be delinquent starting in 2014, that the licensee had entered into a Confession of Judgment with the Borough, that the licensee had breached the Confession of Judgment, and that the Borough went to court and got a court judgment to collect the money owed.

Various court documents have been provided.

In accordance with 3 AAC 304.145(h), the abeyance period granted at the last meeting may not be extended or renewed.

527 The Moose Creek Lodge

ABC Board July 9, 2019

Page 2

Background: The Fairbanks North Star Borough protests the renewal of this license pending payment of taxes.

Attachment: Fairbanks North Star Borough protest & supplemental documentation
Renewal application




Fairbanks North Star Borough

Mayor's Office

907 Terminal Street P.O. Box 71267 Fairbanks, AK 99707-1267 T.(907)459-1300 F.(907)459-1102

MEMORANDUM

TO: Alaska Alcoholic Beverage Control Board

FROM: Jim Williams, Chief of Staff 
Fairbanks North Star Borough

SUBJECT: Protest of Liquor License #527

DATE: March 1, 2019

The Fairbanks North Star Borough has conducted an investigation and determined that the applicant for License #527 has delinquent borough taxes. The Fairbanks North Star Borough is therefore protesting the renewal of the following liquor license pursuant to FNSBC 9.08.020:

Beverage Dispensary – License #527

H54B, Inc.
DBA: The Moose Creek Lodge
Location: 3560 Old Richardson Hwy
North Pole, Alaska 99705

The applicant has been provided written notice of this protest.

/km
cc: Concerned Licensee
Assembly

Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

Annmarie Billingsley
Assistant Borough Attorney
Fairbanks North Star Borough
PO Box 71267
Fairbanks, Alaska 99707
Email: abillingsley@fnsb.us
Ph. (907) 459-1318

FILED in the Trial Courts
State of Alaska Fourth District
DEC 12 2018
By _____ Deputy

IN THE DISTRICT COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

FAIRBANKS NORTH STAR BOROUGH,

Plaintiff,

vs.

H54B, INC. dba MOOSE CREEK LODGE
and MELANIE C. JORDAN,

Defendants.

Case No. 4FA-18-01252 CI

CONFESSION OF JUDGMENT

Defendants Melanie C. Jordan aka Melanie C. White and H54B, Inc. dba Moose Creek Lodge hereby confess judgment in favor of the Plaintiff in the principal amount of \$36,643.90, plus accrued interest in the amount of \$13,463.52, plus penalties in the amount of \$56,873.71, plus future interest at the rate of 15% per annum. This indebtedness is based upon alcohol beverage taxes accrued between May 2014 and October 2018. A printout of the current amounts due and owing is attached as Exhibit 1 and attested to by the FNSB Treasury and Budget Manager.

The amount confessed to is presently past due. Defendants hereby acknowledge the debt is justly due and owing, delinquent and subject to immediate

Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

collection by Plaintiff. Defendants represent and agree that they are not entitled to any type of credit, counterclaim or defense to offset the amount for which judgment is hereby confessed other than future payments made on the amount presently past due.

The parties agree that Plaintiff will file this Confession of Judgment with the court and, as a result of such filing, a judgment will be entered and recorded against Defendants. However, the FNSB will not execute on the judgment unless Defendants default on the following payment schedule:

Commencing on or before December 1, 2018, and on the 1st day of each month thereafter, Defendants shall pay to Plaintiff no less than \$3,000.00 per month until the full amount of the Judgment is paid. Payment in cash or certified funds only is to be made to the Fairbanks North Star Borough. Payments shall be credited to the most delinquent monthly report, first to penalties, then interest, then principal of any unremitted taxes. Defendants shall deliver payments in the amount specified above no later than the first day of each month to:

Fairbanks North Star Borough
Treasury/Budget Division
907 Terminal Street
Fairbanks, AK 99701

In addition to the \$3,000.00 monthly payments, Defendants agree to stay current on their monthly filings and remittances of taxes on ongoing alcoholic beverage sales beginning with the November 2018 filing and payment due December 15, 2018.

Defendants' failure to strictly comply with this payment schedule ("Defendants' default") shall be established by affidavit of Plaintiff. If the Defendants fail to file a monthly report pursuant to FNSBC 8.52.100(B), fail to remit collected taxes pursuant to FNSBC 8.52.100(A), or fail to submit the \$3,000 monthly payment described above, the

ACKNOWLEDGMENT AND VERIFICATION

STATE OF ALASKA)
) §
FOURTH JUDICIAL DISTRICT)

MELANIE C. JORDAN aka MELANIE C. WHITE, individually and on behalf of H54B, Inc. dba Moose Creek Lodge, upon oath, deposes and says: I am the Defendant in the foregoing matter; I know the contents of the Confession of Judgment and believe the same to be true and just; there are no offsets or credits due me and I authorize judgment to be given against me in the principal amount of \$36,643.90, plus accrued interest in the amount of \$13,463.52, plus penalties in the amount of \$56,873.71, plus future interest at the rate of 15% per annum, plus attorney fees and costs.

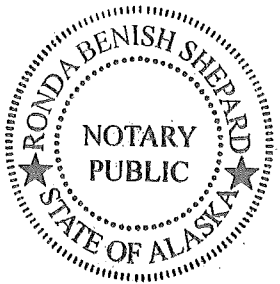
Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

12/3/18
DATE

Melanie Jordan
MELANIE C. JORDAN aka MELANIE C. WHITE

SUBSCRIBED AND SWORN TO BEFORE ME on this 3rd day of December, 2018.

Ronald Shepard
Notary Public in and for Alaska
Commission Expires: 3/15/20



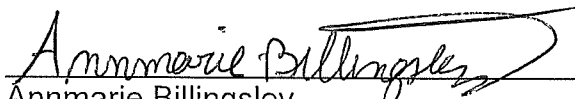
Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

ASSENT

Plaintiff FAIRBANKS NORTH STAR BOROUGH, by and through its undersigned counsel, hereby accepts the foregoing Confession of Judgment by MELANIE C. JORDAN aka MELANIE C. WHITE, individually and on behalf of H54B, Inc. dba Moose Creek Lodge.

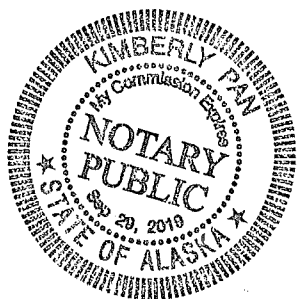
DATED this 7th day of December, 2018.

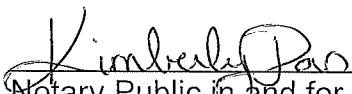
FAIRBANKS NORTH STAR BOROUGH


Anmarie Billingsley
Assistant Borough Attorney
ABA No. 1011059

STATE OF ALASKA)
) §
FOURTH JUDICIAL DISTRICT)

The foregoing instrument was acknowledged before me this 7th day of December, 2018, by the above-named individual with authority to do so as the attorney of record for the Plaintiff.




Notary Public in and for Alaska
Commission Expires: 09.29.2019

FAIRBANKS NORTH STAR BOROUGH
 TREASURY AND BUDGET DIVISION
 809 PIONEER ROAD
 PO BOX 71320
 FAIRBANKS, ALASKA 99707 1320
 (907) 459-1443



ALCOHOLIC BEVERAGE TAX REPORT

Account No. 301117

Business H54B INC dba Moose Creek Lodge

For the Time Frame of: 5/14-10/18 Monthly Reporting

The above return is estimated for the following reason(s):

- No Payments
- Tax due miscalculated
- Incomplete information
- Report filed after due date
- NSF Check
- Other: Figures valid until 12/15/18 Previously projected thru 11/15/18

YOUR REPORT HAS BEEN ESTIMATED AS FOLLOWS:

	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15
1. GROSS ALCOHOLIC BEVERAGE SALES (Estimated)	\$ 30,400.00	\$ 21,006.00	\$ 16,431.00	\$ 23,801.00	\$ 13,533.00	\$ 17,800.00	\$ 16,838.00	\$ 14,441.00	\$ 11,392.00	\$ 9,906.00	\$ 0.00	\$ 7,145.50	\$ 14,824.50	\$ 25,712.00
2. EXEMPT SALES PURSUANT TO BOROUGH CODE 3.59.040.B	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
3. SUBTRACT LINE 2 FROM LINE 1	30,400.00	21,006.00	16,431.00	23,801.00	13,533.00	17,800.00	16,838.00	14,441.00	11,392.00	9,906.00	0.00	7,145.50	14,824.50	25,712.00
4. MULTIPLY LINE 3 BY 5% (LINE 3 X .05) SALES TAXES PAID ON THE SALES IN LINE 1 TO ANY MUNICIPALITY WITHIN THE BOROUGH (attach documentation)	\$ 1,520.00	\$ 1,050.30	\$ 821.55	\$ 1,190.05	\$ 676.65	\$ 890.00	\$ 841.90	\$ 722.05	\$ 569.60	\$ 495.30	\$ 0.00	\$ 357.28	\$ 741.23	\$ 1,285.60
5. SUBTRACT LINE 4 FROM LINE 3 (SEE 5/19/16 COMMENT)	1,520.00	1,050.30	821.55	1,190.05	676.65	890.00	841.90	722.05	569.60	495.30	0.00	357.28	741.23	1,285.60
7. PENALTIES A. 10% TAX DUE or \$50 for zero balance reports	152.00	105.03	82.16	119.01	67.67	89.00	84.19	72.21	56.96	49.53	50.00	35.73	74.12	128.56
B. Additional Late Report/Late Remit Penalty (25% of TAX DUE)	\$ 380.00	\$ 262.58	\$ 205.39	\$ 297.51	\$ 169.16	\$ 222.50	\$ 210.48	\$ 180.51	\$ 142.40	\$ 123.83	\$ 0.00	\$ 89.32	\$ 185.31	\$ 321.40
C. Additional Late Report/Late Remit Penalty \$1000.00 after 60 days	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
D. NSF FEE	\$ 30.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
8. INTEREST - 1.25% (.0125 x LINE 6) per month	\$ 780.51	\$ 676.01	\$ 534.01	\$ 758.66	\$ 422.91	\$ 545.13	\$ 505.14	\$ 424.20	\$ 327.52	\$ 278.61	\$ 0.00	\$ 192.04	\$ 389.15	\$ 658.87
9. LIABILITY FOR FILING PERIOD (Line 6 + line 7A + Line 8)	3,862.51	3,093.92	2,643.10	3,365.22	2,336.38	2,746.63	2,641.71	2,398.97	2,096.48	1,947.26	1,050.00	1,674.37	2,389.81	3,394.43
10. MINUS CREDIT OR ADD OUTSTANDING LIABILITY	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
10. REVISED NET TAXES DUE	\$ 3,862.51	\$ 3,093.92	\$ 2,643.10	\$ 3,365.22	\$ 2,336.38	\$ 2,746.63	\$ 2,641.71	\$ 2,398.97	\$ 2,096.48	\$ 1,947.26	\$ 1,050.00	\$ 1,674.37	\$ 2,389.81	\$ 3,394.43
11. LESS PAYMENT(S) RECEIVED	\$ -3,862.51	\$ -3,057.04	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
BALANCE DUE	0.00	36.88	2,643.10	3,365.22	2,336.38	2,746.63	2,641.71	2,398.97	2,096.48	1,947.26	1,050.00	1,674.37	2,389.81	3,394.43

