

November 2, 2005

Mayor Seng and City Council
City of Lincoln
City County Building
Lincoln, NE

Mayor Seng and Members of the City Council:

An investigation has been made regarding the application of M& R Ventures LLC, d.b.a. Bennigan's, 8701 Andermatt Drive requesting a class I liquor license.

Bennigan's has requested that Scott Zabel be approved as the manager of the liquor license.

Background information on the applicant is as follows:

Scott Zabel was born in Lincoln, Nebraska. He attended Northeast High School graduating in 1994.

Scott Zabel employment history is as follows:

Present	Manager, Bennigan's	Lincoln, NE.
2004	Supervisor, Wilderness Ridge	Lincoln, NE.
2002 - 2004	Bartender, Brewsky's	Lincoln, NE.
2000 - 2002	Supervisor, Ashland Keno Kove	Ashland, NE.

Stockholder information and criminal histories have been included for your review.

If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.



THOMAS K. CASADY, Chief of Police



Liquor License Investigation

Business (DBA) BENNIGANS

Manager Owner Other _____

Name: SCOTT ZABEL

US Citizen ? Yes No

Has applicant ever been cited for liquor law violations ? No Yes
Explain _____

Does applicant have an interest in another liquor license ? No Yes
Explain _____

Is spouse qualified to hold a license ? Yes No N/A

How is applicant if not an owner to be paid ? Salary Hourly

How many hours will applicant be at the establishment ? 60+

Any other employment ? No Yes, explain _____

Any previous experience with a liquor license? Yes No

Any criminal convictions ? No Yes
Comments DUI 04 - Fined / Prob

Is applicant a property owner in Lincoln ? Yes No

Is applicant involved in any civil litigation ? No Yes
Comments _____

Photo Records Check References

Comments _____

Interview Date 11 / 2 / 05

FT 30 PT 50

Hours of operation 11AM - 1AM 7 DAYS

Seating 200

% Food 65 % Liquor 35

11-28-05

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OCT 21 2005
BY: *C. Clerk*



Dave Heineman
Governor

STATE OF NEBRASKA

NEBRASKA LIQUOR CONTROL COMMISSION
Hobert B. Rupe
Executive Director

301 Centennial Mall South, 5th Floor
P.O. Box 95046
Lincoln, Nebraska 68509-5046
Phone (402) 471-2571
Fax (402) 471-2814
TRS USER 800 833-7352 (TTY)
web address: <http://www.nol.org/home/NLCC/>

October 21, 2005

A5-117987
200

City Clerk of Lincoln
City/County Building
555 S 10 Street
Lincoln, NE 68508

*MFR Ventures LLC
dba Bennigan's Restaurant
5701 Anderkutt Dr Class I*

Dear Local Governing Body:

Attached is the form to be used on all retail liquor license applications. Local clerks must collect proper license fees and occupation tax per ordinance, if any, before delivering the license at time of issuance.

TWO KEY TIME FRAMES TO KEEP IN MIND ARE:

- 1) You have 45 days to conduct a hearing after the date of receipt of the notice from this Commission (§53-134). You may choose **NOT** to make a recommendation of approval or denial to our Commission.

PER §53-133, THE LIQUOR CONTROL COMMISSION SHALL SET FOR HEARING ANY APPLICATION WHEREIN:

- 1) There is a recommendation of denial from the local governing body,
- 2) A citizens protest; or
- 3) Statutory problems that the Commission discovers.

PLEASE NOTE A LICENSEE MUST BE "PROPERLY" LICENSED IN ORDER TO PURCHASE FROM WHOLESALERS, AND A LICENSE IS EFFECTIVE:

- 1) Upon payment of the license fees;
- 2) Physical possession of the license;
- 3) Effective date on the license.

