

**From:** [Anne Bogart](#)  
**To:** [Craig W. Bulkley](#); [Stephen J. Judge \(sjudge@wadleighlaw.com\)](mailto:sjudge@wadleighlaw.com); [Stephen J. Judge](#)  
**Cc:** [Joseph W. Mollica](#); [Michael R. Milligan](#)  
**Subject:** Notice of Decision - Law Warehouse  
**Date:** Friday, December 21, 2012 12:33:21 PM  
**Attachments:** [Notice of Decision - Law Warehouses.pdf](#)

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This was received today.

*Anne Bogart*

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From: [Mark Brown](#)  
To: [Michael R. Milligan](#)  
Subject: Industry News Update  
Date: Wednesday, December 19, 2012 5:07:40 AM

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 Please consider the environment before printing this e-mail.

## Suntory eyes food and beverage IPO

Source: Financial Times  
By Michiyo Nakamoto in Tokyo  
Dec 18th

Suntory is to list its food and non-alcoholic beverage unit in an initial public offering as it seeks to acquire more businesses abroad and diversify its revenue stream.

The privately held drinks group, which owns Orangina Schweppes, [said in a statement](#) it planned to list Suntory Beverage and Food and speed up its overseas expansion through an aggressive mergers and acquisitions strategy.

The move comes as Japanese food and beverage companies face a difficult market at home, where excessive competition has put pressure on profitability.

Kirin and Asahi, Japan's leading beer groups, have been seeking new revenue sources by expanding overseas through M&A, as they face a declining population at home.

Kirin, which owns Lion, the beverage and food group in Australia as well as a 48 per cent stake in San Miguel Brewery in the Philippines, is locked in a takeover battle for Fraser and Neave, the Singapore soft drinks group, in which it has a 14.8 per cent stake.

Asahi owns Independent Liquor in Australia, among other overseas assets.

Satoshi Fujiwara, analyst at Nomura in Tokyo, said: "There is over-competition in Japan, which is squeezing profit margins."

He added that the drinks groups would prefer to buy beer companies overseas but, as none are available, they are going after non-alcoholic beverage companies.

Shipments of non-alcoholic drinks have grown but profits have not risen in line with the volume growth. Kirin's profit margins in its domestic non-beer drinks business was less than 2 per cent while Asahi's was about 3 per cent, Mr Fujiwara said.

Suntory declined to comment on the size or timing of the listing but the food and non-alcoholic beverage unit, which provides half of Suntory's revenues, could be valued at as much as Y1tn (\$12bn).

The unit generated sales of Y971bn in the year to December, 2011, or 54 per cent of the Y1.8tn generated by the entire group. Operating profits for the unit were Y88bn. Suntory's beer division generated sales of Y524bn and operating profits of Y29.6bn.

Rival drinks groups Kirin and Asahi have market capitalisations of Y979bn and Y899bn respectively.

Suntory, whose bestselling brands include Boss canned coffee and the Natchan orange drink, had a 20 per cent share of Japan's non-alcoholic drinks market last year.

In 2009, it acquired Orangina Schweppes for ?2.6bn and the Frucor energy drink group in Oceania for ?600m.

Suntory said on Tuesday that overseas markets were expected to account for a third of sales which are forecast to be just less than Y1tn in the year to March 2013.

One of the pillars of the group's three-year strategy from April 2013 is the aggressive pursuit of M&A to

develop new businesses.

"In addition to strengthening the foundations of existing [overseas] businesses, we will pursue business opportunities broadly by speeding up our expansion into markets such as southeast Asia, the Middle East, Africa and Latin America through an aggressive M&A strategy," Suntory said.

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## **Investor Wants Access To Vodka Maker's Books**

Source: Law 360  
By Jamie Santo  
December 18, 2012

A Central European Distribution Corp. shareholder demanded access to the vodka producer's books and records Monday, asking a Delaware court to compel production of internal documents as he looks to plumb the depths of the liquor giant's accounting and financial woes.

The complaint says CEDC should be forced to turn over internal documents relating to the conduct of its executives and directors after improperly denying a request made directly to the company. Shareholder Joseph Z. Khakshour first asked to inspect the company's books in June, he says, in the wake of a "significant number of events and information that have indicated that the board and certain of CEDC's officers may have engaged in mismanagement and breached their fiduciary duties to the company and its shareholders."

According to the suit, Khakshour presented his demand June 14, 10 days after the company's announcement that it was restating results for all financial periods from January 2010 onward to correct accounting errors made by its Russian subsidiary, a financial hit CEDC estimated at between \$30 million and \$40 million.

The demand, made under Section 220 of the Delaware General Corporation Law, was rebuffed twice by CEDC counsel, according to the complaint, which claims the company said it would deny access until a suit was brought and it was allowed to depose Khakshour.

"CEDC's refusal to produce books and records is not in good faith and is in violation of plaintiff's right pursuant to Section 220 to inspect and make copies and extracts of CEDC's books and records," the suit said.

A Delaware corporation headquartered in New Jersey, CEDC is a leading vodka producer and liquor importer in Eastern and Central Europe, with the lion's share of its business taking place in Poland, Russia and Hungary, the complaint says.

According to the suit, CEDC's public woes began March 1, 2011, following its announcement that results for fiscal year 2010 fell significantly below management projections, a downturn chalked up to the revelation that the company's important Polish vodka brands had suffered a \$131 million impairment from its newly launched Zubrowka Biala line.

The company's troubles were multiplied that same day, during an earnings call in which it "disclosed for the first time that it had not appropriately paid Russian excise taxes and, as a result, its main production plant in Russia had closed for two weeks in November," Khakshour said. That closing not only led to a drop in supply, but also forced the company to offer significant rebates to customers, the suit alleges.

In addition, a 10-K form filed this February with the U.S. Securities and Exchange Commission "revealed that the company has identified 'material weaknesses in [its] internal control over financial reporting,'" according to the suit.

The June 4 announcement that sparked Khakshour's information request informed investors that accounting rebates and marketing expenses in Russia would lead to the reduction of already disappointing financials by as much as \$40 million and were the subject of an internal investigation by the board's audit committee, the complaint alleges.

According to the suit, CEDC has since announced the resignation of its CEO and chief financial officer while

the audit committee's accounting investigation, completed in October, revealed that net sales for 2010 and 2011 were overstated by \$57.4 million and accounts receivable were inflated by \$100.7 million.

Khakshour's demand for information was the result of a legitimate desire to investigate possible misconduct within CEDC, the suit claims, and his initial request for internal documents complied with the form and the spirit of Delaware law.

"All of the foregoing events including the company's \$131 million impairment charge, the restatement of its financial results and the audit committee's internal investigation, either singly or collectively, provide an ample basis to demonstrate a proper purpose as they demonstrate that plaintiff has a legitimate reason to suspect wrongdoing," the complaint said.

Filed after a corporation refuses to voluntarily hand over documents, a Section 220 suit is often a precursor to derivative claims against a company's board.

Khakshour raised that possibility in his complaint, saying the requested information would allow him to "evaluate whether sufficient evidence exists to support filing litigation against CEDC's current and former officers and directors."

Representatives for CEDC were not immediately available for comment Tuesday.

Khakshour is represented by James P. McEvilly, III, Beth A. Keller, Michael J. Hynes and Ligaya T. Hernandez of Faruqi & Faruqi LLP.

Counsel information for CEDC was not immediately available.

The case is Joseph Z. Khakshour v. Central European Distribution Corp., case number 8113, in the Delaware Court of Chancery.

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## **Pernod Ricard U.S. CEO Talks Business**

Source: Fox Business  
Dec 19th

Pernod Ricard U.S. CEO Bryan Fry weighs in on the state of business.

<http://video.foxbusiness.com/v/2043642916001/pernod-ricard-us-ceo-talks-business/>

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## **Move to malts pushes profits up by a quarter for Whyte & Mackay**

Source: The Scotsman  
By PETER RANSCOMBE  
19 December 2012

PROFITS at Whyte & Mackay, the Glasgow-based whisky distiller caught in the middle of Diageo's takeover of United Spirits, have leapt by a quarter as the firm shifts away from making supermarket blends to focus on its higher margin single malts.

The rise in profits, which was revealed in accounts filed at Companies House, could well catch the eye of potential buyers for Whyte & Mackay if Diageo is forced to sell the company when it takes a controlling stake in United Spirits in January.

The Office of Fair Trading (OFT) will not examine the situation with Whyte & Mackay and Diageo - which is already Scotland's largest distiller with brands including Bell's, J&B and Johnnie Walker - until after the deal with Indian tycoon Vijay Mallya is completed.

Mallya bought Whyte & Mackay in 2007 for nearly £600 million.

If the OFT raises concerns about Diageo gaining too large a share of the UK whisky market then it could refer the deal to the Competition Commission.

It is understood that the trigger point would come if Diageo was to control more than 25 per cent of the supply of whisky in the UK market. Diageo would then be forced to look at selling either some of its own malt and blended whisky brands or some of those held by Whyte & Mackay, which owns labels including Dalmore and Jura, along with whisky liqueur Glayva.

Industry insiders have speculated that Campari or Bacardi could be potential buyers.

Italian drinks maker Campari already owns the Glen Grant distillery in Rothes and has pulled off a string of deals in recent years to buy Wild Turkey bourbon for \$575m (£413m), Skyy vodka for \$440m and, most recently, the spirits arm of Jamaican rum maker Lascelles for \$415m.

Rum maker Bacardi bought John Dewar & Sons in 1997, taking control of 6 per cent of malt production through distilleries at Aberfeldy, Aultmore, Craigellachie, Macduff and Royal Brackla, near Nairn.

Accounts for Whyte & Mackay showed that turnover jumped by 35.6 per cent to £229.8m in the year 31 March.

Pre-tax profits increased by 24 per cent to £15.4m, even after the firm had spent £3.4m setting up a subsidiary to market its Scotch in the United States.