11/21/18 Rec'd cash pymt of \$488.44 (11/15/18), adjusted 1 Solution to add interest of \$5.99, Principal balance for Jun 14 w 35.44. Interest accrual is .46, Did not update 1 Solution for interest of 5.46.
 10/24/2018 Updates figures to reflect projection thru 11/15/18 June 14 interest increased by \$5.99, Did not update One Solution
 10/15/2018 Received a payment of \$564.10 applied towards June 2014 balance, principal balance is \$478.88,
 10/08/18: Received a payment of \$3,000.00, applied \$955.51 towards MAY 2014 balance and \$2,044.49 towards the June 2014 balance

RECEIVED 2 MONTHS OF INTEREST ADJUST
J. Williams
 Treasurer's Assistant / Budget Technician

11/26/18
 Date

FAIRBANKS NORTH STAR BOROUGH
 TREASURY AND BUDGET DIVISION
 809 PIONEER ROAD
 PO BOX 71320
 FAIRBANKS, ALASKA 99707 1320
 (907) 459-1443



ALCOHOLIC BEVERAGE TAX REPORT

Account No. 301117

Business H54B INC dba Moose Creek Lodge

For the Time Frame of: 5/14-10/18 Monthly Reporting

The above return is estimated for the following reason(s):

- No Payments
- Tax due miscalculated
- Incomplete Information
- Report filed after due date
- NSF Check
- Other: Figure valid until 12/31/18 for 674 only Previously projected thru 11/15/18 for all other months

YOUR REPORT HAS BEEN ESTIMATED AS FOLLOWS:

	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52		
						Estimate	Estimate	Estimate	Actual	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate		
	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17																	
\$	15,591.00	23,245.00	10,448.25	17,100.00	7,685.00	12,524.25	11,392.00	9,906.00	8,525.75	8,140.00	14,824.50	25,712.00	15,591.00	23,245.00	10,448.25	17,100.00	7,685.00	12,524.25	11,392.00	9,906.00	8,525.75	8,140.00																	
\$	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00																	
	15,591.00	23,245.00	10,448.25	17,100.00	7,685.00	12,524.25	11,392.00	9,906.00	8,525.75	8,140.00	14,824.50	25,712.00	15,591.00	23,245.00	10,448.25	17,100.00	7,685.00	12,524.25	11,392.00	9,906.00	8,525.75	8,140.00																	
\$	779.55	1,162.25	522.41	855.00	384.25	626.21	569.60	495.30	426.29	407.00	741.23	1,285.60	779.55	1,162.25	522.41	855.00	384.25	626.21	569.60	495.30	426.29	407.00																	
\$	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00																	
	779.55	1,162.25	522.41	855.00	384.25	626.21	569.60	495.30	426.29	407.00	741.23	1,285.60	779.55	1,162.25	522.41	855.00	384.25	626.21	569.60	495.30	426.29	407.00																	
	77.96	116.23	52.24	85.50	38.43	62.62	56.96	49.53	42.63	40.70	74.12	128.56	77.96	116.23	52.24	85.50	38.43	62.62	56.96	49.53	42.63	40.70																	
\$	194.89	299.56	130.60	213.75	96.06	156.55	142.40	123.83	106.57	101.75	185.31	321.40	194.89	299.56	130.60	213.75	96.06	156.55	142.40	123.83	106.57	101.75																	
\$	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00																	
\$	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00																	
\$	389.78	566.60	248.14	395.44	172.91	273.97	242.08	204.31	170.52	157.71	277.96	466.03	272.84	392.26	169.78	257.19	115.28	180.04	156.64	130.02	106.57	96.66																	
	2,442.17	3,135.63	1,953.40	2,549.69	1,691.65	2,119.35	2,011.04	1,872.97	1,746.01	1,707.16	2,278.62	3,201.59	2,325.24	2,961.30	1,875.04	2,421.44	634.01	2,025.42	1,925.60	1,798.67	1,682.06	1,646.11																	
\$	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00																	
\$	2,442.17	3,135.63	1,953.40	2,549.69	1,691.65	2,119.35	2,011.04	1,872.97	1,746.01	1,707.16	2,278.62	3,201.59	2,325.24	2,961.30	1,875.04	2,421.44	634.01	2,025.42	1,925.60	1,798.67	1,682.06	1,646.11																	
\$	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00																	
	2,442.17	3,135.63	1,953.40	2,549.69	1,691.65	2,119.35	2,011.04	1,872.97	1,746.01	1,707.16	2,278.62	3,201.59	2,325.24	2,961.30	1,875.04	2,421.44	634.01	2,025.42	1,925.60	1,798.67	1,682.06	1,646.11																	

FAIRBANKS NORTH STAR BOROUGH
 TREASURY AND BUDGET DIVISION
 805 PIONEER ROAD
 PO BOX 71320
 FAIRBANKS, ALASKA 99707 1320
 (907) 459-1443



ALCOHOLIC BEVERAGE TAX REPORT

Account No.

Business

For the Time Frame of: 5/14-10/18 Monthly Reporting

The above return is estimated for the following reason(s):

- No Payments
- Tax due miscalculated
- Incomplete information
- Report filed after due date
- NSF Check
- Other:

Figures not used (3/20/18 for 5/14 only)

Previously projected thru 11/15/18 for all other months

YOUR REPORT HAS BEEN ESTIMATED AS FOLLOWS:

16	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1			
Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Actual 11/20/18	Actual 11/20/18				
May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun 2018 June 18 Actual Sales for June 18 at Projected	Jul-18	Aug 18 Actual Sales for Aug 18 at Projected	Sep 18 Actual Sales for Sep 18 at Projected	OCT 18 Actual Sales for Oct 18 at Projected	Grand Totals
\$ 14,824.50	\$ 25,712.00	\$ 15,591.00	\$ 23,245.00	\$ 10,448.25	\$ 17,100.00	\$ 7,685.00	\$ 12,524.25	\$ 11,392.00	\$ 9,906.00	\$ 8,525.75	\$ 8,140.00	\$ 14,824.50	\$ 10,017.50	\$ 0.00	\$ 9,810.00	11,282.00	8,969.25	\$ 732,878.00
\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00	0.00	\$ 0.00
14,824.50	25,712.00	15,591.00	23,245.00	10,448.25	17,100.00	7,685.00	12,524.25	11,392.00	9,906.00	8,525.75	8,140.00	14,824.50	10,017.50	0.00	9,810.00	11,282.00	8,969.25	732,878.00
\$ 741.23	\$ 1,285.60	\$ 779.55	\$ 1,162.25	\$ 522.41	\$ 855.00	\$ 384.25	\$ 626.21	\$ 569.60	\$ 495.30	\$ 426.29	\$ 407.00	\$ 741.23	\$ 500.88	\$ 0.00	\$ 490.50	564.10	448.44	\$ 36,643.90
\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00	0.00	\$ 0.00
741.23	1,285.60	779.55	1,162.25	522.41	855.00	384.25	626.21	569.60	495.30	426.29	407.00	741.23	500.88	0.00	490.50	564.10	448.44	36,643.90
74.12	128.56	77.96	116.23	52.24	85.50	38.43	62.62	56.96	49.53	42.63	40.70	74.12	50.09	0.00	49.05	56.41	44.84	3,714.39
\$ 185.31	\$ 321.40	\$ 194.89	\$ 290.56	\$ 130.60	\$ 213.75	\$ 96.06	\$ 156.55	\$ 142.40	\$ 123.83	\$ 106.57	\$ 101.75	\$ 185.31	\$ 125.22	\$ 0.00	\$ 122.63	141.03	0.00	\$ 9,048.87
\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	0.00	0.00	\$ 51,000.00
\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00	0.00	\$ 30.00
\$ 166.78	\$ 273.19	\$ 155.91	\$ 217.92	\$ 91.42	\$ 138.94	\$ 57.64	\$ 86.10	\$ 71.20	\$ 55.72	\$ 42.63	\$ 35.61	\$ 55.59	\$ 31.31	\$ 0.00	\$ 18.39	14.10	5.61	\$ 13,463.52
2,167.44	3,008.75	2,208.30	2,786.96	1,796.68	2,293.19	1,576.38	1,931.49	1,840.16	1,724.38	1,618.12	1,585.06	2,056.25	1,707.49	1,000.00	1,680.57	775.64	498.89	113,900.67
\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00	0.00	\$ 0.00
\$ 2,167.44	\$ 3,008.75	\$ 2,208.30	\$ 2,786.96	\$ 1,796.68	\$ 2,293.19	\$ 1,576.38	\$ 1,931.49	\$ 1,840.16	\$ 1,724.38	\$ 1,618.12	\$ 1,585.06	\$ 2,056.25	\$ 1,707.49	\$ 1,000.00	\$ 1,680.57	775.64	498.89	\$ 113,900.67
\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0.00	0.00	\$ -6,919.55
2,167.44	3,008.75	2,208.30	2,786.96	1,796.68	2,293.19	1,576.38	1,931.49	1,840.16	1,724.38	1,618.12	1,585.06	2,056.25	1,707.49	1,000.00	1,680.57	775.64	498.89	\$106,981.12

Annmarie Billingsley
Assistant Borough Attorney
Fairbanks North Star Borough
PO Box 71267
Fairbanks, Alaska 99707
Email: abillingsley@fnsb.us
Ph. (907) 459-1318

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

FAIRBANKS NORTH STAR BOROUGH,

Plaintiff,

vs.