Sincerely,

Jackie B. Matulka

NEBRASKA LIQUOR CONTROL COMMISSION
Jackie B. Matulka
Licensing Division

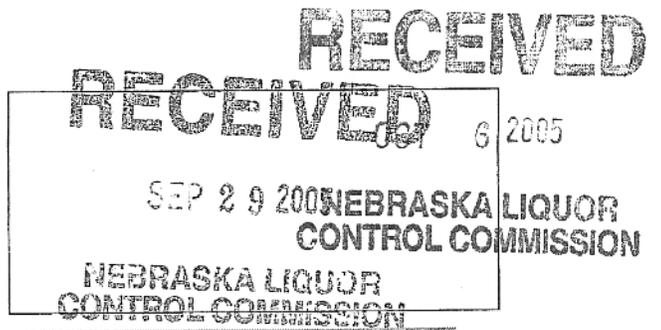
Enclosures
Rhonda R. Flower
Commissioner

Bob Logsdon
Chairman

R.L. (Dick) Coyne
Commissioner

APPLICATION FOR LIQUOR LICENSE

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov



OFFICE USE ONLY

**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES
CHECK DESIRED CLASS(S)**

RETAIL LICENSE(S)

- A Beer, On Sale Only \$45.00
- B Beer, Off Sale Only \$45.00
- C Beer, Wine & Distilled Spirits, On & Off Sale \$45.00
- D Beer, Wine & Distilled Spirits, Off Sale Only \$45.00
- I Beer, Wine & Distilled Spirits, On Sale Only \$45.00

Class K Catering license may be added to any of these classes with an additional fee of \$100.00 and filing form 35-4202

MISCELLANEOUS

			Bond
<input type="checkbox"/>	L	Craft Brewery (Brew Pub)	\$295.00 1,000 min.
<input type="checkbox"/>	O	Boat	\$ 95.00 N/A
<input type="checkbox"/>	V	Manufacturer, Beer, Wine & Distilled Spirits	\$ 45.00 10,000 min.
		(additional fee of \$100 to \$1,000-call for exact amount)	
<input type="checkbox"/>	W	Wholesale Beer	\$295.00 5,000 min.
<input type="checkbox"/>	X	Wholesale Liquor	\$545.00 5,000 min.
<input type="checkbox"/>	Y	Farm Winery	\$295.00 5,000 min.

All Class C licenses expire October 31st

All other licenses expire April 30th

Catering expire same as underlying retail license

TYPE OF APPLICATION BEING APPLIED FOR (CHECK ONE)

- Individual License, requires insert form 1
- Partnership License, requires insert form 2
- Corporate License, requires insert form 3a and manager application 3b

NAME OF PERSON OR FIRM ASSISTING WITH APPLICATION

(Commission will call this person with any questions we may have)

Name: Jack G. Wolfe, Esq. Phone: 402-474-1507

Firm Name: Wolfe, Snowden, Hurd, Luers & Ahl, LLP

Firm address: 1248 "O" Street, Suite 800, Lincoln, NE 68508

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PREMISE INFORMATION

Trade Name (doing business as) Bennigan's Restaurant

NEBRASKA LIQUOR CONTROL COMMISSION RECEIVED

Street Address #1 8701 Andermatt Drive

Street Address #2 --

City Lincoln County Lancaster

#2

OCT 6 2005

Zip Code 68516

NEBRASKA LIQUOR CONTROL COMMISSION

Telephone number at premise to be licensed 402-488-8107

Is this location inside the city/village corporate limits: YES NO

Mail to Address (where you want receipt of Liquor Control Commission mailings)
Name: Jack G. Wolfe, Esq.

Street Address #1 Suite 800, Wells Fargo Center

Street Address #2 1248 "O" Street

City Lincoln County Lancaster

Zip Code 68508

DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations. No blue prints please. Be sure to indicate the direction north and number of floors of the building.

see attachment
irregular shaped one story building approx
80 x 99
no basement

APPLICANT INFORMATION

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

- Yes If yes, please explain below or attach a separate page.
 No

2. Are you buying the business and/or assets of a licensee? If yes, submit a copy of the sales agreement with a listing of assets being acquired including liquor inventory (name brand and container size required). Liquor Inventory may be taken at time of application being submitted.

- Yes
Current business name and license number _____
 No

3. Are you filing a temporary agency agreement, Commission form 4231, whereby current licensee allows you to operate on their license. If yes, attach agreement. Please note: This agreement is not effective until Commissions assigns you a 3-digit ID number.

- Yes
 No

4. Are you borrowing any money from any source to establish and/or operate the business? If yes, list the lender.

- Yes Tier One Bank
 No

X

5. Will any person or entity other than applicant be entitled to a share of the profits of this business? If yes, explain. All involved members must be disclosed on application.