Marketing in the US had previously been carried out by a third party but taking the work in-house is believed to have given Whyte & Mackay greater flexibility and control in how its whisky is handled.

The accounts mark a sharp contrast with last year's figures, when profits had dropped by 60 per cent as the firm shifted its focus from "bulk" output - making whiskies for other firms' blends or as ingredients in other products - to aging its own-label drinks to sell at a higher margin.

Whyte & Mackay - whose other blended whiskies brands include Claymore and John Barr, along with Vladivar vodka - did not return calls for comment.

The company's other sites include the giant grain distillery at Invergordon, in Easter Ross, and malt distilleries at Fettercairn and Tamnavulin.

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## News From TTB

Source: TTB  
Dec 10th

Electronically Processing Paper Certificate of Label Approval (COLA) Applications

To: Proprietors of Bonded Wineries, Bonded Wine Cellars, Taxpaid Wine Bottling Houses, Beverage Distilled Spirits Plants, Breweries, Importers, and Others Concerned.

1. What is the purpose of this circular?

Beginning on or about February 1, 2013, the Alcohol and Tobacco Tax and Trade Bureau (TTB) will improve the way that we process paper certificate of label approval (COLA) applications and the way that we communicate with submitters regarding the final status of those applications. This circular is meant to notify the industry of this impending improvement and provide an overview of the benefits. These improvements will:

Allow industry members to move their products into the marketplace more quickly;  
Reduce the administrative burden and the costs associated with paper COLA application submissions;  
Expedite communication between submitters and TTB regarding paper COLA applications; and  
Promote a more efficient use of resources, while ensuring that products are appropriately labeled.

## 2. What authority over labeling does TTB have?

Section 105(e) of the Federal Alcohol Administration Act (FAA Act), 27 U.S.C. 205(e), provides for the application for and issuance of COLAs for wine, distilled spirits, and malt beverages sold or shipped in interstate or foreign commerce and authorizes the Secretary of the Treasury to prescribe regulations for the labeling of such products. We administer the regulations promulgated under the FAA Act which are set forth in Title 27, Code of Federal Regulations (CFR), parts 4, 5, and 7 (27 CFR parts 4, 5, and 7). The FAA Act requires that these regulations, among other things, prohibit consumer deception and the use of misleading statements on labels, and ensure that labels provide the consumer with adequate information about the identity and quality of the product.

TTB receives applications from industry members either electronically, through the COLAs Online system, or in paper form on TTB F 5100.31, "Application for and Certification/Exemption of Label/Bottle Approval." Applications for certificates of exemption and distinctive liquor bottle approvals are also submitted on this form, and will be processed in the same way as COLA applications. Currently, over 90 percent of COLA applications are filed and processed electronically. However, TTB is seeking ways to improve the turnaround time for paper applications that are filed by mail or hand delivery.

## 3. Why is TTB changing the way it processes paper COLA applications?

As part of our ongoing effort to streamline our COLA evaluation process, we reviewed the existing paper COLA application procedure to determine if it could be more efficient. We found that significant time and resources are being spent on administrative functions associated with the paper COLA process.

Unlike the vast majority of COLA applications, which are received electronically and then processed electronically, COLA applications received in paper format are currently processed in paper format. Under the current procedure, once TTB completes its evaluation of a paper application we generally mail a copy of the application back to the industry member at the address listed on the form, or, if a third party representative personally delivered the application to TTB, we provide a copy of the application to the representative for personal pick-up. If the application is approved, TTB then scans the approved paper forms into electronic format so that the approved labels can be included in the Public COLA Registry. In order to improve our paper COLA application review process, we decided to streamline this administrative procedure by using a more efficient electronic process for COLA applications that are submitted in paper format.

## 4. What changes will TTB implement?

We will automate the way we track and evaluate paper COLA applications and improve the way we communicate with submitters. Once the system is implemented, TTB will scan the paper COLA applications after receipt and we will process all paper applications electronically. If the COLA application includes an email address, we will notify applicants whether or not we approved the COLA application by email, instead of through the paper processes of conventional mail or hand delivery.

After an application has been processed, the system will send an encrypted email to any applicant who provides an email address on the application. If the application is approved, the email will include a low resolution copy of the application and the information on where to access a high resolution image of the approved COLA. If the application is rejected, the email will include a high resolution copy of the application, a list of reasons why a rejection was issued, and the steps to follow in order to correct and resubmit the application. Once the application has been processed and verified by the system, the paper applications will be maintained electronically. Moreover, no paper copies will be mailed back to you if your COLA application contains an email address.

We anticipate that industry members who provide an email address on their applications will be notified of the final status within one business day of our determination. TTB encourages applicants to provide an email



address on paper applications in order to get the full benefits of this new system. We are in the process of revising the instructions on the COLA form (TTB F 5100.31) to reflect the way that TTB will return applications under the new system. Please note that once TTB begins the electronic processing of paper applications, the new procedures will apply regardless of which version of the COLA form is submitted.

Upon implementation, electronically processed COLA applications will result in efficiencies to TTB and be less costly to American taxpayers . The application will travel through the system in one continuous effort, and notification about the final status will be delivered by email to the applicant within one business day. We anticipate that the improvements and the efficiency associated with this new enhancement will be noticeable to the industry within a few weeks.

5. When will TTB start this new process?

TTB plans to implement this process on or about February 1, 2013.

[http://www.ttb.gov/industry\\_circulars/archives/2012/12-03.html](http://www.ttb.gov/industry_circulars/archives/2012/12-03.html)

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## **NABCA Legislative Update: November 9 - December 14, 2012**

Source: NABCA  
Dec 19th

<http://www.nabca.org/News/Files/dec%20Legislation%20and%20Regulation%20State%20Update.pdf>

<http://www.nabca.org/News/Files/dec%20Legislation%20and%20Regulation%20by%20category.pdf>

<http://www.nabca.org/News/Files/Regulations%20Pertaining%20the%20Alcohol%20Industry%20November%209-Dec%202013,%202012..pdf>

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## **Talks collapse in fight over Budweiser name**

Source: USA Today  
December 18, 2012

They've been arguing about a name for 106 years. A small brewer in the Czech Republic and the world's biggest beer maker have been suing each other over the right to put the word Budweiser on their bottles.

The dispute appears likely to continue a while longer now, because settlement talks between state-owned Budejovicky Budvar and Anheuser-Busch, a U.S. company now part of AB InBev, have collapsed, according to Budvar's director general, Jiri Bocek.

The dispute is over exclusive rights - when only one of the companies is allowed to use the Budweiser name in any given country. The larger company, AB InBev, is keen to expand its exports and market its beers under the Budweiser brand. But Budvar says giving up its exclusive rights to the name would threaten to wipe out its own brand.

Budvar recently rejected a proposal for a global settlement by AB InBev, which in turn refused a counteroffer. Bocek said negotiations on these proposals, details of which he could not provide, were over.

"Any new deal proposed by Anheuser-Busch wouldn't be working for us," he told The Associated Press in a rare interview with a major foreign news organization. AB InBev declined to comment on details of the talks.

The brewers last agreed on a global settlement in 1939 in a pact that gave Anheuser-Busch sole rights to the name Budweiser in all American territories north of Panama. But the peace did not last long as the two

companies expanded exports to new markets.

Though AB InBev is far larger than Budvar - it produces 270 times more beer - the Czech company has been punching above its weight in the legal arena. It won 88 of 124 disputes between 2000 and 2011 and holds exclusive rights in 68 countries, mostly in Europe, preventing AB InBev from selling its Budweiser brand in some key markets, including Germany.

When the companies do not have exclusive rights to the Budweiser brand in a country, they resort to using slightly altered names. AB InBev sells its Budweiser as Bud in many European countries. Budvar sells its lager as Czechvar in the U.S.

One of the issues, Bocek said, is that AB InBev is not satisfied with sharing the brand name.

"Their goal is to gain exclusivity for their Budweiser all around the world," said Bocek, who as head of Budvar the past 21 years has raised the heat on the larger rival.

Co-existence is possible, however. In fact, the two companies already share the Budweiser name in Britain.

Both brewers were granted the right to use the name in 2000 after a British court ruled that drinkers were aware of the difference between the two beers. An appeals court this summer rejected AB InBev's request to have Budvar's trademark declared invalid.

AB InBev is not happy.

"Our concern is that coexistence on the U.K. market with the Budweiser brand will lead to consumer confusion," said Karen Couck, the spokeswoman for AB InBev. "We want to make sure that when our customers order a Budweiser that they receive the clean, crisp taste of the global brand we have created."

But most beer drinkers would easily spot the difference, says Iain Loe, former research manager for Britain's Campaign for Real Ale, a consumer rights organization.

Budvar has "a full bodied taste" while "AB's Budweiser has little taste, or in the words of AB InBev, a clean taste," said Loe. "Customers know which beer is which."

The companies' claims to the Budweiser name are built on two main arguments - geography and history.

Budejovicky Budvar was founded in 1895 in the southern city of Ceske Budejovice - called Budweis at the time by the German-speaking people who formed about 40% of the area's population. Beer has been brewed here since 1265 and has been known for centuries as Budweiser.

Budvar argues that only beer brewed in this corner of the Czech Republic can be called Budweiser.

The founders of Anheuser-Busch in St. Louis used the name for their product because it was so well-known. The brewer, founded in 1852, began producing Budweiser, America's first national beer brand, in 1876 - 19 years before Budvar was founded.

The two companies have been in a legal battle since 1906. Today, the dispute is being waged through 61 lawsuits in 11 countries.

Budvar has some leverage in the dispute in that AB InBev may be missing out on a larger bulk of sales until a settlement is found, since its operations are so much bigger. It brewed 349.8 million hectoliters last year compared with Budvar's 1.32 million hectoliters. That's the equivalent of 73.9 billion pints against 279 million pints.