H54B, INC. dba MOOSE CREEK LODGE
and MELANIE C. JORDAN,

Defendants.

FILED in the Trial Courts
State of Alaska Fourth District
JAN 30 2019
By _____ Deputy

Case No. 4FA-18-01252 CI

**FAIRBANKS NORTH STAR BOROUGH'S MOTION FOR ENTRY OF JUDGMENT
AND ATTORNEY'S FEES**

COMES NOW, Plaintiff, Fairbanks North Star Borough ("FNSB"), hereby moves this court for entry of judgment pursuant to the confession of judgment which was filed on December 12, 2018. The Confession of Judgment specifies that "the parties agree that Plaintiff will file this Confession of Judgment with the court and, as a result of such filing, a judgment will be entered and recorded against Defendants."¹ H54B, Inc. dba Moose Creek Lodge and Melanie Caroline Jordan nka Melanie Caroline White (DOB: 02/10/1976) (hereinafter "Defendants") failed to comply with the Confession of Judgment, making only two partial payments after the confession of judgment was

¹ See Confession of Judgment at p. 2.

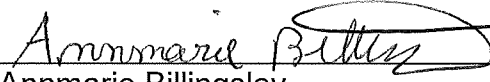
Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

signed.² The FNSB subsequently updated the Alcoholic Beverage Tax Report, attached as Exhibit 1, incorporated the two partial payments, and has lodged a corresponding proposed final judgment contemporaneously herewith.

The FNSB is also requesting attorney's fees. Under Civil Rule 82(b)(1), "a party recovering a money judgment in a case...[n]on-contested" receives 10% on the first \$25,000 of the judgment, 3% on the next \$75,000 of the judgment, and 2% on the next \$400,000. The monetary judgment received is \$105,343.29. Here, 10% on \$25,000 is \$2,500.00, 3% on \$75,000.00 is \$2,250.00, and 2% on \$5,343.30 is \$106.87, for a total of \$4,856.87 in attorney's fees. The FNSB respectfully requests that the Court issue this amount as the appropriate fee award in addition to costs in the amount of \$411.50, as shown on the Cost Bill lodged contemporaneously herewith.

DATED this 30 day of January, 2019.

FAIRBANKS NORTH STAR BOROUGH


Annmarie Billingsley
Assistant Borough Attorney
Alaska Bar No. 1011059

CERTIFICATE OF SERVICE

This is to certify that on this date, a copy of the foregoing is being:

- mailed via first class mail, faxed or
 hand delivered to the following attorney or parties of record:

Jason A. Weiner
Gazewood & Weiner, PC
1008 16th Avenue, Suite 200
Fairbanks, Alaska 99701



FNSB Department of Law

1-30-19
Date

² See Affidavit of Peggy Macdonald at ¶5, lodged contemporaneously herewith

FAIRBANKS NORTH STAR BOROUGH
 TREASURY AND BUDGET DIVISION
 509 PIONEER ROAD
 PO BOX 71320
 FAIRBANKS, ALASKA 99707 4320
 (907) 459-1443



ALCOHOLIC BEVERAGE TAX REPORT

Account No. 301117

Business H54B INC dba Moose Creek Lodge

For the Time Frame of: 6/14-12/18 Monthly Reporting

The above return is estimated for the following reason(s):

- No Payments
- Tax due miscalculated
- Incomplete Information
- Report filed after due date
- NSF Check

Other:

Figures valid until 02/16/19

Previously projected thru 01/16/19

YOUR REPORT HAS BEEN ESTIMATED AS FOLLOWS:

	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15
1. GROSS ALCOHOLIC BEVERAGE SALES (Estimated)	\$ 30,400.00	\$ 21,098.00	\$ 16,431.00	\$ 23,801.00	\$ 13,533.00	\$ 17,800.00	\$ 16,838.00	\$ 14,441.00	\$ 11,392.00	\$ 9,906.00	\$ 0.00	\$ 7,146.60	\$ 14,824.60	\$ 25,712.00
2. EXEMPT SALES PURSUANT TO BOROUGH CODE 3.59.040.B	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
3. SUBTRACT LINE 2 FROM LINE 1	30,400.00	21,098.00	16,431.00	23,801.00	13,533.00	17,800.00	16,838.00	14,441.00	11,392.00	9,906.00	0.00	7,146.60	14,824.60	25,712.00
4. MULTIPLY LINE 3 BY 5% (LINE 3 X .05) SALES TAXES PAID ON THE SALES IN LINE 1 TO ANY MUNICIPALITY WITHIN THE BOROUGH (attach documentation)	\$ 1,520.00	\$ 1,050.30	\$ 821.55	\$ 1,190.05	\$ 676.65	\$ 890.00	\$ 841.90	\$ 722.05	\$ 569.60	\$ 495.30	\$ 0.00	\$ 357.28	\$ 741.23	\$ 1,285.80
5. SUBTRACT LINE 5 FROM LINE 4 (SEE #19/18 COMMENT)	1,520.00	1,050.30	821.55	1,190.05	676.65	890.00	841.90	722.05	569.60	495.30	0.00	357.28	741.23	1,285.80
7. PENALTIES A. 10% TAX DUE or \$50 for zero balance reports	152.00	105.03	82.16	119.01	67.67	89.00	84.19	72.21	56.96	49.53	50.00	35.73	74.12	128.56
B. Additional Late Report/Late Remit Penalty (25% of TAX DUE)	\$ 380.00	\$ 262.58	\$ 205.39	\$ 297.51	\$ 169.16	\$ 222.50	\$ 210.48	\$ 180.51	\$ 142.40	\$ 123.83	\$ 0.00	\$ 89.32	\$ 185.31	\$ 321.40
C. Additional Late Report/Late Remit Penalty \$1000.00 after 60 days	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
D. NSF FEE	\$ 30.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
8. INTEREST - 1.25% (0.125 x LINE 6) per month	\$ 780.61	\$ 676.01	\$ 546.88	\$ 788.41	\$ 439.82	\$ 567.38	\$ 626.19	\$ 442.26	\$ 341.76	\$ 290.99	\$ 0.00	\$ 200.97	\$ 407.89	\$ 691.01
9. LIABILITY FOR FILING PERIOD (Line 6 + line 7A + Line 8)	3,862.61	3,093.92	2,655.97	3,394.98	2,353.30	2,768.88	2,662.75	2,417.02	2,110.72	1,959.64	1,050.00	1,883.30	2,408.34	3,426.57
10. MINUS CREDIT OR ADD OUTSTANDING LIABILITY	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
10. REVISED NET TAXES DUE	\$ 3,862.61	\$ 3,093.92	\$ 2,655.97	\$ 3,394.98	\$ 2,353.30	\$ 2,768.88	\$ 2,662.75	\$ 2,417.02	\$ 2,110.72	\$ 1,959.64	\$ 1,050.00	\$ 1,883.30	\$ 2,408.34	\$ 3,426.57
11. LESS PAYMENT(S) RECEIVED	\$ -3,862.61	\$ -3,093.92	\$ -2,445.12	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
BALANCE DUE	0.00	0.00	210.85	3,394.98	2,353.30	2,768.88	2,662.75	2,417.02	2,110.72	1,959.64	1,050.00	1,883.30	2,408.34	3,426.57

1/16/2019 Rec'd a payment of \$782.00 towards 7/14. Add 10.27 to Interest on 1 Solution for Interest JULY (7/18). Applied \$169.20 to PR 1 and \$612.80 to principal. Leaves a principal balance of \$208.26. Interest accrued per month will be \$2.82 - will need to be added after 1/18/19 for each add'l month.

12/17/2018 Received a payment of \$1,200.00. Adjusted 1 Solution to add Interest accrued of .46 for June 14. Applied 28.88 to June 14. Update 1 Solution to add \$1.34 to Interest for July 16. Apply \$182.12 to July 18. Principal balance outstanding is \$821.69 and \$188.43 remains outstanding on penalties. Interest accrued for 01/18/19 for Jul 18 is \$16.2893 (not added to 1 Solution).

12/14/2018 Rec'd Nov 18 report and pymt. Applied as such.

11/21/2108 11/21/18 Rec'd cash pymt of \$448.44 (1/18/18), adjusted 1 Solution to add Interest of \$6.89. Principal balance for Jun 14 = \$6.44. Interest accrued to .48. Did not update 1 Solution for Interest of \$.46.

10/24/2018 Updates figures to reflect projection thru 1/18/18. June 14 Interest increased by \$8.88. Did not update One Solution

10/16/2018 Received a payment of \$384.10 applied towards June 2014 balance, principal balance is \$478.88.