Yes Members of M & R Ventures, LLC = Michael J. Hanson and Coal Enterprises, Inc.
 No

ok pres of corp

Not list on corp forms

✓

6. Will any of the furniture, fixtures and equipment to be used in this business be owned by others? If yes, list such items and the owner.

Yes
 No

X

7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business? If yes, explain? (No silent partners)

Yes Michael J. Hanson and shareholders of Coal Enterprises, Inc. (Steven A. Shanahan and Marvin E. Shanahan)
 No

not listed on corp forms

✓

8. Are the premises to be licensed within 150 ft of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 ft of a college or university campus? If yes, list the name of such institution and where it is located in relation to the premises. Neb. Rev. Stat. 53-177.

Yes
 No

✓

9. Is anyone listed on this application a law enforcement officer? If yes, list the person, the law enforcement agency involved and the person's exact duties.

Yes
 No

✓

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the individual(s) who will be authorized to write checks and/or make withdrawals on accounts at the institutions.

TierOne Bank; and First National Bank of Omaha.
Michael J. Hanson; and Joshua Westling.

✓

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reasons for termination of any licenses previously held.

Michael J. Hanson; #06100119; Miguel's; Tucson, Arizona

12. List the person who will be the on site supervisor of the business and the estimated number of hours per week such person or manager will be on the premises supervising operations.

Scott Zabel; 50 hrs. per week.

13. List the training or experience (when and where) of the person listed in #12 above in connection with selling and/or serving alcohol products. (1) Brewsky's Food & Spirits, Lincoln, Nebraska; bartender & trainer; 3+ yrs.; (2) The Lodge at Wilderness Ridge; manager & supervisor; 1 yr.; (3) completed "Responsible Alcohol Service" on-line class at UNL.

14. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.

- Lease: expiration date February 28, 2006
- Deed
- Purchase Agreement

Signature on lease?
Joshua T Westling

15. When do you intend to open for business? October 17, 2005

16. What will be the main nature of business? What are the anticipated hours of operation?

Restaurant; 10:30 a.m. - 12:30 a.m.

17. List the principal residence(s) for the past 10 years for all persons required to sign application, including spouses. If necessary attach a separate sheet.

Applicant Name	From: Year	To: Year	City/State
Michael Hanson	1993	2005	Tucson, AZ
Christine Hanson	1993	2005	Tucson, AZ

The undersigned applicant(s) hereby consent(s) to a background investigation and release present & future records of every kind and description including police records, tax records (State and Federal), bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance

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of the application investigation or any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

NEBRASKA LIQUOR CONTROL COMMISSION

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

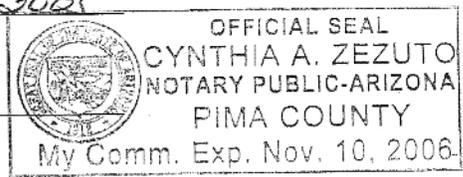
Must be signed in the presence of a notary public by applicant(s) and spouse(s). If partnership or LLC (Limited Liability Company), all partners, members and spouses must sign. If corporation all officers, directors, stockholders (holding over 25% of stock) and spouses. Full (birth) names only, no initials.

Handwritten signatures on lines with "(sign here)" labels. There are two handwritten signatures and four blank lines.

Subscribed in my presence and sworn to before me this

5th day of October, 2005

Handwritten signature of Cynthia A. Zezuto, Notary Public Signature & Seal



In compliance with the ADA, this application for license form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.

FORM 35-4010 REV. 4/05

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**NEBRASKA LIQUOR
CONTROL COMMISSION**

APPLICATION FOR LICENSE, PAGE 4, QUESTION #5:

Coal Enterprises, Inc. Is involved with this liquor license application as a 10% owner of M & R Ventures, LLC, the corporate applicant.

APPLICATION FOR LICENSE, PAGE 4, QUESTION #7:

Steven A. Shanahan and Marvin E. Shanahan are the shareholders of Coal Enterprises, Inc.

APPLICATION FOR LICENSE, PAGE 5, QUESTION #14:

Joshua Westling is the Manager of M & R Ventures, LLC, the corporate applicant, but holds no equity position therein.