"Budvar blocks the markets where AB InBev, due to its trading power, marketing and distribution potential, would likely gain significantly more," said Karel Potmesil an analyst at stock brokerage Cyrrus AS. "The dispute limits the development of the brands that the company considers the most valuable in the industry."

If the issue is frustrating AB InBev, the company is not showing it.

"The dispute has not hindered our global expansion," said Couck, the spokeswoman.

She cited figures showing AB InBev's global sales were up 3.1% in 2011 and 6.2% the first nine months of 2012. The U.S. Budweiser is brewed in more than 15 countries and sold in more than 80 others. Its key markets are the United States, China, Canada and Britain.

Budvar holds rights for Germany and other European markets as well as 11 Asian countries, including Japan, Korea, China and Vietnam.

"It's certainly quite unpleasant for AB InBev that it cannot sell the well-known brand it has developed on some key markets, especially in Germany, which is the most important market for Budvar," said Potmesil.

Budvar is also being hurt by the legal standoff: because of the legal issues, it takes seven to 10 years for the company to enter a new market.

But Potmesil noted Budvar does not gain much by entering new markets. It has a smaller marketing budget and its beer typically costs more, which hurts sales in lower-income countries like China.

In the end, the dispute mainly provides Budvar with protection against competition from AB InBev. Against such a large rival, Bocek said, it is essential that Budvar use all the legal leverage it can. "We have a right to exist," he said.

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## **Beer Group Brews Up Campaign to Protect Craft Niche**

Source: Associations Now  
By Rob Stott  
Dec 18, 2012

The Brewers Association is taking on big industry players in an effort to define what qualifies as a craft-brewed beer in an increasingly competitive market.

What if your favorite craft-brewed beer turned out to not be a craft beer at all? Is nothing sacred anymore?

It is not a level playing field in the marketplace for small and independent craft-brewing companies.

That's the gist of recent messages from the Brewers Association, the trade organization representing small and independent brewers. Large breweries, recognizing the increasing popularity of the craft brewers' niche, are trying to create similar beers and pass them off as craft-brewed, the association says.

"There are many reasons why we felt we needed to come out and state our views about what we see as happening in the marketplace," said Bob Pease, COO of the Brewers Association and coauthor of a recent op-ed in the St. Louis Post-Dispatch. "We just feel that the large brewers-Anheuser-Busch InBev and MillerCoors-have been hiding the fact that some of these brands are made in their breweries."

The Brewers Association defines an American craft brewer as small and independent, with annual production of 6 million barrels of beer or less and no more than 25 percent ownership or control by a company that is not itself a craft brewer. So when an international brewing company like MillerCoors advertises its Blue Moon brand as a craft beer, it's mislabeling the product, the Brewers Association says.

"It's our purpose and mission as an organization to promote and protect small and independent craft breweries," said Pease. "It is not a level playing field in the marketplace for small and independent craft-brewing companies."

The campaign has sparked lively debate among beer enthusiasts, and the big brewers are not sitting on the sidelines.

"To question the quality of these beers due to their size or success is doing a disservice to the entrepreneurs who created them," Tom Cardella, president and CEO of Tenth and Blake Beer Company, the specialty and imports division of MillerCoors, said in a statement. "Most beer drinkers don't get hung up on industry definitions, which often change."

But Pease said the large brewers are missing the point. "The central issues we tried to raise were transparency, truth in labeling, and letting the consumer know who makes that beer. Why wouldn't the large brewers want to identify themselves as the makers of those fine beers?"

Still a relatively new group, formed in 2005, the Brewers Association focuses on advocating for its members in Washington and promoting their industry to the public, Pease said.

"Sure, they're brewers and they make beer, but really they are small businesses," he said. "We're out there every day representing them either in the government affairs arena or working with the media or local groups trying to educate everybody about the contributions our members make."

How have you differentiated your members from others in your industry or profession? If you've had success with your message, tell us about it in the comments.

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## **Cuba Protests Use of Havana Club Trademark by US Company**

Source: Havana Times  
December 18, 2012

Cuban diplomats registered their complaints on Monday before the Dispute Settlement Body (OSD) of the World Trade Organization in Geneva about the illegal use of the Havana Club label on rum sold in the United States, reported the Prensa Latina news agency.

The Cuban delegation alleges "inconsistencies" in the report presented by the US since the OSD disapproved Section 211 of the Omnibus Appropriations Act of that country. This stripes the Cuban owner of the trademark from its right to trade labels, thus allowing the Bacardi Company to use the name of the prestigious Cuban rum company.

The interim chargé d'affaires of the Permanent Mission of Cuba in Geneva, Nancy Madrigal, demanded once again the US repeal Section 211 and to comply with its legal obligations as a member of the World Trade Organization.

The Cuban position was supported by the delegations from Argentina, Bolivia, Brazil, Chile, India, China, Ecuador, Mexico, Uruguay, Venezuela, Nicaragua, Vietnam, South Africa and Zimbabwe.

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## **Tigani enters not guilty pleas**

State indicts former liquor executive on campaign fraud charges

Source: Delaware Online  
Dec 19, 2012

A shackled Christopher J. Tigani, who once spent \$21,000 in New York on designer clothes, appeared Tuesday in a Wilmington courtroom in a white prison-issued jumpsuit to answer state felony charges involving an illegal campaign contribution scheme.

With his parents and brother sitting in a front bench in Superior Court in Wilmington, the former high-powered liquor executive looked somewhat gaunt, having lost considerable weight. He has spent the past nine months

in a Brooklyn federal prison for federal convictions involving illegal donations and tax evasion.

Tigani, who had grown a short gray beard, did not speak at the arraignment. He did whisper to his attorney, assistant public defender Ed Hillis, who entered not guilty pleas on all nine counts.

State charges in the 16-page indictment brought by special prosecutor E. Norman Veasey follow the basic outlines of the 2011 campaign fraud charges that sent Tigani to federal prison earlier this year on a two-year sentence for contributions to campaigns for federal office and tax evasion.

Veasey, a former chief justice of the Delaware Supreme Court, was tapped by Delaware Attorney General Beau Biden to look into campaign finance practices last year. The appointment came after Tigani's guilty plea to four federal felony counts related to both campaign finance and taxes. Biden recused himself because he had received contributions from Tigani.

Under the donation scheme, Tigani allegedly solicited employees at the family liquor company, N.K.S. Distributors Inc., their family members and other associates to make campaign contributions to numerous candidates running for state offices. Tigani later reimbursed them, prosecutors say, with N.K.S. nonpayroll checks. Altogether, Tigani allegedly raised \$223,200 in illegal contributions in violation of Delaware law limiting individual donations, the indictment states. It also is illegal for anyone to make donations under the name of another person.

The contributions included donations between June 2007 and December 2008 to candidates for the office of governor, attorney general, treasurer and members of the General Assembly.

The charges in the indictment include donations in 2007 and 2008 to campaigns by both Gov. Jack Markell and U.S. Rep. John Carney Jr. for the governor's seat. Other charges include illegal contributions in 2008 to candidates Lt. Gov. Matt Denn for the office of lieutenant governor, Rep. Bryon Short, D-Highland Woods, and former Rep. Robert Walls, D-Milford.

A final charge accuses Tigani of engaging in conspiracy through his reimbursement scheme.

The court papers do not make any allegations about the campaigns actively participating in the illegal bundling scheme. No politicians or campaign officials have been charged.

Tigani's court appearance was in stark contrast to his high-flying days as a expensively dressed liquor executive and political powerhouse when he would take politicians to Jimmy Buffett concerts on chartered buses and jet to Rome to join former Gov. Ruth Ann Minner's entourage on a state trade mission.

During the time he served as head of the lucrative liquor business, Tigani worked to increase his influence over matters related to his business and the industry, the indictment charges. He denied to federal investigators any quid pro quo when it came to political support or votes. But Tigani told investigators that under the so-called "Delaware Way," politicians expected donations and benefits from N.K.S. after they took action that supported the liquor business, according to federal filings.

From 2002-08, when he served as chief executive of N.K.S., Tigani sought to have political pull for such things as passage of a law to allow Sunday liquor sales and stopping increases in alcohol excise taxes, the indictment states. Nearly every tax on the books except the alcohol tax was raised between 2008 and 2009.

N.K.S. is the exclusive distributor of Anheuser-Busch products in Delaware, and Tigani boasted to executives in St. Louis of his relationships with powerful politicians, according to federal filings. He was fired by his father, Robert, in 2009 in a bitter dispute over control of the company.

Each count in the state indictment can bring a maximum punishment of two years in prison, adding up to 18 years. But Delaware's sentencing guidelines call for up to one-year low-level probation per count.

Cathy Rossi, spokeswoman for Markell, said the governor has stated in the past that he had no reason to think the contributions from N.K.S employees weren't legitimate.

The indictment's explanation of the case is consistent with that, noting that the contributions were represented to the campaign to be contributions from the employees. Markell made charitable contributions in the amounts contributed to his campaign that were identified as made by N.K.S employees or Mr. Tigani.

Investigators told Carney in late August of \$29,000 in illegal contributions to his 2008 gubernatorial campaign, spokesman James Allen said. Carney donated \$30,000 from his congressional campaign to six Delaware charities when he learned of the contributions, Allen said.

Emily Cunningham, chief of staff to Denn, said he had no knowledge that contributions from N.K.S employees were reimbursed illegally. Denn made contributions to charities in an amount equivalent to donations from Tigani and N.K.S. employees.

Short said he "certainly wasn't aware that there was any reimbursement" of contributions by Tigani. And Walls said he did not know about Tigani's contribution scheme.

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## United Kingdom: Brits mull raising liquor prices to stop drunkenness

Source: USA Today

By Traci Watson

December 18, 2012

On a mild Friday night in the London party district called Camden, the local pubs are surprisingly quiet. It's the local supermarkets that are bustling - and not with shoppers buying milk.