10/06/2018 Received a payment of \$2,000.00, applied \$958.61 towards MAY 2014 balance and \$2,044.48 towards the June 2014 balance

M107 Added 2 months of Interest - \$118.8

J. Williams
 Treasurer's Assistant / Budget Technician

1/17/19
 Date

FAIRBANKS NORTH STAR BOROUGH
 TREASURY AND BUDGET DIVISION
 809 PIONEER ROAD
 PO BOX 71320
 FAIRBANKS, ALASKA 99707 1320
 (907) 459-1443



ALCOHOLIC BEVERAGE TAX REPORT

Account No. 301117

Business HE4B INC dba Moose Creek Lodge

For the Time Frame of: 6/14-12/18 Monthly Reporting

The above return is estimated for the following reason(s):

- No Payments
- Tax due miscalculated
- Incomplete Information
- Report filed after due date
- NSF check
- Other

Figures valid until 02/16/19 Previously projected thru 01/16/19

YOUR REPORT HAS BEEN ESTIMATED AS FOLLOWS:

	41	41	46	41	41	41	41	41	41	41	41	41	41	41	41	41	41	41	41	41	41	41
	Estimate	Estimate	Estimate	Actual	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate
	Jul-15	Aug-15	Sep-15	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16	Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17
\$	15,591.00	23,245.00	10,448.25	17,100.00	7,885.00	12,524.25	11,392.00	9,908.00	8,525.75	8,140.00	14,824.50	25,712.00	15,591.00	23,245.00	10,448.25	17,100.00	7,885.00	12,524.25	11,392.00	9,908.00	8,525.75	8,140.00
\$	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
\$	15,591.00	23,245.00	10,448.25	17,100.00	7,885.00	12,524.25	11,392.00	9,908.00	8,525.75	8,140.00	14,824.50	25,712.00	15,591.00	23,245.00	10,448.25	17,100.00	7,885.00	12,524.25	11,392.00	9,908.00	8,525.75	8,140.00
\$	779.55	1,182.25	522.41	855.00	384.25	628.21	569.80	495.30	426.29	407.00	741.23	1,285.60	779.55	1,182.25	522.41	855.00	384.25	628.21	569.80	495.30	426.29	407.00
\$	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
\$	779.55	1,182.25	522.41	855.00	384.25	628.21	569.80	495.30	426.29	407.00	741.23	1,285.60	779.55	1,182.25	522.41	855.00	384.25	628.21	569.80	495.30	426.29	407.00
\$	77.86	116.23	52.24	85.50	38.43	62.62	56.96	49.53	42.63	40.70	74.12	128.56	77.98	116.23	52.24	85.50	38.43	62.62	56.96	49.53	42.63	40.70
\$	194.89	290.56	130.60	213.75	98.08	158.55	142.40	123.83	108.57	101.75	185.31	321.40	194.89	290.56	130.60	213.75	98.08	158.55	142.40	123.83	108.57	101.75
\$	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
\$	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
\$	409.28	595.65	281.21	416.81	182.52	289.62	258.32	216.69	181.17	167.89	295.49	498.17	292.33	421.32	182.84	288.58	124.88	195.89	170.88	142.40	117.23	106.84
\$	2,451.66	3,164.89	1,868.46	2,571.06	1,701.28	2,135.01	2,025.28	1,885.35	1,758.66	1,717.34	2,297.15	3,233.73	2,344.72	2,990.35	1,888.10	2,442.81	843.82	2,041.07	1,939.84	1,811.05	1,692.72	1,656.29
\$	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
\$	2,451.66	3,164.89	1,868.46	2,571.06	1,701.28	2,135.01	2,025.28	1,885.35	1,758.66	1,717.34	2,297.15	3,233.73	2,344.72	2,990.35	1,888.10	2,442.81	843.82	2,041.07	1,939.84	1,811.05	1,692.72	1,656.29
\$	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
\$	2,451.66	3,164.89	1,868.46	2,571.06	1,701.28	2,135.01	2,025.28	1,885.35	1,758.66	1,717.34	2,297.15	3,233.73	2,344.72	2,990.35	1,888.10	2,442.81	843.82	2,041.07	1,939.84	1,811.05	1,692.72	1,656.29

FAIRBANKS NORTH STAR BOROUGH
 TREASURY AND BUDGET DIVISION
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 (907) 468-1443



ALCOHOLIC BEVERAGE TAX REPORT

Account No. 301117
 Business H64B INC dba Mocoan Creek Lodge
 For the Time Frame of: 6/14-12/18 Monthly Reporting

The above return is estimated for the following reason(s):

- No Payments
- Tax due miscalculated
- Incomplete Information
- Report filed after due date
- NSF Check
- Other: Figures valid until 02/18/19 Previously projected thru 01/18/19

YOUR REPORT HAS BEEN ESTIMATED AS FOLLOWS:

Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Estimate	Actual 11/28/18	Actual 11/28/18	Aug 18 Prepaid	Sep 18 Prepaid	OCT 18 Prepaid	DO NOT APPLY	NOV 18 PREPAID	DEC 18 PREPAID	Grand Totals
May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun 2018	Jul-18	Actual 11/28/18	Actual 11/28/18	Actual 11/28/18	Actual 11/28/18	Actual 11/28/18	Actual 11/28/18	Actual 11/28/18	Actual 11/28/18
\$ 14,824.50	\$ 25,712.00	\$ 15,591.00	\$ 23,245.00	\$ 10,448.25	\$ 17,100.00	\$ 7,885.00	\$ 12,524.25	\$ 11,392.00	\$ 9,908.00	\$ 8,525.75	\$ 8,140.00	\$ 14,824.50	\$ 10,017.50	\$ 0.00	\$ 9,810.00	\$ 11,282.00	\$ 8,989.25		\$ 4,091.50	\$ 4,854.00	\$ 741,823.80	
\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
14,824.50	25,712.00	15,591.00	23,245.00	10,448.25	17,100.00	7,885.00	12,524.25	11,392.00	9,908.00	8,525.75	8,140.00	14,824.50	10,017.50	0.00	9,810.00	11,282.00	8,989.25		4,091.50	4,854.00	741,823.80	
\$ 741.23	\$ 1,285.60	\$ 779.55	\$ 1,162.25	\$ 522.41	\$ 855.00	\$ 384.25	\$ 626.21	\$ 569.60	\$ 495.30	\$ 426.29	\$ 407.00	\$ 741.23	\$ 500.88	\$ 0.00	\$ 490.50	\$ 564.10	\$ 448.44		\$ 204.60	\$ 232.72	\$ 37,081.22	
\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
741.23	1,285.60	779.55	1,162.25	522.41	855.00	384.25	626.21	569.60	495.30	426.29	407.00	741.23	500.88	0.00	490.50	564.10	448.44		204.60	232.72	37,081.22	
74.12	128.56	77.95	116.23	52.24	85.50	38.43	62.62	56.96	49.53	42.63	40.70	74.12	50.09	0.00	49.05	56.41	44.84		0.00	0.00	3,714.39	
\$ 185.31	\$ 321.40	\$ 184.89	\$ 280.56	\$ 130.80	\$ 213.75	\$ 96.08	\$ 156.55	\$ 142.40	\$ 123.83	\$ 105.57	\$ 101.75	\$ 185.31	\$ 125.22	\$ 0.00	\$ 122.63	\$ 141.03	\$ 0.00		\$ 0.00	\$ 0.00	\$ 9,048.87	
\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 51,000.00	
\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 30.00	
\$ 185.31	\$ 305.33	\$ 175.40	\$ 246.98	\$ 104.49	\$ 160.31	\$ 67.24	\$ 101.76	\$ 85.44	\$ 68.10	\$ 53.29	\$ 45.79	\$ 74.12	\$ 43.83	\$ 0.00	\$ 30.66	\$ 28.21	\$ 16.82		\$ 0.00	\$ 0.00	\$ 14,307.69	
2,185.97	3,040.89	2,227.79	2,816.02	1,609.74	2,314.59	1,585.98	1,947.14	1,854.40	1,736.76	1,628.78	1,595.24	2,074.78	1,720.02	1,000.00	1,692.83	789.74	510.10		204.60	232.72	115,182.17	
\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
\$ 2,185.97	\$ 3,040.89	\$ 2,227.79	\$ 2,816.02	\$ 1,609.74	\$ 2,314.59	\$ 1,585.98	\$ 1,947.14	\$ 1,854.40	\$ 1,736.76	\$ 1,628.78	\$ 1,595.24	\$ 2,074.78	\$ 1,720.02	\$ 1,000.00	\$ 1,692.83	\$ 789.74	\$ 510.10		\$ 204.60	\$ 232.72	\$ 115,182.17	
\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
2,185.97	3,040.89	2,227.79	2,816.02	1,609.74	2,314.59	1,585.98	1,947.14	1,854.40	1,736.76	1,628.78	1,595.24	2,074.78	1,720.02	1,000.00	1,692.83	789.74	510.10		0.00	0.00	\$105,343.31	

Annmarie Billingsley
Assistant Borough Attorney
Fairbanks North Star Borough
PO Box 71267
Fairbanks, Alaska 99707
Email: abillingsley@fnsb.us
Ph. (907) 459-1318

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

FAIRBANKS NORTH STAR BOROUGH,

Plaintiff,

vs.

H54B, INC. dba MOOSE CREEK LODGE
and MELANIE C. JORDAN,

Defendants.

Case No. 4FA-18-01252 CI

**ORDER GRANTING FNSB'S MOTION FOR ENTRY OF JUDGMENT AND
ATTORNEY'S FEES**

Plaintiff Fairbanks North Star Borough has requested entry of judgment and attorney's fees against H54B, Inc. dba Moose Creek Lodge and Melanie Caroline Jordan nka Melanie Caroline White pursuant to the confession of judgment which was filed on December 12, 2018.

IT IS ORDERED that judgment is hereby entered against the above-named defendants, H54B, Inc. dba Moose Creek Lodge and Melanie Caroline Jordan nka Melanie Caroline White.

IT IS ORDERED that the Fairbanks North Star Borough is awarded \$4,856.87 in attorney's fees against Defendants pursuant to Alaska R. Civ. P. 82. Interest shall

Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

LODGED
JAN 30 2019

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Fairbanks, Alaska 99707
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accrue at the post-judgment rate of 6.0% per annum, pursuant to AS 09.30.070, upon this amount.

DATED at Fairbanks, Alaska this _____ day of _____, 2019.

Honorable Randy M. Olsen
Superior Court Judge

CERTIFICATE OF SERVICE

This is to certify that on this date, a copy of the foregoing is being:

- mailed via first class mail, faxed or
 hand delivered to the following attorney or parties of record:

Jason A. Weiner
Gazewood & Weiner, PC
1008 16th Avenue, Suite 200
Fairbanks, Alaska 99701

K. Pan 1-30-19
FNSB Department of Law Date

FNSB

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

FAIRBANKS NORTH STAR BOROUGH

Plaintiff,

vs.

H54B, INC. dba MOOSE CREEK LODGE
and MELANIE C. JORDAN,

Defendants.



Case No. 4FA-18-01252 CI

OPPOSITION TO MOTION FOR ENTRY OF JUDGMENT AND ATTORNEY'S FEES

H54B, Inc. dba Moose Creek Lodge and Melanie Jordan, by and through undersigned counsel, hereby oppose the Fairbanks North Star Borough's Motion for Entry of Judgment and Attorney's Fees.

Defendants have made efforts to make payments. The Borough fails to properly account for the payments that were made. The Borough also fails to take into account that business has been stifled at times in the past few years due to water contamination from Eielson Air Force Base. The Borough allowed the confession of judgment to enter knowing that Defendants were facing difficulties and were doing what they could to make payments. Defendants are currently trying to address pollution issues with the United States, and are trying to address what they have lost due to the contamination.