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NEBRASKA LIQUOR CONTROL COMMISSION

APPLICATION FOR LIQUOR LICENSE CORPORATION MANAGER - FORM 3b *MUST BE A NEBRASKA RESIDENT*

301 CENTENNIAL MALL SOUTH PO BOX 95046 LINCOLN, NE 68509-5046 PHONE: (402) 471-2571 FAX: (402) 471-2814 Website: http://www.lcc.ne.gov/

LIQUOR LICENSE INFORMATION

NAME OF LICENSED CORPORATION M & R Ventures, LLC CLASS & LICENSE NUMBER I TRADE NAME Bennigan's Restaurant STREET ADDRESS 8701 Andermatt Drive CITY Lincoln NE

Michael Hansen is required to sign this line

[Handwritten signature]

SIGNATURE OF CORPORATION PRESIDENT/CEO

APPLICANT INFORMATION (MUST BE 21 OR OVER AND NEBRASKA RESIDENT)

NAME Scott Zabel ADDRESS 1036 "O" Street CITY Lincoln STATE NE ZIP CODE 68508 HOME PHONE NUMBER 402-499-0505 BUSINESS PHONE NUMBER 402-499-0505 SEX [X] MALE [] FEMALE SOCIAL SECURITY NUMBER DATE OF BIRTH PLACE OF BIRTH Lincoln, Nebraska DRIVERS LICENSE NUMBER & STATE

SPOUSES INFORMATION (IF NOT MARRIED INDICATE)

SPOUSE NAME N/A SOCIAL SECURITY NUMBER DATE OF BIRTH DRIVERS LICENSE NUMBER & STATE

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

YES NO

If yes, please explain below or attach a separate page.

see attachment

2. Have you or your spouse ever made application for any liquor license or manager for any liquor license? **IF YES**, for what premise give license number and date.

YES NO

3. Have you or your spouse ever made a compromise settlement for violation of such laws?

YES NO

4. Do you, as a manager, have all the qualifications required by any person entitled to hold a Nebraska Liquor License? Nebraska Liquor Control Act (§53-131.01)

YES NO

5. Have you filed fingerprint cards and **PROPER FEES** (if check, make out to the NE State Patrol), with this application?

YES NO

prints enclosed

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE

APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR	
	FROM	TO		FROM	TO
Lincoln, Nebraska	1976	2005	N/A		

EMPLOYERS - LIST LAST TWO EMPLOYERS

MONTH/YEAR		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
FROM	TO			
6/04	1/05	The Lodge @ Wilderness Ridge	Lisa Wilkins	402/421-2521
1/02	2/04	Brewsky's Food & Spirits	Jackie Casey	402/483-2739

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**PERSONAL OATH AND CONSENT OF INVESTIGATION
MUST BE SIGNED BY APPLICANT & SPOUSE**

**NEBRASKA LIQUOR
CONTROL COMMISSION**

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application, that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec. §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, an affidavit of non participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

[Handwritten Signature]

Signature of Applicant

Signature of Spouse

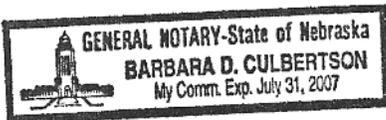
Subscribed in my presence and sworn to before me this 6th
day of October, 2005.

Subscribed in my presence and sworn to before me this _____
day of _____.

Barbara D Culbertson

Notary Signature & Seal

Notary Signature & Seal



#1
Mgr App

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CONTROL COMMISSION

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NEBRASKA LIQUOR
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PAGE 2, QUESTION #1:

Scott Zabel, Manager:
December, 2002; speeding violation
January, 2004; speeding violation
February, 2004; DUI

No charges pending.

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NEBRASKA LIQUOR CONTROL COMMISSION

APPLICATION FOR LIQUOR LICENSE CORPORATION/LLC INSERT - FORM 3a

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: <http://www.lcc.ne.gov/>

Name of Corporation or Limited Liability Company that will hold license. Attach copy of Articles of Incorporation. (Document must show [barcode] receipt by Secretary of States Office.