Crowds of revelers stream into the stores to snap up bargain-priced booze. At one shop a two-liter bottle of hard cider sells for \$3.18, the same as a two-liter bottle of Coke.

"When we're going out, we get drunk on the cheapest spirits beforehand - sort of saving money," says Alex James, also a student.

British politicians want to dampen the fun. A proposal under review would set a minimum price for alcohol in England and Wales, **raising the cost of a supermarket-brand bottle of vodka, for example, from \$13.95 to \$18.86.** [In case you are wondering, that would be for a 700ml]

The proposal would also ban "multi-buys," such as two-for-one specials in supermarkets and liquor stores. Public comment on the proposal began last month and will continue into early next year.

"Alcohol isn't just an ordinary commodity that can be left to the market like soap powder," says Ian Gilmore of the Royal College of Physicians. "It's responsible for a huge amount of damage to innocent victims."

For much of the 20th century Britons drank moderately, says James Nicholls of Alcohol Research UK, a non-profit group. But in the last few decades, alcohol, especially beer, became vastly more affordable.

Student Chris Theobald was shopping on a Camden street where \$5 will buy a bottle of fortified wine with the alcohol content of seven bottles of beer.

Such prices are "crazy," Theobald says, but he concedes that the deals are helpful when "you want to get drunk quickly. . It's what we do."

Affordability is one factor among several that has boosted English alcohol intake, Nicholls says. British alcohol consumption per person rose 19% from 1980 to 2007, according to the Organization for Economic Cooperation and Development. Over the same period, U.S. alcohol consumption per person dropped 17%.

Brits have also become renowned as some of Europe's heaviest binge drinkers, or drinkers who quaff five or more drinks at a sitting. A 2010 survey found more people in Britain than anywhere else in Europe have at least 10 drinks a day on the days when they drink.

"I thought we were alcoholics," says Alexander Ledvinka, a London bartender, speaking of his countrymen in the Czech Republic. But at the London party hubs of Leicester Square and Covent Garden, "I've never seen that many drunk people in one place."

The proposal wouldn't affect drink prices in pubs and restaurants nor would anything besides cut-rate booze rise in cost.

But the very idea of setting a floor on the price of alcohol has infuriated free-market proponents and angered many ordinary Britons.

"A nanny state that dictates what to drink will soon be telling us how to think," the Daily Mail, a conservative newspaper, fumed.

"Why does the government want to stop people from having fun?" asked Lia Girandola, a London real-estate agent out with friends in Camden. Drinking "is what people do to socialize."

Public health officials say drinking is not all polite merriment and something must be done to reduce alcohol's toll on society.

Photos of drunken young women lying on the sidewalk or retching in alleys are a staple of the British tabloids. Alcohol-related hospital admissions have shot up in England. Twenty years ago, U.K. deaths from liver disease were on a par with rates in Australia and Scandinavia. Now U.K. rates are double the rates in those countries.

Government officials including Prime Minister David Cameron say there'd be widespread benefits to banning dirt-cheap booze, which in Britain is favored by those who drink to excess.

A minimum price would help tackle the problem drinkers without much impact on sensible drinkers, according to a government analysis. The government forecasts the price hike will prod the heaviest drinkers - such as men who regularly drink more than five bottles of wine a week - to cut their intake by 5.9% per year, moderate drinkers by 1.2%.

As with any price increases, however, people with less money will be forced to make choices that the wealthier will not.

The proposal will "adversely penalize" low-income moderate drinkers, who will be hard-hit, says Simon Russell of the National Association of Cider Makers. And many are skeptical that even a price hike can get drinkers to knock back one fewer drinks.

If prices rose, "you wouldn't drink less before you went out for a night," James says. "You'd spend a little more."

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## **United Kingdom: 'Ban benefits claimants from spending on drink and cigarettes'**

Benefits claimants should be banned from spending welfare payments on "luxury" items like alcohol, cigarettes and satellite television, a Government aide has said.

Source: Daily Telegraph  
By James Kirkup, Deputy Political Editor  
18 Dec 2012

Alec Shelbrooke said that claimants should be paid welfare via electronic cash cards that could only be used to buy essentials like food, clothing, energy, travel and housing.

Mr Shelbrooke, a Conservative MP, is a parliamentary private secretary at the Northern Ireland Office,



He made the suggestion as a backbencher in the House of Commons, but ministers are understood to be looking at similar ideas.

Mr Shelbrooke has drafted a Bill that would change the law to allow welfare payments to be made on a new "welfare cash card" whose use could be restricted by the Government.

"Introducing a welfare cash card on which benefits will be paid, claimants will only be able to make priority payments such as food, clothing, energy, travel and housing. The purchase of luxury goods such as cigarettes, alcohol, Sky television and gambling will be prohibited," Mr Shelbrooke told MPs.

"When hard-working families up and down the country are forced to cut back on such non-essential, desirable, it is right that taxpayer benefits be only used for essential purposes."

His Bill has no realistic prospect of becoming law, but the idea of a welfare card is gaining support in Conservative circles.

Iain Duncan Smith, the work and Pensions secretary, told Conservative activists earlier this year that he is examining whether the law can be changed to specify how claimants spend their benefit money.

Mr Duncan Smith is understood to have instructed officials to look at systems in place in Australia and some US states.

One idea under discussion in Whitehall is for the 120,000 problem families who were identified in the Government's riots review to be given the Oyster-style cards.

Advocates say card systems help claimants live responsibly and make proper use of welfare payments. Critics say the schemes demonise those who receive welfare.

Mr Shelbrooke insisted that restricting claimants' spending options would actually improve the public perception of people who get welfare payments.

"We need to stop the damaging perception of all benefits recipients as being financially reckless."

He added: "If taxpayers are safe in the knowledge that claimants can no longer purchase [luxury] items at the taxpayers' expense then the concept of welfare will be viewed once again as a responsible way of getting back on your feet.

"That was what the welfare state was intended to be: a safety net in times of need, a hand-up, not simply a hand-out. It is now time to modify the system so that this socially destructive state-funded way of living is no longer an option."

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## **How to "Drink Responsibly"**

Source: Public Action Management  
by Pamela S. Erickson  
Dec 19th

"Drink Responsibly!" You hear that a lot these days, particularly at the end of an alcohol ad. But how many people know what it means? The holiday season is a good time to learn about safe drinking practices. But, it is not very easy and, as a society, we do a poor job in providing the tools to help.

Most people concerned about responsible drinking monitor their number of drinks. But, never assume that what you are served or sold equals a single drink. It may come in a single-sized glass or bottle, but the alcohol content can vary substantially, bars often "over-pour" wine and many popular spirit drinks have multiple shots.



Safe practices require that you know what a standard drink is. The federal government defines it as follows:

- . 12 ounces of beer that is 5% Alcohol by Volume (ABV)
- . 5 ounces of wine that is 12% ABV
- . 1.5 ounces of spirits that is 40% ABV (80 proof)

Next, you must know how much alcohol you are drinking. This isn't easy since not all products have to list their alcohol content. Let's consider some of the products by type:

**Beer:** Most beer cans or bottles are 12 ounces and contain 4-6% alcohol. However, larger containers are available and sometimes craft beers are more potent. For example, a 16 oz. beer with 8% alcohol is slightly more than two standard drinks. And, a 24 ounce can of 12% alcohol content is almost five standard drinks.

**Wine:** Wine is typically sold in a 750 milliliter bottle which contains about 5 standard drinks if the alcohol content is 12%. To serve a "standard drink" you must be able to pour 5 ounces of 12% alcohol wine. If the wine is 14%, 8 ounces will be almost two drinks. Try measuring in a wine glass at home. You will see that 5 ounces looks like a glass half-full and 8 ounces produces a full glass.

**Spirits:** Hard liquor is also typically sold in a 750 milliliter bottle, but will contain almost 17 standard drinks if the alcohol content is 40% or 80 proof. When serving spirits, you should use a measuring device in order to know how much you are drinking or serving to another. Today, multi-shot drinks are very popular, so you should never assume that a drink in a bar is a standard drink. You can ask your server how much alcohol is in the drink. And, you must be aware of some exceptionally potent drinks such as Long Island Iced Tea which is often the equivalent of 3-5 drinks in a single glass.

In addition to standard drink size, you need to know how much you can regularly drink and remain healthy and safe. Most experts recommend moderate consumption for those who choose to drink. Federal Dietary Guidelines state: "Moderate alcohol consumption is defined as up to 1 drink per day for women and up to 2 drinks per day for men."

Finally, there is the issue of drinking and driving. In most states, you are presumed to be impaired if your Blood Alcohol Content (BAC) is .08 or more. The difficulty is that BAC is almost impossible for an individual to monitor with any accuracy. This is because many factors impact the BAC level such as weight, gender, different metabolism rates, health issues, medication taken, drinking frequency, and amount of food in the stomach. Given this difficulty plus the problem of determining how many "standard drinks" you have had, the safest route is to ride with someone who has not been drinking or take a taxi.

Have a safe holiday season and support efforts to give consumers better tools to "drink responsibly."

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## **Record DtC Sales Continue November total hits \$224 million; flash offers grew by 22% (Excerpt)**

Source: Wines & Vines  
by Andrew Adams  
Dec 17th

Nearing almost a quarter-billion dollars in total value, direct-to-consumer wine shipments stayed hot this fall.

October's record sales of \$222 million was topped by figures from November, which saw \$224 million in sales, according to the Wines & Vines/ShipCompliant model.

The \$224 million mark is the highest for November DtC shipments since WinesVinesDATA began tracking them in 2010. The total is 12% higher in value and 13% larger by volume than November 2011.

The DtC figures are just one of several positive wine industry indicators for November that can be found in Wines & Vines' latest update in the Wine Industry Metrics section.