The Borough has also indicated that it intends to recommend that Defendants' liquor license not be renewed, and have stated they will protest renewal of the license. How does the Borough expect Defendants to make payments if they cannot sell alcohol? This was the same situation that was in place at the commencement of this case – Defendants could not make

GAZEWOOD &
WEINER, PC
1008 16th Avenue
Suite 200
Fairbanks, Alaska 99701
Tel: (907) 452-5196
Fax: (907) 456-7058
info@fairbanksllaw.com

payments because an injunction was in place preventing them from operating. At the same time, the Borough was charging Defendants with alcohol sales that never occurred.

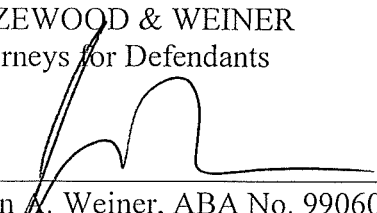
Defendants are looking into bankruptcy. While the taxes will need to be paid, the penalties, interest and attorney fees most likely will be stripped in the bankruptcy. Given the difficult financial climate that has been created due to water issues and transitions at the military base near the Moose Creek Lodge, Defendants hope the Court will at least give Defendants some time to put money together to file for bankruptcy.

Finally, attorney fees as calculated by the Borough are not appropriate. The confession of judgment addresses attorney fees. It states that Plaintiff may collect additional costs and attorney fees in connection with any collection efforts in this matter. The confession of judgment said nothing about having to pay attorney fees based on Rule 82 for the whole judgment. If the Borough's motion for entry of judgment is granted, only Rule 82 fees for the collection efforts after the confession of judgment was entered should be granted, which should be 20% of their actual fees in filing the motion for entry of judgment, or about \$200 at the most.

This Court should deny the Borough's motion for entry of judgment at this time, or at least should only award fees based on the attorney fees incurred in the filing of the motion for entry of judgment, not fees based on the entire judgment.

DATED on the 12th day of February, 2019, at Fairbanks, Alaska.

GAZEWOOD & WEINER
Attorneys for Defendants



Jason A. Weiner, ABA No. 9906031

GAZEWOOD &
WEINER, PC

1008 16th Avenue
Suite 200
Fairbanks, Alaska 99701
Tel.: (907) 452-5196
Fax: (907) 456-7058
info@fairbankslaw.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was provided via mail courier hand-delivery to the following:

Fairbanks North Star Borough
Annemarie Billingsley
Department of Law
P.O. Box 71267
Fairbanks, AK 99707

Dated: 2/12/19 By: 

**GAZEWOOD &
WEINER, PC**

1008 16th Avenue
Suite 200
Fairbanks, Alaska 99701
Tel.: (907) 452-5196
Fax: (907) 456-7058
info@fairbankslaw.com

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

FAIRBANKS NORTH STAR BOROUGH

Plaintiff,

vs.

H54B, INC. dba MOOSE CREEK LODGE
and MELANIE C. JORDAN,

Defendants.

Case No. 4FA-18-01252 CI

ORDER DENYING MOTION FOR ENTRY OF JUDGMENT AND ATTORNEY FEES

This matter having come before the Court on the Plaintiff's Motion for Entry of Judgment and Attorney Fees, and having heard Defendant's opposition, and being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that the Plaintiff's Motion for Entry of Judgment and Attorney Fees is **DENIED**. Judgment is not entered at this time.

DATED AND ENTERED on the _____ day of _____, 2019, at Fairbanks, Alaska.

JUDGE OF THE SUPERIOR COURT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was provided via mail courier hand-delivery to the following:

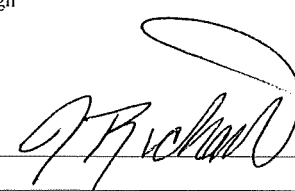
Fairbanks North Star Borough

Annemarie Billingsley

Department of Law

P.O. Box 71267

Fairbanks, AK 99707

Dated: 2/12/19 By: 

**GAZEWOOD &
WEINER, PC**

1008 16th Avenue
Suite 200

Fairbanks, Alaska 99701
Tel: (907) 452-5196
Fax: (907) 456-7058
info@fairbankslaw.com

Annmarie Billingsley
Assistant Borough Attorney
Fairbanks North Star Borough
PO Box 71267
Fairbanks, Alaska 99707
Email: abillingsley@fnsb.us
Ph. (907) 459-1318

FILED in the Trial Court
State of Alaska Fourth District

FEB 22 2019

by _____ Deput

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

FAIRBANKS NORTH STAR BOROUGH,

Plaintiff,

vs.

H54B, INC. dba MOOSE CREEK LODGE
and MELANIE C. JORDAN,

Defendants.

Case No. 4FA-18-01252 CI

**FAIRBANKS NORTH STAR BOROUGH'S REPLY TO DEFENDANTS' OPPOSITION
TO MOTION FOR ENTRY OF JUDGMENT AND ATTORNEY'S FEES**

The Defendants oppose the entry of judgment because they need time to put money together to file for bankruptcy, a bankruptcy that they claim was caused by reasons ranging from water contamination issues to transitions at the military base. Yet the Defendants do not dispute the fact that they signed a confession of judgment that they agreed the FNSB would file with the Court. They also do not dispute that they agreed that "as a result of such filing, a judgment will be entered and recorded against Defendants."¹ The Defendants failed to provide any legally supportable argument as to why the Court should delay entry of judgment.

¹ See Confession of Judgment at p. 2 (Dec. 12, 2018).

Instead, the Defendants' Opposition contains a number of wholly unsupported assertions to which the FNSB lacks even the basic information it would need to respond. For example, the Defendants claim that the FNSB "fails to properly account for the payments that were made."² The FNSB attached an Exhibit to its Motion for Entry of Judgment which shows the payments being applied in a spreadsheet, contains a narrative showing the dates that payments were received, and explains the manner in which they were applied.³ If the Defendants truly believed that the FNSB failed to properly account of payments, they should have, at the very least, explained how.

Similarly, the Defendants claim that the FNSB was charging the Defendants with alcohol sales that never occurred while there was an injunction in place.⁴ The Defendants raised this issue on November 2, 2018 in an e-mail through counsel. The FNSB responded, "[t]he last time your client was issued a notice to quit operations, she continued operating anyway....IF she had no income, she still needs to file the report. The injunction is not a valid excuse and based on her past performance, isn't a reliable indicator that she had zero sales....If the June and July estimates have not been finalized yet, she should send in her reports ASAP."⁵ A month later, the Defendants submitted their reports for June and July 2018, the time period when the injunction was in place.⁶ The FNSB updated its spreadsheet and only charged the Defendants for the sales they reported.⁷ The Defendants are intentionally misleading the Court.

Finally, the Defendants object to the entry of Rule 82 attorney fees. The

² See Defendants' Opposition to Motion for Entry of Judgment and Attorney's Fees at p. 1 (Feb. 12, 2019) (hereinafter "Opposition").

³ See Exhibit 1 to the Motion for Entry of Judgment and Attorney's Fees at p. 1 (Jan. 30, 2019).

⁴ Opposition at pp. 1-2.

⁵ See November 2, 2018 e-mail chain, attached as Exhibit 1.

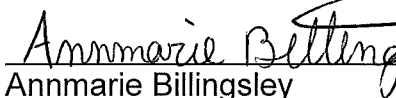
⁶ See December 11, 2018 e-mail, attached as Exhibit 2.

⁷ See Exhibit 1 to the Motion for Entry of Judgment and Attorney's Fees at p. 3 (Jan. 30, 2019).

Defendants are correct that the confession of judgment addresses attorney fees. It specifically says, "[I]n the event of Defendants' default, Plaintiff may also collect any additional costs and attorney fees incurred in connection with any collection efforts in this matter."⁸ The Defendants interpret the attorney fees provision in the confession of judgment to apply only to collection efforts **after** the confession of judgment was entered. This is incorrect and there is no limiting language in the provision to support this interpretation. Instead the provision contains the expansive modifier "any" and allows the FNSB to collect "**any**" attorney fees incurred in connection with "**any**" collection efforts in this matter. Since the Defendants' defaulted, the FNSB is entitled to all of its attorney fees. If the Defendants prefer to pay the actual attorney fees incurred in connection with the collection efforts in this matter, the FNSB is not opposed. The actual attorney fees total \$8,481.52.⁹

DATED this 22nd day of February, 2019.

FAIRBANKS NORTH STAR BOROUGH




Annmarie Billingsley
Assistant Borough Attorney
Alaska Bar No. 1011059

CERTIFICATE OF SERVICE

This is to certify that on this date, a copy of the foregoing is being:

- mailed via first class mail, faxed or
 hand delivered to the following attorney or parties of record:

Jason A. Weiner
Gazewood & Weiner, PC
1008 16th Avenue, Suite 200
Fairbanks, Alaska 99701


FNSB Department of Law

Date

⁸ See Confession of Judgment at p. 3 (Dec. 12, 2018).

⁹ See Itemization of Time, attached as Exhibit 3.

Kimberly Pan

From: Annmarie Billingsley
Sent: Friday, November 02, 2018 2:07 PM
To: Jason Weiner
Cc: Kimberly Pan
Subject: RE: Moose Creek Lodge

Hi Jason,

I'm happy to hear that your surgery went smoothly, but sorry that you had to have surgery at all and that the recovery hasn't been great.

The last time your client was issued a notice to quit operations, she continued operating anyway. FNSBC 8.52.100(B) specifically says "Every seller possessing a current certificate of registration shall file with the borough a properly completed monthly report form no later than the fifteenth day of the month following the month subject to the report even if the seller has not engaged in taxable retail sales during the reported month." IF she had no income, she still needs to file the report. The injunction is not a valid excuse and based on her past performance, isn't a reliable indicator that she had zero sales. Further, the FNSB only had to get the injection because had been indebted to the FNSB for over four years and then she ceased all communication and ignored all of the correspondence and communication attempts that the FNSB had been making prior to the litigation. If the June and July estimates have not been finalized yet, she should send in her reports ASAP.

We have pre-trial deadlines coming up on 11/27 so if your client is going to sign the confession of judgment, please get any edits back to me ASAP so that we can get it filed before then.