M & R Ventures, LLC

Corporate Street Address: 6850 North Oracle Road

City: Tucson State: AZ Zip Code: 85704

Corporate Telephone Number 402-474-1507

Total number of shares issued (if corporation)

Is this a Non Profit Corporation? YES NO

If yes, what is your Federal ID #?

Name of Registered Agent Jack G. Wolfe

Name of Proposed Manager Scott Zabel

This person must complete form 35-4013

List name of Chief Executive Officer

Last Name: Hanson First Name: Michael MI J.

Address Street 6850 North Oracle Road City Tucson

State AZ Zip Code 85704 Home Phone number 520-544-4153

Social Security Number Date of Birth

List names of all Officers, Directors, Stockholders, Members and their Spouses

Last Name Hanson First Name Michael

Social Security Number _____ Date of Birth _____

Title Member Number of Shares 500

Spouse Name (indicate N/A if single) Christine Hanson

Spouse Social Security Number _____ Date of Birth _____

Title None Number of Shares 0

Last Name _____ First Name _____

Social Security Number _____ Date of Birth _____

Title _____ Number of Shares _____

Spouse Name (indicate N/A if single) _____

Spouse Social Security Number _____ Date of Birth _____

Title _____ Number of Shares _____

Last Name _____ First Name _____

Social Security Number _____ Date of Birth _____

Title _____ Number of Shares _____

Spouse Name (indicate N/A if single) _____

Spouse Social Security Number _____ Date of Birth _____

Title _____ Number of Shares _____

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Is this Corporation or Limited Liability Company controlled by another Corporation?

Yes No

If yes, give name of corporation and supply organizational chart

NEBRASKA LIQUOR CONTROL COMMISSION

Indicate tax year with the IRS

Starting Date 8-24-05

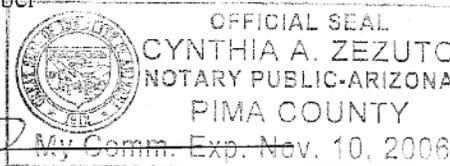
Ending Date 12-31-05

[Handwritten Signature]

Signature of President/Managing Member

[Handwritten Signature]

Notary Public Signature & Seal

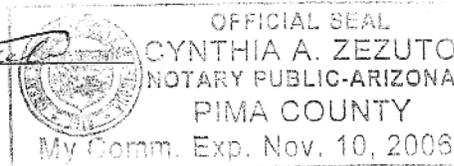


Subscribed in my presence and sworn to before me this

5th day of October, 2005

[Handwritten Signature]

Notary Public Signature & Seal



In compliance with the ADA, this application for license form is available in other formats for persons with disabilities. A ten day advance period is requested in writing to produce the alternate format.

STATE OF NEBRASKA ♦ SECRETARY OF STATE'S OFFICE
 1445 "K" ST. • STATE CAPITOL SUITE 1301 • LINCOLN, NE • 68509
 BUSINESS SERVICES DIVISION

CORPORATIONS

P.O. BOX 94608
 (402) 471-4079

JOHN A. GALE
 Secretary of State

UNIFORM COMMERCIAL CODE

P.O. BOX 95104
 (402) 471-4080

April 12, 2005

NOTARY

P.O. BOX 95104
 (402) 471-2558

DEBBIE PESTER
 Deputy Secretary of State

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WOLFE SNOWDEN HURD LUERS & AHL
 STE 830
 1248 O ST
 LINCOLN, NE 68508

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 NEBRASKA LIQUOR CONTROL COMMISSION

SEP 29 2005

ACKNOWLEDGEMENT OF FILING

NEBRASKA LIQUOR CONTROL COMMISSION

The attached documents were filed with the Nebraska Secretary of State's Office, Corporation Division. A label has been affixed to each filing signifying the filing stamp for the Nebraska Secretary of State's Office, Corporation Division. This filing label indicates the date and time of the filing and also references a document number that can be used to reference this filing in the future.

ACKNOWLEDGEMENT OF FILING FEES RECEIVED

Action/Service	Company/Entity Name	Fee Received
Articles Limited	M & R VENTURES, LLC	100.00
Per Page Charge	M & R VENTURES, LLC	15.00
Certificate	M & R VENTURES, LLC	10.00
	Total Fees Received	\$125.00

Kayla
 Filing Officer