By varietal, red blends continue to lead DtC value. For the past 12 months from November 2011 to November 2012, the per-bottle price for red blends, mainly Bordeaux style, grew by \$9.14, or 23%. Merlot lost the most value, 10% or \$3.41, in the same period, and Cabernet Sauvignon stayed the same.

<http://www.winesandvines.com/template.cfm?section=news&content=109046&htitle=Record%20DtC%20Sales%20Continue&>

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## Italian police arrest man over huge wine spillage

Former employee of vineyard held on suspicion of pouring 80,000 bottles' worth of Brunello di Montalcino on to floor

Source: The Guardian  
Tom Kington  
18 December 2012

Police in Tuscany have arrested a man on suspicion of breaking into the cellar of a producer of a rare and costly red wine and pouring 80,000 bottles' worth on the floor.

Andrea Di Gisi, 39, was described by police as a former employee of the vineyard, which produces highly praised bottles of Brunello di Montalcino that sell for up to ?500 (£407).

Said to be nursing a grudge against the vineyard's owner, Gianfranco Soldera, after fellow employees were given free lodging at the vineyard, Di Gisi allegedly smashed through armoured glass before opening barrels and releasing the 2007 to 2012 vintages earlier this month.

After the raid suspicion fell on the Italian mafia and on rival producers of Brunello di Montalcino. But police focused their investigation on Di Gisi, who had allegedly previously argued with Soldera.

Wiretapping his phone, officers are said to have overheard Di Gisi telling a family member that he had washed his trousers after the night of the raid to rid them of wine stains, which he said would come out more easily than blood.

Police are now due to carry out a forensic examination of the trousers to check for traces of wine.

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## Restaurant Sciences' Data Shows Significant Price Variance For Most Popular Wine Varietals by Glass

Consumers Select By Palate Rather Than Price as Chardonnay and Cabernet Sauvignon Continue To Dominate

Source: Carlton PR  
Dec 19th

Restaurant Sciences, a leading provider of restaurant industry information and analytics based on individual guest checks, today released the nation's first-ever study of wine-by-the-glass consumption in US restaurants, nightclubs and hotel bars. The data also shows how the average consumer can get the best value for wine by the glass across various dining establishments.

Restaurant Sciences analyzed a sample of 10 million wine purchases at family, casual, upscale and fine dining establishments along with samples from nightclubs and hotel bars throughout the United States. The average pour by the glass was 6.18 ounces and displayed a range of prices. The data shows that the best overall values for consumers across all categories were Pinot Grigio and Zinfandel. Pinot Grigio cost \$6.25 a glass at family dining establishments to upwards of \$8.32 a glass at fine dining establishments. Zinfandel averaged

\$5.17 a glass at family dining restaurants upwards to \$8.44 a glass at fine dining establishments.

The most popular wines by the glass were Chardonnay and Cabernet Sauvignon respectively. Chardonnays ranged in price from \$5.23 at casual dining places up to \$12.25 a glass at fine dining locations, while Cabernet Sauvignon ranged from \$5.10 a glass to \$12.86 at fine establishments. In the sample guest checks, Chardonnay held a market share of nearly 45 percent of all white wines-by-the-glass, with Cabernet Sauvignon at 29 percent of all red-wines-by-the-glass.

Restaurant Sciences' data revealed that blended white and red varietals were just as pricy as "name brand" varietals such as Sauvignon Blanc and Pinot Noir. At family dining restaurants, wines by the glass ranged from \$5.10 a glass for Cabernet Sauvignon to \$8.04 a glass for Pinot Gris, while fine dining establishments charged \$8.32 for a glass of Pinot Grigio up to \$14.55 a glass for Sangiovese. Consumers paid more across all categories for Pinot Gris versus Pinot Grigio. Pinot Gris and Pinot Grigio are generally made from the same grape although grown in different regions. Ordering a glass of Pinot Grigio instead of Pinot Gris saved patrons an average of \$1.90 across all establishments.

"Restaurant Sciences' data shows varietals that were considered especially good values a few years ago, such as Sauvignon Blanc or Pinot Noir, have now climbed in price and popularity to be directly comparable to their primary US competitors, Chardonnay and Cabernet Sauvignon, respectively," said Chuck Ellis, president of Restaurant Sciences. "Consumers, however, were not concerned by prices per glass as three out of the four most popular wines were more expensive across the dining categories. Our data shows that red and white blends are increasing in popularity with a combined 8.75 market share and in some areas blends outperform name brand wines like Shiraz and Sangiovese."

Restaurant Sciences sampled 10 million restaurant/nightclub/hotel guest checks; all values shown have a Standard Error of less than 1.0%.

#### About Restaurant Sciences

Restaurant Sciences is the premier provider of syndicated data and insights on food and beverage consumption in restaurants, bars, nightclubs and other foodservice establishments. The company delivers market share, market basket, competitive analysis, pricing, promotional, trend, segmentation and custom analytics to food and beverage manufacturers and distributors, as well as the broader industry they serve. Restaurant Sciences transforms guest check-level information into detailed data and insights across all segments of the foodservice landscape. Insights are delivered online through their business intelligence tool or through custom analytics. Visit [www.restaurantsciences.com](http://www.restaurantsciences.com).

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## **Champagne makers must adapt to survive downturn - study (Excerpt)**

Source: Just-Drinks  
By Andy Morton  
18 December 2012

Champagne houses must find growth in Europe and continue expansion into new markets to survive the industry's downturn, a Champagne expert has said.

Global Champagne shipments will remain flat next year after falling 6.5% in the first half of this year, predicted Steven Charters, professor of Champagne management at Reims Management School in France. But despite an expected rebound in 2014, Champagne's long-term prospects will depend on its ability to adapt, Charters said.

"Champagne makers know they must diversify their exports, which explains the development of emerging economy markets," he said. "But not all Champagne makers are able to diversify enough and a number of them will have to find a way to improve their European sales."

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## **New UGC president Olivier Bernard calls for closer cooperation between chateaux and negociants**

Source: Decanter  
by Panos Kakaviatos  
Tuesday 18 December 2012

Olivier Bernard, owner of the renowned Graves property Domaine de Chevalier, was unanimously voted today as president of high-end Bordeaux's top marketing arm, the Union des Grands Crus de Bordeaux (UGC).

Bernard was the only candidate, and he replaces Sylvie Cazes, who resigned last month at the head of the UGC's 134 members, mostly classified growths.

Best known by wine consumers for its world tasting tours, the UGC invests some ?4m annually in communication, financed entirely by its members, and organises an average of 60 tasting events per year, including twenty major tasting tours in major cities in Europe, the United States, Asia and Russia.

'I am looking forward to this great responsibility,' Bernard told Decanter.com in an interview just before the official announcement.

A priority for his three-year tenure will be to work more closely - and 'with greater transparency', he stressed - with negociants. He plans to set up an eight-person 'commission' made up of four members of the UGCB and four members of the Union des Maisons de Bordeaux, which represents major negociant companies.

'The commission will assess trips and voyages, to see how they could be more effective,' he said. In the past, chateaux and negociants did not always coordinate activities because there had been 'mistrust': client contacts were not shared, for example.

'But it makes a lot of sense that we work together to promote our wines, as we have common goals, to increase client interest,' Bernard said. He also highlighted the fact that his brother Patrick Bernard has been directing the negociant company Millésima for as long as he has been running Domaine de Chevalier. 'This has helped us both to better appreciate our work,' he said.

Bernard is likely to be active in the UGC commission, which will meet three or four times per year. One probable change, he said, will be new a new educational programme particularly for the Chinese market. 'There is a large demand in China to learn about wine and not just taste the latest vintage,' he explained.

Bernard, 56, will be assisted by three vice presidents: Patrick Maroteaux (former UGC President and owner of Chateau Branaire Ducru), Stephan Von Neipperg (Chateau Canon La Gaffeliere, among others) and Tristan Kressmann (Chateau Latour Martillac).

No new UGC members are expected now, Bernard said. 'We are quite numerous already and conditions to join are strict.' But when asked about more modest existing members, such as the non-cru classé Chateau Greysac, Bernard replied that the UGC is not meant to include only members with specific price categories, but rather requires 'a steady commitment to excellence' from its members.

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## **New Hampshire: Lawyers argue over Liquor Commission storage documents**

Source: New Hampshire Union Leader  
By DAVE SOLOMON  
Dec 18th

Lawyers representing Law Warehouses of Nashua and the state Liquor Commission squared off in Merrimack County Superior Court on Tuesday in a tense hearing over the Nashua company's right-to-know petition.

Law was one of five unsuccessful bidders for a 20-year contract to provide warehouse services to the liquor commission, which announced in November it had awarded the contract to Exel Inc. of Westerville, Ohio,

which is owned by the German company Deutsche Post DHL.

The Nashua company, which has held the contract since 1997, soon after filed its petition seeking full disclosure of the contract with Exel along with several related documents its attorneys maintain are part of the contract.

Concord attorney Christopher Carter, representing Law, tried to convince Merrimack County Superior Court Judge Richard McNamara that Exel may have been entitled to some protection from disclosure while it was a bidder, but lost that protection once the company signed a contract with the state.

"As a public contract, this material must be produced and is not subject to exemption," he said.

Lawyers for the Liquor Commission said that much of the material Law is seeking has already been released, with some portions blacked out. Those portions contain personal or proprietary information that is legally exempt from disclosure requirements in the right-to-know law, according to Lisa English, a senior assistant attorney general appearing on behalf of the Liquor Commission.

"There is no statutory provision that says all public contracts become public documents with no exception," she said.

After a two-hour hearing, McNamara gave attorneys until Dec. 27 to produce memorandums of law to support their arguments. He challenged Carter to cite previous court rulings supporting the notion that privacy protections that exist while vendors are negotiating for a contract are forfeited once a contract is signed with a public entity.

"If you win that, Mr. Carter, you win everything," he said, prompting English to reply, "If Mr. Carter loses that argument, I hope you will dismiss the case."