Thanks,
Annmarie

Annmarie Billingsley
Assistant Borough Attorney
Fairbanks North Star Borough
P.O. Box 71267
Fairbanks, AK 99707
(907) 459-1318

This message contains information that is confidential and within the Attorney-Client or Attorney Work Product privilege. Disclosure of its contents to third persons will adversely affect Borough interests and is prohibited by FNSB 2.25.140. If this message is received by someone other than the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is STRICTLY PROHIBITED. If you received this transmission in error, please immediately contact the sender and destroy the material in its entirety, whether in electronic or hard copy format. This communication is also covered by the Electronic Communications Privacy Act, 18 USC 2510, et seq.

DO NOT FORWARD THIS E-MAIL without first discussing the consequences of such action with the sender.

From: Jason Weiner [mailto:jweiner@fairbankslaw.com]
Sent: Friday, November 02, 2018 3:26 AM
To: Annmarie Billingsley
Cc: Kimberly Pan
Subject: RE: Moose Creek Lodge

I have been just catching up after gall bladder surgery. Surgery was short and sweet, but the pre and post weeks were not much fun.

Melanie wanted to point out that the Borough closed her down in June and July with the injunction, so there was no income. In fact, there was a lot of loss. She should not be charged nor should she have to produce reports for those months.

Jason

From: Annmarie Billingsley [mailto:ABillingsley@fnsb.us]
Sent: Monday, October 15, 2018 3:57 PM
To: Jason Weiner
Cc: Kimberly Pan
Subject: RE: Moose Creek Lodge

Hi Jason,

I confirmed with Treasury and Budget that they did in fact receive a \$3,000 check from Melanie. However, they did not receive reports for June and July. As such the spreadsheet attached to the Draft Confession of Judgment still has estimates. I'm unclear on whether the 30 day appeal period has run such that those estimates have been finalized, but nevertheless, I included the estimates with the past due amounts instead of with the current accounting so that your clients wouldn't have such a large current balance to pay off immediately.

Please review the attached Draft and let me know if it's amenable to your clients.

Thanks,
Annmarie

Annmarie Billingsley
Assistant Borough Attorney
Fairbanks North Star Borough
P.O. Box 71267
Fairbanks, AK 99707
(907) 459-1318

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DO NOT FORWARD THIS E-MAIL without first discussing the consequences of such action with the sender.

From: Jason Weiner [mailto:jweiner@fairbankslaw.com]
Sent: Tuesday, October 09, 2018 4:53 PM
To: Annmarie Billingsley
Cc: Jessica Richards
Subject: RE: Moose Creek Lodge

My understanding is that Melanie has dropped off a check for \$3,000. Do you want to prepare the confession of judgment?

Jason

Kimberly Pan

From: Kimberly Pan
Sent: Tuesday, December 11, 2018 3:07 PM
To: 'Jessica Richards'
Cc: 'abender@fairbankslaw.com'
Subject: Moose Creek Lodge - filing for June 2018
Attachments: June 2018 filing.pdf

Good afternoon,

We received an email from you on November 21 with photos of the signed tax documents (attached, p. 1). We then received the original signed tax documents by courier on December 5 (attached, p. 2). The amount of sales on the emailed June 2018 filing was \$10,017.50 and a total tax due of \$500.88. The original document we received for the June 2018 filing showed total sales of \$10,075.50, a tax of \$500.85 (should be \$503.78), and is dated December 3, 2018.

Please clarify why the documents we received for the June 2018 filing are different.

Thank you,

Kimberly S. Pan
Legal Assistant I
Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
(907) 459-1318/p
(907) 459-1155/f
Email:kpan@fnsb.us

ITEMIZATION OF ATTORNEY'S FEES

ATTORNEY TIME (\$250/HR)

DATE	HRS	ACTIVITY	INITIALS	TOTAL
8/1/17	0.5	Meeting with Treasury/Budget to discuss foreclosing on sales tax liens	AB	\$125.00
8/7/17	0.25	Conference with AF re: communications with alcoholic beverage control board and owed alcohol taxes. Review e-mail correspondence	AB	\$62.50
8/9/17	2.0	Review Moose Creek sales tax lien and corresponding case law. Send e-mail to Treasury/Budget re: need to revise lien and file suit	AB	\$500.00
9/5/17	0.25	e-mails/discussion with JD re: approval to file suit	AB	\$62.50
9/7/17	0.5	Meeting with Treasury/Budget re: documentation needed to file suit	AB	\$125.00
9/11/17	0.25	Conference w/ KP re: drafting demand letter and where to send it	AB	\$62.50
9/18/17	0.25	review demand letter and conference w/ KP re: requesting total amounts due	AB	\$62.50
11/6/17	.0.5	Receive confirmation from Treasury/Budget that no payments were made. Request updated amounts as of 11/15. Meeting with KP re: drafting complaint	AB	\$125.00
12/11/17	1.5	Telephone call with Treasury/Budget re: requested relief options including injunction. Send follow up e-mail recapping conversation and providing code references	AB	\$375.00
12/18/18	0.25	Amend alcoholic beverage tax lien and give to KP for recording	AB	\$62.50
1/4/18	0.5	Conference w/ KP re: exhibits needed and estimated taxes letter	AB	\$125.00
1/5/18	0.2	Review/edit estimated taxes letter. Conference w/ KP re: status of complaint	AB	\$50.00
1/12/18	2.0	Edit and supplement Complaint. Conference w/ KP. Review e-mails to Treasury/Budget re: when business started operating	AB	\$500.00
1/16/18	0.5	Review summons, complaint, case description and review/sign complaint for filing	AB	\$125.00
1/16/18	0.2	E-mails to JD re: notifying assembly of non-routine litigation/ judicial assignment	AB	\$50.00
2/21/18	1.5	Review draft default motion, order, and affidavit. Begin making edits	AB	\$375.00

2/22/18	0.5	Read and review notice of change of contact info and motion for extension of time. Conference w /KP re: drafting limited opposition	AB	\$125.00
2/23/18	0.2	Review and sign limited opposition to extension of time	AB	\$50.00
3/15/18	0.2	Conference w/ mayor's office re: protesting liquor license if litigation ongoing	AB	\$50.00
3/22/18	0.2	Read and review order denying defendant's motion for extension of time	AB	\$50.00
3/29/18	1.0	Conference w/ KP re: moving forward with default. Review draft motion and affidavit. Track changes.	AB	\$250.00
5/4/18	0.5	Conference w/ JD re: filing default	AB	\$125.00
5/11/18	1.0	Review and sign affidavit and request for entry of default. Review and edit order and default judgement/injunction	AB	\$250.00
5/30/18	0.1	r/r EOA by Weiner	AB	\$25.00
6/15/18	0.2	r/r Answer to Complaint	AB	\$50.00
6/21/18	0.1	r/r order granting default and injunction and deficiency memo from Court	AB	\$25.00
6/21/18	0.2	Review final judgment. Conference w/KP	AB	\$50.00
6/25/18	0.5	Review e-mails from Weiner/JD re: expedited and lifting the injunction. Review e-mails from JD to client re: proposed course of action	AB	\$125.00
7/9/18	0.2	Review motion for expedited and corresponding order and affidavits Review underlying motion for reconsideration and Answer to Complaint.	AB	\$50.00
7/9/18	0.6	Review unopposed motion for extension of time. Conference w/JD recapping TC with Weiner. Conference w/KP re: exhibits needed	AB	\$150.00
7/12/18	2.7	Research and Draft Opposition to Defendants' Motion to Set Aside Entry of Default	AB	\$675.00
7/18/18	0.2	r/r reply to opposition to set aside default, accept late answer, and set aside injunction	AB	\$50.00
8/1/18	0.1	Conference w/KP re: flagging license renewal. R/r attorney's request for hearing	AB	\$25.00
8/2/18	0.1	r/r order granting motion to set aside, etc.	AB	\$25.00
8/13/18	0.1	r/r e-mail from Weiner re: settlement proposal	AB	\$25.00
8/22/18	1.4	Attending TDSC. Review settlement proposal from Weiner. E-mail client offer and assessment and request feedback	AB	\$350.00
8/23/18	0.1	Review pretrial order	AB	\$25.00
9/4/18	0.6	r/r e-mail from Weiner re: \$51K offer. E-mails with clients re: proposed response	AB	\$150.00
9/10/18	0.2	Conference w/KP re: preliminary witness list. Review and sign.	AB	\$50.00

9/17/18	0.1	Review amended pretrial order	AB	\$25.00
9/19/18	0.3	e-mails from Weiner & clients negotiating settlement terms	AB	\$75.00
9/27/18	0.2	e-mail to Weiner final settlement terms	AB	\$50.00
10/10/18	0.2	Conference w/AF re: drafting confession of judgment. E-mails with Weiner. Conference w/KP.	AB	\$50.00
10/23/18	0.2	e-mails w/T/B re: applying payments and revising spreadsheet	AB	\$50.00
11/2/18	0.2	5x e-mails with Weiner	AB	\$50.00
11/19/18	0.1	Review and sign witness list.	AB	\$25.00
11/28/18	0.3	5x e-mails with Jessica Richards re: confession of judgments and outstanding reports. Conference w/KP re: discovery deadline. Follow up on status of confession.	AB	\$75.00
11/29/18	0.1	Review Defendant's Witness list	AB	\$25.00
12/7/18	0.2	Sign confession of judgment. Conference w/KP re: filing and circulating	AB	\$50.00
12/10/18	0.1	Review and sign motion to vacate trial	AB	\$25.00
12/28/18	0.2	Get update from T/B review and conference w/KP re: letter to Weiner	AB	\$50.00
1/9/18	0.1	Review order granting motion to vacate	AB	\$25.00
1/30/18	0.4	Edit Motion for Entry of Judgment. Conference w/KP. Review final judgment, cost bills, and affidavit. Review and sign letter to Weiner	AB	\$100.00
2/15/18	0.1	r/r Opposition to motion for entry of judgment.	AB	\$25.00
2/21/18	2.3	Draft reply to opp for entry of judgment	AB	\$575.00
TOTAL:				\$6,812.50

PARALEGAL TIME (\$125/HR)

