



Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

MEMORANDUM

TO:	Alcoholic Beverage Control Board	DATE: June 11, 2021					
FROM: C	Carrie Craig, RLS	RE: Market Basket Inc.					
Requested Action:	Request to allow continued	operations by the personal representative.					
Statutory Authority:	was operating a business as title may continue to operat transfer of a license to anot	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 licensed 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 licensed is forfeited under (b) of this section."					
	from a deceased licensee is licensee or within an addition ownership made by the exect for an extension of time und forfeited."	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						

Background: On February 27, 2020 Rudolf Gavora, who held the majority interest in the corporation, passed away. Transfer applications have not yet been submitted to AMCO for review but are in process. Counsel for the Personal Representative, Daniel Gavora, is requesting permission from the ABC Board to continue operating the six licenses owned by the corporation during the transfer process.

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

May 20, 2021

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

> Re: Market Basket, Inc. Package Store #71 Ester gas #68 Hot Springs Gas #435 Garden Island Party Store #703 Gavora's Fine Wine #1134 Thrifty Liquors #4663 Badger Gas Death of Licensee

Dear Glen:

I am writing this letter to clarify my previous letter to you on behalf of my client Market Basket, Inc. which operates the aforementioned liquor licenses in Fairbanks.

Please be advised that one of the licensees, Mr. Rudolf Gavora, passed away on February 27, 2020. His brother, Daniel Gavora, 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 of Testamentary for the license file.

Daniel is in the process of transferring the deceased's interest in the licenses via a stock transfer. This office will be filing the transfer applications within the next month. Daniel would like to continue to operate the licenses until the stock transfers are complete.

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: <u>s/ W. Sherman Ernouf</u>

cc: Client Attachments IN THE SUPERIOR COURT FOR THE STATE OF ALASKA

FOURTH JUDICIAL DISTRICT

In the Matter of the Estate

of

RUDOLF LEE GAVORA,

Deceased.

Case No. 4FA-20- 00131 PR/E

LETTERS TESTAMENTARY

The will of Rudolf Lee Gavora having been admitted to probate, Dan Gavora is appointed personal representative of the estate.

e, Los

Registrat/Superior Court

ACCEPTANCE ACCEPTANCE ACCEPTANCE ACCEPTANCE ACCEPTANCE

I, Dan Gavora, accept the duties and promise to perform the duties as required by law of the office of personal representative of the estate of Rudolf Lee Gavora. I acknowledge my duty as personal representative to:

 (a) take possession and control of decedent's property as required by AS 13.16.380, determine the liabilities of the estate, and complete an inventory as required by AS 13.16.365;

(b) provide notice to heirs and devisees as required by AS 13.16.360;

(c) provide notice to creditors as required by law, publish notice when required, and review and either accept or reject claims as required by AS 13.16.455-.515, except as provided by AS 13.16.690;

(d) advise the court in writing of my address and telephone number as required by Probate Rule 8;

(e) file returns for state estate taxes, if required by AS 43.31.121, and AS 43.31.250;

(f) pay homestead, exempt property and family allowances as required by AS 13.12.401-.405, costs of administration and other claims as required by AS 13.16.470,

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CAVALIERE LAW FIRM, LLC P.O. Box 80288 Fairbanks, Alaska 99708 mike@cavalierelawfirm.com Tel. (907) 374-0516 Fax. (888) 283-8996 and distribute the assets of the estate; and

(g) close the estate as soon as appropriate as required by AS 13.16.620-.670.

No bond is required to be filed.

3/25/2020 Date

Dan Gavora

P.O. Box 70021 Fairbanks, Alaska 99707 (907) 455-1549

VERIFICATION

I, Dan Gavora, being first duly sworn, upon oath, depose and state as follows:

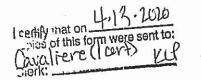
I am the person named above; I have read the foregoing document and understand the contents thereof; I have executed it freely and voluntarily for the uses and purposes set forth therein; and, I verify that the same is true of my own knowledge and belief.

Gavorá Dan

SUBSCRIBED AND SWORN to, before me, on this day, $3/2^{-1}$, 2020.

Notary Public in and for Alaska My Commission Expires: <u>1/2/</u>2/2]





Letters Testamentary In the Matter of the Estate of Rudolf Lee Gavora Case No. 4FA-20- PR/E Page 2

CAVALIERE LAW FIRM, LLC P.O. Box 80288 Fairbanks, Alaska 99708 mike@cavalierelawfirm.com Tel. (907) 374-0516 Fax. (888) 283-8996

STATE OF ALASI OF VIT

STATE OF ALASKA

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ALASKA DEPARTMENT OF HEALTH AND SOCIAL SERVICES - BUREAU OF VITAL STATISTICS P.O. Box 110675, Juneau, AK 99811-0675 CERTIFICATE OF DEATH STATE FILE NO. STATE FILE NO. 202000698

L			the second se			E OF DEATH	- / -			2020000698	
	1. DECEDENT'S LEGAL NAME (IN RUDOLF LEE GAVORA		's if any) (First, Mic	ddie, Last)	2			2. SEX Male	3. SOCIAL SECU	RITY NUMBER	
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1		best describes the highest degree or level of school completed at the time of death.			Check the box that best describes whether the decedent is Spanish/Hispanic/Latino(a). Check the 'No' box if the Decedent is not			hite ack or African A			
	 8th grade or less 9th - 12th grade, no diplo 	ma		Spanish /	Hispanic / Lat	ino(a)			merican or Alaskan Native		
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I CERTIFY THAT THIS IS A TRUE, FULL AND CORRECT COPY OF THE ORIGINAL CERTIFICATE ON FILE IN THE BUREAU OF VITAL STATISTICS, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, JUNEAU, ALASKA.

MARCH 11, 2020 DATE ISSUED

Clint J. Farr State Registrar

GISTRAR OF

* SEA AX

This copy not valid unless prepared on engraved border displaying the date, seal and signature of the Alaska State Registrar.