Also on hand at the hearing was Manchester attorney Nicholas Holmes, representing Exel. At one point in the hearing, Carter alluded to Holmes as the "fox in the henhouse," and charged that Exel and the Liquor Commission were working together to decide which information should be released.

Carter and his associate, Suzan Lehmann, claimed they could not get any response from the Liquor Commission until they took legal action, which was challenged as "untrue" by Liquor Commission attorneys.

Lehmann then described a conversation with Holmes in which he allegedly told her, "You can get to see some things, but there are things we don't want the public to see."

Judge McNamara was attempting to wrap up the hearing when Holmes insisted on responding, saying, "I disagree with Ms. Lehmann's representation of what I said to her."

As the hearing broke up, he approached Lehmann and said, "Don't ever lie about what I say to you," at which point Carter intervened and told Lehmann to "back off."

At stake is a contract that, over its lifetime, is worth millions of dollars, Carter said as the hearing got under way. "The original proposal by Exel bears little resemblance to the contract that was awarded," he said, "so we need to see how the proposal changed ... The public has a compelling interest in seeing the ground upon which this contract was awarded."

The state has been releasing information, but in a piecemeal fashion and with portions redacted.

"The commission should not be letting Exel dictate what portions of a public contract are released," Carter said.

Holmes said Exel has produced 1,600 pages, with only 13 documents redacted, three entirely and others in part.

"The negotiations that have been happening between Exel and the state are not what the right-to-know statute

intends," Carter said.

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## **Texas: After opening in Dallas and Fort Worth, Total Wine & More plans to open next in..**

Source: Dallas Morning News  
By Maria Halkias  
December 18, 2012

Total Wine & More is heading to San Antonio next.

The Maryland-based national chain of wine, beer and liquor stores came to Texas earlier this year with a store in Dallas on North Central Expressway just north of Park Lane.

In October it opened its second store in the market in Fort Worth.

The first San Antonio store opens in the second quarter, said Edward Cooper, spokesman for Total Wine.

A second San Antonio store will open "shortly after that," he said.

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## **Washington: Driver charged with DUI Marijuana after deadly crash in Vancouver**

Source: By FOX 12  
Dec 18, 2012

VANCOUVER, WA (KPTV) - The Vancouver Police Department arrested a man on the charge of driving under the influence of marijuana in connection with a deadly crash in Vancouver.

Investigators said the driver hit and killed a pedestrian around 5:50 p.m. on East Mill Plain Boulevard and Andresen Road.

Police say the victim, a male in his 50's, was believed to be walking back from Safeway and stepped out into the middle of traffic.

The driver, Scotty Rowles, was driving westbound on East Mill Plain Boulevard and could not stop his car in time, according to police.

Detectives says Rowles cooperated with the investigation, but after interviewing him they determined there was enough evidence to arrest him on suspicion of driving under the influence of marijuana.

Police believe this is the first deadly crash involving the drug since it became legal in the state of Washington.

Police say the victim was close to two different lit and controlled intersections, but chose to step out into the middle of traffic, which would clearly put him at fault.

However, because Rowles was believed to be under the influence of marijuana, Washington State law says he is technically at fault, according to police.

**While it may now be legal to smoke marijuana in the state of Washington, police say it is never legal to smoke it and then get behind the wheel.**

The victim's ID will be released after police notify his family.

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## EU to outlaw cigarette packet branding by 'the back door'

The European Union is to ban menthol cigarettes and will require graphic anti-smoking warnings to cover 75 per cent of cigarette packets, under new legislation.

Source: Daily Telegraph  
By Bruno Waterfield, Brussels  
19 Dec 2012

Britain and other countries will also be given the all-clear under the EU's single market rules to go further by copying an Australian law imposing plain packaging, which completely removes branding, from cigarette packets.

The new legislation is seen by both officials and industry as spelling the end of legendary cigarette branding such as Gitanes, JPS, Gauloises or Camel, valuable trademarks that have also become part of Europe's cultural heritage.

"Each unit packet shall carry combined health warnings (picture plus text). The combined warnings shall cover 75 per cent of the external area of both the front and back surface of the packet," said draft legislation seen by The Daily Telegraph.

"However, a member state may maintain more stringent national provisions on grounds of overriding needs relating to the protection of public health."

Tobacco companies are expected to mount legal challenges to the EU legislation that, it is claimed, will destroy famous brands by covering them up with graphic pictures of cancers or amputated limbs to show the damage caused by smoking cigarettes.

Reemtsma, the German subsidiary of Imperial Tobacco, has criticised the imposition of larger warnings that do not contain any new information for consumers but that will damage long established trademarks and brands.

"Under the German constitution this is a major breach of our property rights and trademarks," said Svea Schroeder, the spokesman for Reemtsma.

"It will not stop with tobacco, it will move on to alcohol and sweets. Anyone who can read knows the implied risks of smoking and existing health warnings are very clear. This is a step to a health dictatorship. Is that the future we want?."

A European Commission spokesman said: "We are aware of the concerns. Everything has been double-checked for the legal position and we can do it. Let's not forget that 700,000 people die every year because of smoking."

Popular menthol cigarette flavouring will be banned as it is said to attract younger consumers but older smokers will still be able to enjoy flavoured pipe tobacco.

The EU legislation will also propose a "de facto" ban on electronic cigarettes, which deliver a smokeless nicotine hit, which in future must be authorised as "medicinal products" as well as continuing to outlaw "snus", Swedish snuff.

Chris Snowdon, a fellow of the Institute of Economic affairs, warned that the EU proposals were "damaging for liberty and disastrous for public health" because both e-cigarettes and snus are healthier alternatives to smoking.

"Instead of finding ways to help smokers quit, the commission has adopted silly and ineffective shock tactics such as bigger warning labels which are plain packaging by the back door," he said.





**From:** [Mark Brown](#)  
**To:** [Michael R. Milligan](#)  
**Subject:** Industry News Update  
**Date:** Tuesday, December 11, 2012 4:44:32 AM

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## Diageo halts long-running talks to buy Jose Cuervo

Diageo, the company behind Johnnie Walker whisky and Guinness beer, has shelved talks to buy the Jose Cuervo tequila brand from Mexico's wealthy Beckmann family.

Source: Daily Telegraph  
By Szu Ping Chan  
11 Dec 2012

The decision follows long-running negotiations between the two parties, and will end a decade-long agreement where Diageo has distributed Cuervo in the US since 2002.

Paul Walsh, Diageo's chief executive, said in a statement on Tuesday that while Diageo believed it could still provide "the best route to market for this brand", the companies had failed to reach an agreement that would "deliver value for Diageo's shareholders.

"Therefore, by mutual agreement, we have terminated our discussions," said Mr Walsh.

Diageo's contract with the Mexican brand expires next June. It had been in talks to buy Cuervo for around \$3bn (£1.86bn).

The British drinks company had pursued Cuervo in order to increase its exposure to the rapidly-growing Latin American market.

Last week, the Sunday Telegraph reported that Diageo had held talks with the Japanese brewer Suntory about acquiring bourbon whisky producer Beam for more than \$10bn. Beam also owns the Sauza tequila brand.

If Diageo does make a move on Beam, it would mark a departure from Mr Walsh's strategy of snapping up local spirits in rapid-growth, emerging-

market regions rather than paying a premium to acquire expensive brands.

Last month, it reached an agreement to acquire a 53pc stake in India's biggest drinks company, United Spirits, for up to £1.3bn from Vijay Mallya, the Indian entrepreneur.

The shares fell 1.6pc to £18.55 in early morning deals.

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## **Diageo Ends Cuervo Talks, Will Terminate Distribution Deal**

Source: Bloomberg

By Paul Jarvis & Sarah Shannon

Dec 11, 2012

Diageo Plc (DGE), the world's largest distiller, ended talks about acquiring Cuervo tequila and will seek to cease its 26-year-old agreement to distribute the brand.

Discussions with Cuervo owners JB y Compania SA de C.V. and Lanceros S.A. de C.V. failed to provide an agreement that would have created value for Diageo shareholders, Paul Walsh, chief executive officer of the London-based distiller, said in a statement today. Diageo's agreement to distribute the tequila outside of Mexico is due to expire at the end of June, 2013.

Diageo had an option to buy the company because of that agreement and had hired Goldman Sachs Group Inc. and HSBC Holdings Plc for advice in exploring gaining control from Cuervo's family owners, the Beckmanns, people with knowledge of the matter have said. The brand was expected to be valued at more than \$3 billion.

"This is the first setback for Diageo we can recall in a good 18 months," James Edwardes Jones, an analyst at RBC Europe Ltd., said in a note. "We do not believe the absence of a tequila brand materially alters the Diageo investment case." The loss of the Cuervo distribution agreement will reduce earnings per share expectations from 2014 onwards by between 2 percent and 3 percent, he estimates.

Diageo is seeking growth in markets outside Europe, as part of its plan to get half of its net sales from developing markets by 2015. The maker of Johnnie Walker last month bought a stake in India's United Spirits Ltd. (UNSP) to gain leadership in the world's largest whiskey-consuming nation. It also has held talks with Suntory Holdings Ltd. about a potential joint offer for U.S. distiller Beam Inc. (BEAM), an official of the Japanese company said, though they are not currently in talks.

## Tequila Deal

Diageo fell as much as 1.8 percent in London trading and was down 1.4 percent at 1,861 pence at 8:45 a.m. The shares are up 32 percent this year.

Cuervo generated 300 million pounds (\$482 million) of net sales last fiscal year, a 3 percent drop, according to Diageo. Its largest markets are the U.S., Canada, Spain, Greece and the U.K. The termination of talks free up some previously earmarked borrowing capacity for other possible acquisitions, Edwardes Jones estimates.