DATE	HRS	ACTIVITY	INITIALS	TOTAL
9/18/17	0.25	Begin drafting demand letter for alcoholic beverage taxes	KP	\$31.25
11/16/17	0.75	Begin drafting complaint	KP	\$93.75
12/18/17	0.25	Prepare Corrected Notice of Alcoholic Beverage Tax Lien for recording	KP	\$31.25
1/5/18	0.25	Begin drafting letter to Moose Creek regarding updated estimated taxes due	KP	\$31.25
1/11/18	1.0	Continue drafting complaint	KP	\$125.00
1/12/18	0.5	Continue drafting complaint	KP	\$62.50
1/16/18	0.5	Review summons, complaint, and case description for filing	KP	\$62.50
2/21/18	1.5	Begin drafting request for default judgment, proposed order, default judgment, and affidavit	KP	\$187.50

2/23/18	0.5	Begin drafting Plaintiff's Limited Opposition to Defendants' Motion for Extension of Time and finalize for filing	KP	\$62.50
3/29/18	0.5	Continue drafting request for default judgment	KP	\$62.50
5/9/18	0.5	Continue drafting request for default judgment	KP	\$62.50
5/11/18	0.75	Review and finalize request for default judgment and supporting documents for filing	KP	\$93.75
6/21/18	0.25	Draft proposed Final Judgment	KP	\$31.25
7/3/18	0.5	Begin drafting Motion for Extension of Time to File Opposition to Defendants' Motion to Set Aside Entry of Default	KP	\$62.50
7/5/18	0.25	Review Motion for Extension of Time to File Opposition to Defendants' Motion to Set Aside Entry of Default for filing and email to Jason Weiner	KP	\$31.25
7/5/18	0.25	Begin drafting Opposition to Defendants' Motion to Set Aside Entry of Default	KP	\$31.25
7/11/18	0.5	Review Opposition to Defendants' Motion to Set Aside Entry of Default and prepare exhibits for filing	KP	\$62.50
8/23/18	0.5	Review pretrial order and calendar deadlines	KP	\$62.50
9/4/18	0.25	Draft Preliminary Witness List	KP	\$31.25
10/10/18	0.5	Draft Confession of Judgment	AF	\$62.50
10/10/18	0.25	Review Confession of Judgment	KP	\$31.25
10/23/18	0.25	Draft letter to Jason Weiner regarding reports	KP	\$31.25
11/19/18	0.25	Draft Lay Witness List	KP	\$31.25
11/20/18	0.1	Email Monthly Reporting Forms to Jason Weiner's office	KP	\$12.50
11/27/18	0.25	Revise Confession of Judgment with new amounts and email to Jason Weiner's office	KP	\$31.25
12/3/18	0.1	Email Jason Weiner's office regarding status of the Confession of Judgment	KP	\$12.50
12/10/18	0.25	Draft Motion to Vacate Trial	KP	\$31.52
12/11/18	0.1	Email Jason Weiner's office regarding different tax documents received	KP	\$12.50
12/14/18	0.1	Email Jason Weiner regarding payment deadline	KP	\$12.50
12/28/18	0.1	Draft letter to Jason Weiner regarding payments	KP	\$12.50
1/8/19	0.75	Draft Motion for Entry of Judgment	KP	\$93.75
1/30/19	0.5	Review Motion for Entry of Judgment for filing	KP	\$62.50
1/30/19	0.1	Draft letter to Jason Weiner regarding missed payment	KP	\$12.50
TOTAL:				\$1,669.02

TOTAL OF ATTORNEY AND PARALEGAL TIME:
\$6812.50 + \$1669.02 = \$8,481.52

Annmarie Billingsley
Assistant Borough Attorney
Fairbanks North Star Borough
PO Box 71267
Fairbanks, Alaska 99707
Email: abillingsley@fnsb.us
Ph. (907) 459-1318

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

FOURTH JUDICIAL DISTRICT AT FAIRBANKS

FAIRBANKS NORTH STAR BOROUGH,

Plaintiff,

vs.

H54B, INC. dba MOOSE CREEK LODGE
and MELANIE C. JORDAN,

Defendants.

Case No. 4FA-18-01252 CI

**ORDER GRANTING FNSB'S MOTION FOR ENTRY OF JUDGMENT AND
ATTORNEY'S FEES**

Plaintiff Fairbanks North Star Borough has requested entry of judgment and attorney's fees against H54B, Inc. dba Moose Creek Lodge and Melanie Caroline Jordan nka Melanie Caroline White pursuant to the confession of judgment which was filed on December 12, 2018.

IT IS ORDERED that judgment is hereby entered against the above-named defendants, H54B, Inc. dba Moose Creek Lodge and Melanie Caroline Jordan nka Melanie Caroline White.

IT IS ORDERED that the Fairbanks North Star Borough is awarded \$4,856.87 in attorney's fees against Defendants pursuant to Alaska R. Civ. P. 82. Interest shall

Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

LODGED
JAN 30 2019



accrue at the post-judgment rate of 6.0% per annum, pursuant to AS 09.30.070, upon this amount.

DATED at Fairbanks, Alaska this 19th day of March, 2019.

Jane F Kauvar
~~Honorable Randy M. Olsen~~
Superior Court Judge

Jane F Kauvar

CERTIFICATE OF SERVICE

This is to certify that on this date, a copy of the foregoing is being:

- mailed via first class mail, faxed or
- hand delivered to the following attorney or parties of record:

Jason A. Weiner
Gazewood & Weiner, PC
1008 16th Avenue, Suite 200
Fairbanks, Alaska 99701

I certify that on 3/19/19
copies of this form were sent to:
Clerk: *BMW Bellingsley*
Weiner

K. Pan 1-30-19
FNSB Department of Law Date

Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

#12

Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

Annamarie Billingsley
Assistant Borough Attorney
Fairbanks North Star Borough
PO Box 71267
Fairbanks, Alaska 99707
Email: abillingsley@fnsb.us
Ph. (907) 459-1318

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

FOURTH JUDICIAL DISTRICT AT FAIRBANKS

FAIRBANKS NORTH STAR BOROUGH,

Plaintiff,

vs.

H54B, INC. dba MOOSE CREEK LODGE
and MELANIE C. JORDAN,

Defendants.

FILED in the Trial Court
State of Alaska Fourth District
JAN 30 2018
By _____ Deputy

Case No. 4FA-18-01252 CI

COST BILL

Plaintiff, Fairbanks North Star Borough, requests an award of the costs listed below. These costs are allowable under Alaska R. Civ. P. 79 and were necessarily incurred in the action. The amount listed for each item is the amount specified by the court or the cost actually incurred.

	<u>COST</u>
1. Filing fee (01/16/2018)	\$ 250.00
2. Process Server Fees (02/01/2018)	\$ 161.50

TOTAL COSTS	\$411.50

2/11
ET

D

Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

These costs are true and correct, the services have been actually and necessarily performed and disbursements have been necessarily incurred in the above-entitled matter.

DATED at Fairbanks, Alaska this 30 day of January, 2019.

FAIRBANKS NORTH STAR BOROUGH

Annamarie Billingsley

Annamarie Billingsley
Assistant Borough Attorney
Alaska Bar No. 1011059

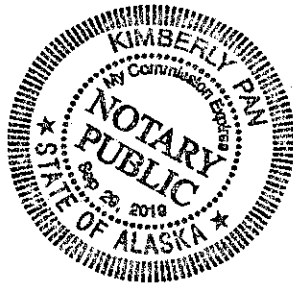
VERIFICATION

I state on oath or affirm that I have read this cost bill and its attachments and that all statements and costs contained in these documents are true and correct.

Annamarie Billingsley

Annamarie Billingsley, ABA No. 1011059

SUBSCRIBED AND SWORN to before me at Fairbanks, Alaska this 30th day of January, 2019.



Kimberly Pan

Notary Public in and for Alaska

Commission Expires: 09-29-2019

RULING ON COST BILL

Costs are hereby taxed in favor of Fairbanks North Star Borough and against H54B, Inc. dba Moose Creek Lodge and Melanie C. Jordan in the amounts noted above.

Remarks:

Cost Award of \$ 411.50

3-29-19

Date

Clerk of Court/District Court Judge

CERTIFICATE OF SERVICE

This is to certify that on the ____ day of _____, 201__, a copy of this ruling was sent to:

Jason A. Weiner
Gazewood & Weiner, PC
1008 16th Avenue, Suite 200
Fairbanks, Alaska 99701

Clerk

I certify that on 4-5-19
copies of this form were sent to:

Clerk: ai Billingsley
Weiner

Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

CERTIFICATE OF SERVICE

This is to certify that on this date, a copy of the foregoing is being:

mailed via first class mail, faxed or
 hand delivered to the following attorney or parties of record:

Jason A. Weiner
Gazewood & Weiner, PC
1008 16th Avenue, Suite 200
Fairbanks, Alaska 99701

H. Pan

1-30-19

FNSB Department of Law

Date

Cost Bill

FNSB v. H54B, Inc. dba Moose Creek Lodge and Melanie C. Jordan; 4FA-18-01252 CI

Page 4 of 4

ALASKA COURT SYSTEM

Receipt Type Case Outstanding Amount 0.00
Receipt Number 1486823 Receipt Date 01/16/2018

Case Number	4FA-18-01252CI
Description	Fairbanks North Star Borough vs. H54B Inc et al

Received From Kimberly S Pan % FNSB
On Behalf Of Fairbanks North Star Borough

Itemized Listing:

Description	Amount
Complaint for Debt Collection	250.00

Receipt Payments	Amount	Reference Description
Credit Card	250.00	046580

Total Received	250.00
Net Received	250.00
Change	0.00

Comments

Deputy Register jlowry Transaction Date 01/16/2018
13:19:01.91

FAIRBANKS

FILED in the Trial Courts
State of Alaska Fourth District

FEB 02 2018

FAIRBANKS NORTH STAR BOROUGH

By _____ Deputy

-vs-

Affidavit Of Service

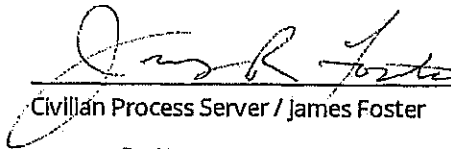
H54B, INC DBA MOOSE CREEK LODGE AND MELANIE C.
JORDAN

4FA-18-01252 CI


I certify that on February 1, 2018 at 5:00 pm AKST I served the following documents:

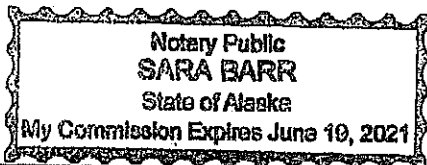
Summons and Notice to Both Parties of Judicial Assignment, Complaint to Recover Delinquent Sales Taxes, Penalties, Interests, And Fees/Costs, and For Injunctive Relief, Case Description,

for service upon H54B, INC. dba Moose Creek Lodge, by leaving a true and correct copy with Melanie Jordan a registered agent located at 4814 Da Nephew St #C in North Pole, AK.


