

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL
COMMISSION

In the matter of)

Bowties Restaurant Group, LLC)
T/A Envy Ultra Bar and Lounge)
3201 New Bern Avenue)
Raleigh, NC 27610)

ORDER OF
SUMMARY SUSPENSION

The above-captioned permittee operates as a private club and currently holds on-premise ABC permits for the retail sale of malt beverages, unfortified wine, fortified wine and mixed beverages.

Based upon sworn allegations submitted to the North Carolina Alcoholic Beverage Control Commission by a law enforcement agent of Alcohol Law Enforcement (ALE) District IV and a Raleigh Police Department Detective, attached to this Order, the ABC Commission, by and through its lawful designee, Jonathan S. Williams, Chairman, finds the following unlawful acts have been alleged:

1. On June 8, 2009, one patron was cut and one patron was shot in two separate altercations at Envy Ultra Bar and Lounge (then known as Black Tie Nightlife). (See affidavit of Special Agent Israel Morrow)
2. On June 26, 2009, Special Agent Morrow spoke with the establishment's owner, Benjamin Becker, regarding issues of violence at the establishment (See affidavit of Special Agent Morrow)
3. During 2009 and 2010, there have been multiple incidents of fights, stabbings / cuttings, assaults, gunfire and weapons violations. (See affidavit of Detective CT Penny)
4. On May 24, 2010, at approximately 2:24 AM, a shooting occurred at Envy Ultra Bar and Lounge. One patron was shot in the chest and one patron was shot in the leg. (See affidavit of Detective CT Penny)
5. Conditions are sufficiently hazardous at Envy Ultra Bar and Lounge that law enforcement are at substantial risk when responding to the location and do not enter the establishment without sufficient law enforcement back up. (See affidavits of Special Agent Morrow and Detective CT Penny)
6. The disregard for safety by continuing commercial sales and service of alcohol, despite the ongoing violence resulting in serious injury to patrons, creates a hazardous environment for the public.

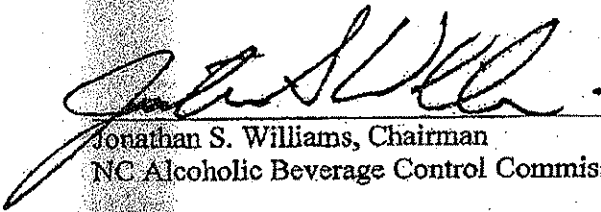
Exhibit A

Based upon the above, the ABC Commission, by and through its undersigned designee, finds that the protection of the public health, safety and welfare requires emergency action.

THEREFORE, IT IS HEREBY ORDERED, pursuant to NCGS §150B-3(c), that the ABC permits issued to the above-captioned permittee are summarily suspended effective immediately upon service of this Order.

Pursuant to NCGS §150B-23, the permittee has the right to file a "Petition for a Contested Case Hearing" with the Office of Administrative Hearings for the matter to be heard before an Administrative Law Judge.

This the 26th day of May 2010.



Jonathan S. Williams, Chairman
NC Alcoholic Beverage Control Commission

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL
COMMISSION

In the matter of)

Bowtics Restaurant Group, LLC)
T/A Envy Ultra Bar and Lounge)
3201 New Bern Avenue)
Raleigh, NC 27610)


AFFIDAVIT

The undersigned, Detective C.T. Penny, being first duly sworn, does hereby state:

1. I am employed as a Detective with the Raleigh Police Department and have held this position for three and a half years. I have served as a sworn law enforcement officer for ten and a half years.
2. As part of the duties assigned to me as a Detective during 2009 and 2010, I have investigated incidents and complaints concerning Club Envy nightclub. The complaints have included fights, stabbings or other cuttings, assaults, gunfire, and weapons violations.
3. I have also been tasked to assist in the investigation of incidents that occurred at Envy nightclub last Monday morning. During the early morning hours of May 24, 2010, gunfire erupted at the Envy property. Two men were shot; one was shot in the chest and the other was shot in the abdomen. Based on the initial investigation the victims were involved in a fight inside the club with several Blood gang members.
4. I believe that the establishment poses a substantial risk to law enforcement officers who respond to calls at this location due to the violence that occurs there.

Further the affiant sayeth not.

This the 25 day of May 2010.


Detective C.T. Penny
Raleigh Police Department

Sworn to and subscribed before me
This the 25 day of May 2010.


Notary Public

My Commission expires: 3-7-15



STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE NORTH CAROLINA
ALCOHOLIC BEVERAGE CONTROL
COMMISSION

In the matter of)

Bowties Restaurant Group, LLC)
T/A Envy Ultra Bar and Lounge)
3201 New Bern Avenue)
Raleigh, NC 27610)

AFFIDAVIT

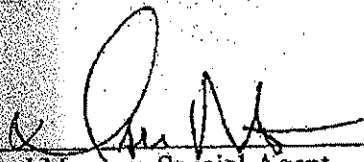
The undersigned, Israel Morrow, being duly sworn, does hereby state:

1. That I am employed as a Special Agent with Alcohol Law Enforcement ("ALE") based in Raleigh, North Carolina.
2. That I have been employed with ALE for 5 1/2 years.
3. That as part of my duties as an ALE Special Agent, I conduct inspections and surveillance of establishments that hold ABC permits to determine compliance with ABC laws.
4. During the past several years I have received numerous complaints from the Raleigh Police Department and citizens residing in the community regarding Envy Ultra Bar and Lounge. The complaints have included fights, assaults, gunfire, weapons violations, and controlled substance violations.
5. On June 8, 2009, at approximately 8:30am, I received information from the Raleigh Police Department detailing two incidences occurring the previous evening at Envy Ultra Bar and Lounge. The incidents involved a cutting and a shooting and both resulted in serious injury to patrons.
6. On June 26, 2009, at approximately 8:05pm, I conducted a written inspection of Black Tie Nightlife (Envy Ultra Bar and Lounge). During the inspection I spoke with manager, Benjamin Frans Becker. I discussed with Becker the numerous police calls for service and the various violent incidents that were occurring on the ABC licensed premises. I advised Becker I would be submitting a violation report to the NCABC Commission in reference to the business being an unsuitable location to hold ABC permits.
7. To this date, I continue to receive reports from the Raleigh Police Department detailing violent and illegal activity occurring on the ABC licensed premises.
8. On May 24, 2010, at approximately 7:50am, I was informed of a shooting at Envy Ultra Bar and Lounge that occurred on May 24, 2010, at approximately 2:24am. It was reported to me the shooting resulted in serious injuries.

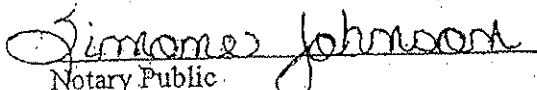
9. I will not visit the licensed premises when it is open without backup law enforcement officers due to concerns for my safety.

Further the affiant sayeth not.

This the 25th day of May 2010.


Israel Morrow, Special Agent
Alcohol Law Enforcement

Sworn to and subscribed before me
This the 25th day of May 2010.


Notary Public

County: Wake
My Commission expires: 6/22/13