"Diageo may be weak on the loss of the Cuervo agreement and concern about a possible high-multiple Beam deal," Anthony Bucalo, an analyst at Grupo Santander said in a report. Diageo lacks a bourbon brand and Beam's Sauza is the second-largest tequila brand, Bucalo said. "Without Cuervo in the portfolio, the operational bright side is that this failure to come to terms with Cuervo clears the regulatory path in an advantageous way for Diageo on the issue of tequila."

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## **Brown-Forman Announces Debt Offering (Excerpt)**

Source: Business Wire via The Motley Fool  
12/10/12

Brown-Forman Corporation (NYS: BFA) (NYS: BFB) today announced the pricing of its offering of \$750 million aggregate principal amount of senior unsecured notes. The notes consist of the following tranches:

\$250 million principal amount of 1.00% 5 year Senior Notes due

January 15, 2018

\$250 million principal amount of 2.25% 10 year Senior Notes due January 15, 2023

\$250 million principal amount of 3.75% 30 Year Senior Notes due January 15, 2043

Brown-Forman intends to use the net proceeds from the offering principally to pay a special cash dividend of \$4.00 per share on its Class A and Class B Common Stock, which was announced on November 27, 2012. The dividend is payable on December 27, 2012 to stockholders of record on December 12, 2012. Shares began trading ex-dividend today. The notes offering is expected to close on December 12, 2012, subject to customary closing conditions.

Barclays Capital Inc., Citigroup Global Markets Inc., Merrill Lynch, Pierce, Fenner & Smith Incorporated, U.S. Bancorp Investments, Inc., Deutsche Bank Securities, Inc. and Wells Fargo Securities, LLC are acting as joint book-running managers.

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## **Campari completes tender offer for Lascelles**

Source: FoodBev  
Rebecca Prescott  
11 Dec 2012

Gruppo Campari has announced the successful completion of Campari's cash tender offer, commenced through its wholly-owned subsidiary Campari España for all issued and outstanding ordinary shares and preferred shares of Lascelles.

The tender offer was made pursuant to an Offer Circular, dated 8 November, and the Jamaica Takeovers and Mergers Rules and Regulations and other applicable requirements. Campari first announced this transaction on 3 September.

The total value of the shares acquired through the offer is approximately ? 316m at the exchange rate on the offer closing date.

Campari intends to exercise its right pursuant to a statutory process under Jamaica law to acquire all the remaining shares, including from those shareholders who have not accepted the offer.

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## **Booming Bourbon Building an Even Brighter Future (Excerpt)**

Source: The Lane Report  
By Lorie Hailey  
Dec 7th

Kentucky bourbon makes \$2 billion in gross state product every year.

It's an exciting time for Kentucky bourbon makers.

The commonwealth's signature spirit is at new heights of popularity. Sales are up across the board, premium brands are flying off the shelf, and the industry is in its largest expansion phase since Prohibition ended. More than \$225 million in capital projects have been announced or completed in the past year.

Interest in bourbon heritage is drawing thousands of visitors from all over the world to Kentucky distilleries, where they learn the history and tradition of bourbon-making - and spend a lot of money along the way.

Kentucky benefits greatly from the industry, from the taxes it pays ("seven different taxes on every bottle of bourbon before it ever hits your lips," Gregory said), to the jobs it creates, directly and indirectly. But the interest it creates in the commonwealth is quickly becoming one of the biggest feathers in its cap.

"I think being able to have the bourbon industry showcased the way it is probably is the best thing that has happened to the Kentucky tourism industry since the development of the state park system," said Marcheta Sparrow, secretary of the Kentucky Tourism, Arts and Heritage Cabinet. "It's a signature industry."

Growth bringing unprecedented investment

There's a lot of bourbon in Kentucky. Since 1999, when bourbon inventories were at a historic low, the number of barrels in stock has grown 115 percent. Right now, there are 4.9 million barrels aging in Kentucky, more than the number of people residing here (4.3 million).

In some sectors, a higher inventory is not something to celebrate, but when it comes to bourbon, inventory is a "predictor for the future that we expect strong future sales and continued growth," Gregory said.

Forecasting future sales can be challenging, said Amy Preske, public relations and events manager at Buffalo Trace in Frankfort. Even more difficult is managing the inventory of a premium bourbon like Buffalo Trace's Pappy Van Winkle, which ages for 15, 20 and 23 years and is currently one of the most sought-after bourbons.

"It is a tricky game to try to forecast consumer's drinking habits more than 20 years out," she said. "You have to remember that bourbon evaporates in the barrel at a rate of 8 to 9 percent the first year, and 2 to 3 percent every year thereafter. It's considered a good day when a barrel of 23-year-old Pappy is dumped and gives you five gallons. Sometimes you dump them and they are completely empty."

At Buffalo Trace, barrels are forecast through 2035, Prekse said. Every production run is planned, and adjustments are made along the way, depending on sales and yields.

The KDA tracks barrel inventories at each distillery, but does not share that information outside of the organization. None of the distilleries The Lane Report asked would share inventories or sales figures. All claimed growth, but few gave details.

The 2012 Liquor Handbook from the Beverage Information Group lists the Jack Daniel's brand (made in Tennessee) as the top-selling bourbon in 2011. (Note: Although it meets the regulatory criteria to be classified as bourbon, Jack Daniels says it is not bourbon and markets the spirit simply as Tennessee Whiskey.) Jim Beam was second and third was Evan Williams, which is made at Heaven Hill Distilleries. Rounding out the Top 10 are Maker's Mark, Early Times, Wild Turkey, Ten High, Old Crow,

Ancient Age and Heaven Hill Bourbon.

No. 18 was Woodford Reserve, which had a 15.7 percent increase in sales over 2010. Jim Beam had two of its other bourbons in the Top 20 sellers: Red Stag by Jim Beam and Jim Beam Small Batch.

More than 4.6 million 9-liter cases of Jack Daniel's were sold in 2011. Nearly 3.2 million cases of Jim Beam were sold, a 4.3 percent increase over 2010. Heaven Hill sold 1.3 million cases of Evan Williams, up 1.2 percent over 2010.

Maker's Mark by far had the biggest increase of the Top 10 brands. Its sales of 1.03 million cases were up 13.2 percent in 2011.

But all of Kentucky's 19 major distilleries have seen tremendous growth in the past year, Gregory said. That success has translated into investments into their properties and brands.

"Just in the last year, either completed or under way, there has been more than \$225 million in investment in Kentucky in the bourbon industry - during a down economy. That's the amazing thing," he said.

Beam built American Stillhouse, a new visitors center at its Clermont, Ky., Jim Beam distillery this year, and opened its doors to the public for the first time. It also opened a state-of-the-art Global Innovation Center. The two projects cost \$30 million.

Buffalo Trace in Frankfort, Ky., is the oldest continually operating distillery in the country. There has been distillation there since 1775. It even distilled bourbon during Prohibition, when a special permit was granted for Buffalo Trace to produce bourbon for "medicinal purposes."

In November, Beam announced plans to locate its Global Business Services Center on Fourth Street in downtown Louisville, creating 60 jobs and investing \$1.7 million in building materials and equipment to retrofit the office. Construction is expected to begin early next year.

Other recent developments:

. Gruppo Campari is spending \$44 million on a 125,000-s.f. packaging facility at its Wild Turkey site in Lawrenceburg. Construction also has begun on a \$4 million, 8,500-s.f. visitor center at Wild Turkey. In the past year, a \$50 million new distillery also was constructed at Wild Turkey.

. Barton 1792 Distillery in Bardstown recently purchased a 300,000-s.f. building to be used as a distribution center. The distillery also expanded its processing area with additional bottling tanks and bulk storage, and added new equipment to each line.

. Four Roses opened its 5,000-s.f. visitors center and gift shop in September, part of a \$2.4 million expansion of the Lawrenceburg distillery property.

. In September, Alltech opened a new \$9.2 million, 200,000-s.f. distillery, the first in Lexington in more than 100 years. Already, CEO Dr. Pearse Lyons has announced a \$40 million expansion of Town Branch Distillery.

. Heaven Hill Distilleries in Bardstown is building a multimillion-dollar tourist attraction in downtown Louisville called the Evan Williams Experience. Located on historic Whiskey Row, the new attraction will celebrate the legacy of Evan Williams, Kentucky's first distiller and namesake of Heaven Hill's flagship bourbon brand.

. In 2010, Maker's Mark began a \$110 million distillery expansion project in Loretto to increase capacity by 50 percent and double bottling capacity and warehouse storage.

Distillery developments have come with new jobs for Kentucky workers. The state's distilleries employ more than 3,000 workers, but "spin-off" jobs at related industries, such as cooperages, bourbon transportation and tourism, employ another 6,000, according to a University of Louisville study commissioned by the KDA. The annual payroll from those 9,000 jobs is about \$413 million.

"In past 10 years, while the majority of Kentucky's industries have lost jobs, the bourbon industry has added 4 percent in jobs, we've invested hundreds of millions of dollars in facilities and manufacturing equipment, and had this successful tourism component," Gregory said.



## Tourism riding bourbon's popularity

The industry began to focus on tourism in 1999, Gregory said, after several decades of market ambivalence toward bourbon. The strategy is working.

The KDA has been keeping records since 1880 and began tracking barrel inventories in the 1960s. In 1967, bourbon was booming, and there were 8 million barrels aging in Kentucky. But in the 1970s and '80s, consumers discovered so-called neutral spirits, clear liquors such as vodka, gin, rum and tequila, and started using them in mixed drinks like daiquiris and margaritas.

"Bourbon was your father's drink or even your grandfather's drink, and it just wasn't cool anymore," Gregory said, "so it really took a nosedive."

The resurgence of bourbon began in the 1980s and '90s, when single-barrel and small-batch bourbons picked up steam in America and around the globe.

"One great thing about this industry, it is always reinventing itself," Gregory said. "Booker Noe with Jim Beam is a great example. He used to carry around a flask and it was barrel-strength bourbon, and somebody said, 'Why don't we bottle that and sell it?' So you had Booker's (Small Batch) come on the market and then some other single-barrel bourbons."