Civilian Process Server / James Foster

SUBSCRIBED AND SWORN to before me on

2-2-2018




Notary Public in and for the State of Alaska
My commission Expires 06/10/2021

Client: FNSB
P.O. BOX 71267 , FAIRBANKS, AK 99707



File No:

Mileage Fee [Rule 11(a)(7)]	\$20.00
Service Fee [Rule 11(a)(1)(ii)]	\$45.00
Extra Miles @ .50 cents a mile	\$31.50
Total Recoverable Fees per Admin Rule 11:	\$96.50
Total Fees:	\$96.50
Total Paid:	\$0.00

Small Claims & Eviction Services
A Credit Services Unlimited, LLC Company
Fairbanks 907.452.6489
Anchorage 907.563.6774

1953684 **

FAIRBANKS

FILED in the Court of the State of Alaska Fourth District

FEB 02 2018

FAIRBANKS NORTH STAR BOROUGH

-vs-

By _____
Affidavit Of Service

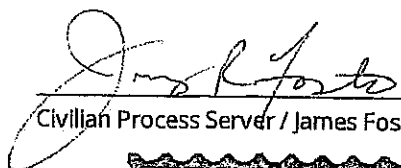
H54B, INC, DBA MOOSE CREEK LODGE AND MELANIE C. JORDAN

4FA-18-01252 CI


I certify that on February 1, 2018 at 5:00 pm AKST I served the following documents:

Summons and Notice to Both Parties of Judicial Assignment, Complaint to Recover Delinquent Sales Taxes, Penalties, Interests, And Fees/Costs, and For Injunctive Relief, Case Description,

for service upon Melanie C. Jordan, by leaving a true and correct copy with Melanie C. Jordan located at 4814 Da Nephew St #C in North Pole, AK.


Civilian Process Server / James Foster

SUBSCRIBED AND SWORN to before me on

2-2-2018




Notary Public in and for the State of Alaska
My commission Expires 06/10/2021

Client: FNSB
P.O. BOX 71267, FAIRBANKS, AK 99707



File No:

Mileage Fee [Rule 11(a)(7)] \$20.00

Service Fee [Rule 11(a)(1)(ii)] \$45.00

Total Recoverable Fees per Admin Rule 11: \$65.00

Total Fees: \$65.00

Total Paid: \$0.00

Small Claims & Eviction Services
A Credit Services Unlimited, LLC Company
Fairbanks 907.452.6489
Anchorage 907.563.6774

1953678 **

Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

Annmarie Billingsley
Assistant Borough Attorney
Fairbanks North Star Borough
PO Box 71267
Fairbanks, Alaska 99707
Email: abillingsley@fnsb.us
Ph. (907) 459-1318

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

FAIRBANKS NORTH STAR BOROUGH,

Plaintiff,

vs.

H54B, INC. dba MOOSE CREEK LODGE
and MELANIE C. JORDAN,

Defendants.

FILED in the Trial Court
State of Alaska Fourth District

JAN 30 2019

By _____ Deputy

Case No. 4FA-18-01252 CI

FINAL JUDGMENT

IT IS ORDERED that judgment is entered as follows:

1. Plaintiff Fairbanks North Star Borough shall recover from and have judgment against defendants H54B, Inc. dba Moose Creek Lodge and Melanie Caroline Jordan nka Melanie Caroline White (DOB: 02/10/1976), jointly and severally, as follows:

a.	(i) Principal Amount	\$33,462.91
	(ii) Penalties and administrative costs & charges	\$59,576.10
b.	Prejudgment Interest	\$12,304.29
c.	Sub-Total:	\$105,343.30
d.	Attorney's Fees	\$4,856.87

Date Awarded: 3-19-19

Fairbanks North Star Borough
Department of Law
P.O. Box 71267
Fairbanks, Alaska 99707
Phone: (907) 459-1318

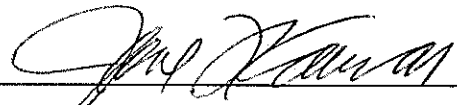
Judge: Kauvar

- e. Costs: \$411.50
Date Awarded: 3-29-19
Clerk: R. Meier
- f. **TOTAL JUDGMENT:** \$110,611.67
- g. Post-Judgment Interest Rate: on the principal at the annual rate of 15%³ and at the annual rate of 6% on the remaining penalties, administrative costs and charges, interest and attorney fees.

DATED this 1st day of April, 2019.

I certify that on 4-5-19
copies of this form were sent to:

Clerk: Billingstey-CERT
Weiner



Superior Court Judge **Jane F Kauvar**

CERTIFICATE OF SERVICE

This is to certify that on this date, a copy of the foregoing is being:
 mailed via first class mail, faxed or
 hand delivered to the following attorney or parties of record:

Jason A. Weiner
Gazewood & Weiner, PC
1008 16th Avenue, Suite 200
Fairbanks, Alaska 99701

K. Pan 1-30-19
FNSB Department of Law Date

³ FNSBC 8.52.110(D)



Alaska Alcoholic Beverage Control Board

Form AB-17: 2019/2020 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing liquor license that will expire on December 31, 2018. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	H54B, Inc.	License #:	527
License Type:	Beverage Dispensary	Legal Ref.:	AS 04.11.090
Doing Business As:	The Moose Creek Lodge		
Premises Address:	3560 Old Richardson Highway		
Local Governing Body:	Fairbanks North Star Borough		
Community Council:	None		
Mailing Address:	6669 Johnson Rd		
City:	Satcha	State:	AK
		ZIP:	99704

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual **must be a licensee** who is required to be listed in and authorized to sign this application.

Contact Licensee:	Melante Jordan	Contact Phone:	378-4811
Contact Email:	high-d-pinka@yahoo.com		

Optional: If you wish for AMCO staff to communicate with individual who is **not a licensee** named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

Name of Contact:		Contact Phone:	
Contact Email:			



Form AB-17: 2019/2020 Renewal License Application

Section 2 - Entity or Community Ownership Information

This top subsection must be completed by any licensee that is a **corporation** or **LLC**. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). This number is neither your EIN/tax ID number, nor your business license number. You may view your entity's status or find your CBPL entity number by visiting the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>
General partnerships and local governments should skip to the second half of this page. Licensees who directly hold a license as an individual or individuals should skip to Section 3.

Alaska CBPL Entity #:	125707
-----------------------	--------

You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

Mel

This subsection must be completed by any **community** or **entity**, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a **corporation**, the following information must be completed for each **stockholder who owns 10% or more** of the stock in the corporation, and for each **president, vice-president, secretary, and managing officer**.
- If the applicant is a **limited liability organization**, the following information must be completed for each **member with an ownership interest of 10% or more**, and for each **manager**.
- If the applicant is a **partnership**, including a limited partnership, the following information must be completed for each **partner with an interest of 10% or more**, and for each **general partner**.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application.

Name of Official:	Melante Jordan			
Title(s):	Director Shareholder President, Secretary	Phone:	378-4811	% Owned: 100%
Mailing Address:	14409 Johnson Rd			
City:	Sitka, AK	State:	99704 AK	ZIP: 99714

Name of Official:				
Title(s):		Phone:		% Owned:
Mailing Address:				
City:		State:		ZIP:

Name of Official:				
Title(s):		Phone:		% Owned:
Mailing Address:				
City:		State:		ZIP:

RECEIVED
JAN 22 2019
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

2019/2020 Renewal License Application

Section 3 - Sole Proprietor Ownership Information

This section must be completed by any licensee who directly holds the license as an **individual or multiple individuals** and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. Entities should skip to Section 4. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate (spouse)

Name:	Melanie Jordan	Contact Phone:	378-4811
Mailing Address:	6669 Johnson Rd.		
City:	Sitka	State:	AK
ZIP:	99714		
Email:	highdpoint@yahoo.com		

This individual is an: applicant affiliate (spouse)

Name:		Contact Phone:	
Mailing Address:			
City:		State:	
ZIP:			
Email:			

Section 4 - Alcohol Server Education

This section must be completed only by the holder of a **beverage dispensary, club, or pub license** or conditional **contractor's permit**. The holders of all other license types should skip to Section 5.

Read the line below, and then sign your initials in the box to the right of the statement: _____ Initials

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as set forth in AS 04.21.025 and 3 AAC 304.465.

MJ

Section 5 - License Operation

Check a single box for each calendar year that best describes how the license was operated: 2017 2018

- The license was regularly operated continuously throughout each year. 2017 2018
- The license was regularly operated during a specific season each year. 2017 2018
- The license was only operated to meet the minimum requirement of 240 total hours each calendar year. *If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.* 2017 2018
- The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both of the calendar years. *If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement, unless a complete copy of the form (including fees) has already been submitted for that year.* 2017 2018



Alcoholic Beverage Control Board
Form AB-17: 2019/2020 Renewal License Application

Section 6 - Violations and Convictions

Applicant violations and convictions in calendar years 2017 and 2018:

	Yes	No
Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2017 or 2018?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2017 or 2018?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

Section 7 - Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business. Initials

I certify that I have not altered the functional floor plan or real estate expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, directors, managers, general partners, or stakeholders) from what is currently approved and on file with the Alcoholic Beverage Control Board. Initials

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued. Initials

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board or AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Melanie Jordan
 Signature of licensee
Melanie Jordan
 Printed name of licensee

[Signature]
 Signature of Notary Public
 Notary Public in and for the State of Alaska

My commission expires: Oct 6 2019
 December 2018

Subscribed and sworn to before me on this day of _____, 2018.

Notary Public
 JEANIE C. SZIDLOSKI
 State of Alaska
 My Commission Expires Oct. 6, 2019

Seasonal License? Yes No

If "Yes", write your six-month operation period:

License Fee:	\$ 2500.00	Application Fee:	\$ 300.00	TOTAL:	\$ 2800.00
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					

