



## MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: April 26, 2021

FROM: Glen Klinkhart, Director

RE: #2790 Ray's Waterfront Bar & Grill

**Requested  
Action:**

Request to allow operations on May 1, 2021.

**Statutory  
Authority:**

AS 04.11.030(a): "The executor or administrator of the estate of a person who was operating a business as a sole licensee under a license authorized by this title may continue to operate the licensed business until an application for transfer of a license to another person is approved or until the license is forfeited under (b) of this section."

AS 04.11.030(b): "If an application for the transfer of ownership of a license from a deceased licensee is not made within 90 days of the death of the licensee or within an additional 90 days if an application for transfer of ownership made by the executor is denied, or no petition is made to the board for an extension of time under (c) of this section within the time, the license is forfeited."

AS 04.11.030(c): "The board may extend the time limits in (b) of this section on petition of the executor or administrator."

**Background:** On February 5, 2021 sole licensee, Julius Simutis, passed away. A transfer application has not yet been submitted to AMCO for review. Counsel for the Personal Representative, Anna Nozaki, is requesting permission from the ABC Board to begin/continue operating the license on May 1, 2021.

Attachments: Licensee request  
Letters Testamentary  
Redacted Death Certificate

**THE LAW OFFICES OF ERNOUF & COFFEY**

*A PROFESSIONAL CORPORATION  
P.O. Box 212314  
Anchorage, Alaska 99521  
(907) 274-3385*

April 9, 2021

Mr. Glen Klinkhart  
Alcohol & Marijuana Control Office  
550 West 7<sup>th</sup> Avenue  
Suite 1600  
Anchorage, Alaska 99501  
**VIA EMAIL**

**Re: Janaska Corp  
d.b.a. Ray's Waterfront Bar & Grill  
Beverage Dispensary #2790  
Death of Licensee**

Dear Glen:

I am writing this letter on behalf of my client Janaska Corp which operates Ray's Waterfront Bar & Grill in Seward.

Please be advised that the sole licensee, Mr. Julius Simutis, passed away on February 5, 2021. His daughter, Anna Nozaki, has gone through the process of probate and has been appointed the personal representative of his estate. Please find attached hereto copies of the Death Certificate and Letters Testamentary for the license file.

Anna is in the process of transferring the license via a stock transfer. This office will be filing the transfer application within the next month. However, she intends to begin operations of the license later next month when the restaurant is due to open for the season. Therefore, I would request that this matter be placed on the April ABC Board Agenda.

My client and I are available at any time to discuss this matter with you further should you feel such a discussion is necessary. Thank you for your time and courtesy in this regard.

Sincerely yours,  
By: s/ W. Sherman Ernouf

cc: Client  
Attachments

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT KENAI

In the Matter of the Estate )  
 )  
 of )  
 )  
 JULIUS RAY SIMUTIS, )  
 )  
 Deceased. )

Case No. 3KN-21-00 074 PR

LETTERS TESTAMENTARY BY THE COURT

The Last Will and Testament of JULIUS RAY SIMUTIS having been admitted to informal probate, ANNA NOZAKI is hereby appointed Personal Representative of the ESTATE OF JULIUS RAY SIMUTIS.

The Personal Representative or Attorney for the Estate is authorized to receive medical, financial, including but not limited to, bank statements from financial institution, credit unions or investment account, information from the Social Security Administration, State of Alaska, including protected information, records from secondary sources, and any other information pertinent to the probating of the Estate of JULIUS RAY SIMUTIS. All document requests shall be released within seven (7) days of the request by the Personal Representative or Attorney for the Estate. If you do not produce the requested records, you may be requested to appear at a hearing to explain why you did not release the information necessary to probate the Estate.

DATED at Kenai, Alaska, this 14<sup>th</sup> day of March, 2021.

Amberley Sweet  
PROBATE MASTER/REGISTRAR

I certify that a copy of the foregoing was

mailed \_\_\_\_\_  
 placed in court box to Dollfka Acc  
faxed to \_\_\_\_\_  
 scanned to Dollfka  
VF 3-5-2021  
Clerk Date

Dollfka & Associates PC  
Attorneys at Law  
P. O. Box 498  
Soldotna, Alaska 99669  
907 262 2910

LETTERS TESTAMENTARY BY THE COURT  
ESTATE OF JULIUS RAY SIMUTIS  
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MAR - 3 2021

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CERTIFICATE OF DEATH

STATE OF HAWAII  
DEPARTMENT OF HEALTH



CERTIFICATE NO. 151 2021 - 001019

Name of Decedent  
JULIUS RAY SIMUTIS

City, Town or Location of Death  
Holualoa

County of Death  
HAWAII

Island of Death  
HAWAII

Actual or Presumed Date of Death    Actual or Presumed Time of Death  
February 05, 2021    8:30 PM

Date of Birth  
[REDACTED]

Age at Death  
77 YEAR(s)

Sex    Race  
MALE    Lithuanian

Citizenship  
UNITED STATES

Ever in Armed Forces?  
NO

Social Security Number    Marital Status  
[REDACTED]    WIDOW(ER)

Father's Name  
ANICETAS SIMUTIS

Mother's Name (Prior to First Marriage)  
JANINA CIURLYS

Disposition

CREMATION

Cemetery/Crematory: CREMATION SERVICES OF WEST HAWAII

Date: February 10, 2021

Location: Kailua-Kona, HI 96740

Permit #: 250895

Funeral Home: CREMATION SERVICES OF WEST HAWAII, LLC

Certifier: Toby Smith PRIVATE PHYSICIAN

Date Certified: February 8, 2021

Original Date Certified: February 8, 2021

Cause of Death:

a. Abdominal aortic aneurysm Interval:Years

Part II: Nonischemic cardiomyopathy with EF of 45-50%

Manner of Death: NATURAL CAUSES

Date Filed by State Registrar: February 9, 2021

OHSM 1.2 (Rev. 1/2013)

This copy serves as prima facie evidence of the fact of death in any court proceeding. [HRS 338-13(b), 338-10]

1277553

ANY ALTERATIONS INVALIDATE THIS CERTIFICATE