As premium bourbons took off, Kentucky distillers jumped at the opportunity to ride, and perhaps extend, bourbon's still ongoing wave of popularity.

Bourbon tourists come from all 50 states and several foreign countries; only 18 percent of completed Passport holders live in Kentucky. On average, tourists who visit all the distilleries spend \$737 each, according to the UofL study. From 2007 to 2011, that's an economic impact of \$18.4 million.

And the Kentucky Bourbon Trail distilleries aren't the only ones open for tours. Visits to Buffalo Trace in Frankfort, for example, are up 30 percent this year, Preske said.

Bourbon's move back into the mainstream has been slow but steady over the past 10 to 15 years. The rise of single-barrel and small-batch bourbons, a burgeoning cocktail culture and the ingenuity of bourbon distillers combined to create what Gregory calls the Bourbon Revolution.

"People are enjoying all of the old cocktails again, the Old-Fashioned, the Manhattan, the Sidecar, the Julep. Those are all very classic bourbon drinks," he said.

Bourbon has made its way into pop culture, which has only added to its popularity.

"I'm sure (AMC network's popular TV show) 'Mad Men' didn't hurt, because they're always drinking bourbon on there," Gregory said. "The lead character, Don Draper, drinks an Old Fashioned, and you go to your bar and you say, 'I want what Don Draper is drinking.' "

The fictional advertising man isn't the only TV character ordering up Kentucky's signature spirit. Bourbon makes regular appearances on television and in movies.

"The bourbon category is very hot. American straight whiskey in general is hot, which includes rye and bourbon," Kass said. "At the upper end of the category, the very ultra-premium, super-premium end of things, there is a lot of activity. A lot of us are introducing very special, rare, limited edition, high-priced bottlings and generally selling them all out."

The typical premium bourbon consumer is an affluent, young adult male, a very desirable demographic, he said.

Another factor driving high-end bourbon's rise is the local foods, or slow foods, movement. Bourbon is tightly regulated and is made only with natural ingredients.

"Bourbon kind of fits very nicely with the modern trends toward things like slow food, the local foods movement, the whole interest in eating and putting things in your body that are better, high quality, well made, those types of things," Kass said.

In the past 10 to 15 years, the distillers have done a great job marketing their products, Gregory said, using social media and customer loyalty programs, such as the Maker's Mark Ambassadors, the Woodford Reserve Stable and the Four Roses Mellow Moments Club. Bourbon tastings at events all over the country also are helping reach new drinkers.

New products have driven interest, too. For example, Heaven Hill is trying to reach a different demographic, mainly women, with its flavored bourbons, Kass said.

Another decade of 100 percent growth

Bourbon makes \$2 billion in gross state product every year, Gregory said, "and that has doubled in the past 10 years. We think it is only going to double again in the next 10 years, if not sooner."

The barrel tax is an ad valorem levy on every barrel of product aging in Kentucky. The industry has been fighting it for nearly a century, he said. Kentucky bourbon distilling is the only alcohol manufacturing industry in the world that pays such a tax, which costs them \$12 to \$15 billion a year. About 60 percent of every bottle's retail cost goes to taxes, according to the KDA.

"Our friends in Tennessee at Jack Daniels do not pay such a tax," Gregory said. "That puts us at a competitive disadvantage in the global marketplace."

The tax discriminates against the state's signature bourbon industry, said Dave Adkisson, president/CEO of the Kentucky Chamber of Commerce. Earlier this year, he urged lawmakers to give serious consideration to finding a solution.

The KDA has worked with state legislators to draft bills and legislative amendments relating to the barrel tax. They have passed the Senate twice, but gotten nowhere in the House.

A bill is likely to be drafted for the 2013 General Assembly short session to keep the issue on lawmakers' radar. The KDA also hopes the Governor's Blue Ribbon Commission on Tax Reform will include the issue among its

recommendations.

With the national economy struggling the past few years, another industry concern is a possible increase in federal alcohol excise taxes, Gregory said. An increase in the early '90s was devastating.

"It took our industry 10 years to get back to the (income) numbers it had before that tax," he said.

The KDA maintains contact with Kentucky's congressional delegation, encouraging opposition to raising federal alcohol taxes.

On the bright side, the challenges the industry faces currently pale in comparison to the recent success and its optimism, Gregory said.

"We're in a down economy, the worst economy the nation has seen in generations. We have an industry that is growing, that has just scratched the surface of its potential from a sales and tourism standpoint, that gets along and has broad support from elected leaders," he said. "We couldn't be more happy with where we are."

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## **Washington: Teen shoplifting, liquor a bad mix since voters approved 1183**

Source: Bellingham Herald  
By JEREMY PAWLOSKI  
December 9, 2012

Since private stores started selling hard liquor in June, at least 20 teenagers have been charged with stealing spirits from Thurston County grocery stores, a number juvenile prosecutor Wayne Graham calls only "the tip of the iceberg" and an indication of a larger problem.

After passage of Initiative 1183 - which eliminated state-run liquor stores and allowed private liquor sales across Washington - local chains and big-box retailers have made liquor too accessible to would-be juvenile shoplifters, Graham said.

"Alcohol use by students on school property has gone up, and it's not beer," the prosecutor said.

"Obviously our focus is on kids not having access to unlawful substances. We don't think stores are taking any steps to minimize the access that juveniles have to alcohol, primarily, through theft."

Graham said he cannot recall a single case involving a minor accused of shoplifting beer or wine since the new law authorizing liquor sales at grocery stores went into effect on June 1.

Several Capital High School students agreed with Graham's assessment that teens are taking advantage of it being easier to shoplift liquor.

"You're not an automatic suspect when you walk in a grocery store," said one student interviewed Tuesday in the school parking lot.

Another student admitted he's on probation after he was caught stealing liquor from a downtown grocery store. The teen said he took the liquor to sell to other students - not to drink it himself.

"I know kids who are doing it," he said of shoplifting liquor. "It's easy."

Retailers asked by The Olympian about the problem of liquor thefts by minors either did not respond or said they were working on ways to minimize shoplifting.

As for the size of the problem, the Washington State Organized Retail Crime Alliance indicated about \$18,000 to \$20,000 in liquor thefts - by adults as well as by minors - took place from mid-September to the end of October, according to the state Liquor Control Board's enforcement and education chief, Justin Nordhorn.

Officials at the alliance could not be reached for comment.

The Washington Association of Sheriffs and Police Chiefs recently sent a letter to the Liquor Control Board, asking it to require retailers to keep track of and report liquor thefts. The association said the sale of spirits by retailers "is resulting in increased access to alcohol by youth under 21

years of age."

The police reports and criminal charges generated by teens stealing liquor understate the scope of the problem, said Graham and others.

"We're only catching a small percent of what's happening," Graham said. "We are not getting all of the alcohol-related incidents referred for criminal charges."

Local police, youth advocates and school officials agreed with Graham's criticisms.

"We have definitely seen an increase of thefts of hard alcohol from the stores, especially by juveniles," Tumwater police detective Jen Kolb said, "more than likely because hard liquor was not made readily available to juveniles prior to the passing of the new law."

"Additionally," Kolb said, "we have noted an increase in alcohol-related reports by the schools, and this has become a proliferating problem that needs to be addressed."

The number of alcohol-related incidents routed to the juvenile prosecutor's office has gone up in the three largest Thurston County school districts - North Thurston, Olympia and Tumwater - since liquor privatization, Graham said.

But school officials in Tumwater and Olympia said they had not noticed a marked increase in alcohol-related incidents involving students since June 1.

North Thurston School District officials said they have taken steps to deal with the problem, including speaking with managers of the Safeway store on Martin Way near North Thurston High School, spokeswoman Courtney Schrieve said.

"Our main concern is for the health and safety of the kids," she said.

Olympia Police Chief Ronnie Roberts said he recently spoke during a Senate work session about the public safety issues raised by liquor thefts

at retailers, including by teens.

"Law enforcement continues to feel the impact of the privatization of liquor in our state," he said. "At a time when we are strained by a lack of resources, we are faced with addressing another community issue that is not directly supported by revenue at the state level.

"Most concerning is the risk to our youth who now have even greater access to hard alcohol replacing consumption of lower alcoholic beverages like beer."

## FIGHTING CRIME

In an email to The Olympian, Safeway public affairs director Sara Osborne said the company is working on the problem of minors stealing from its store near North Thurston High School.

School officials and police have said they are concerned that the store's liquor is sold in the same aisle as soft drinks and energy drinks where students congregate.

Phone calls to Safeway's corporate office asking for general comments about liquor thefts by minors went unreturned.

"There is not a lot we want to say on record because of the security sensitivity of the issue," she wrote, "but please know that we have a meeting scheduled very soon with Olympia police, Lacey police, our loss-prevention director and the store manager to discuss the situation and our potential tools to prevent this type of occurrence in the future."

Lacey police Lt. Phil Comstock said the department has been in contact with Safeway's managers, and they have been working to ease the school district's concerns about liquor being sold on shelves close to energy and soft drinks.

"They want to do everything they can to prevent theft and access to underage people," Comstock said.

Calls to the corporate offices of Fred Meyer and Top Food & Drug

requesting comments on whether liquor privatization has increased teen shoplifting of spirits at their stores went unreturned.

But Joel Benoliel, senior vice president of Costco, the Kirkland-based chain that helped bankroll the initiative that took alcohol out of state control, said the argument that more teens will have access to liquor because of privatization is "specious."

"Teenagers have always had access to alcohol," he said, pointing out that about 30 states allow grocery stores and retailers to sell spirits.

Though even one teen stealing liquor is too many, the number of youths doing it because of privatization is "statistically insignificant," Benoliel said.

However, a police report from a liquor theft case in Olympia suggests privatization has resulted in more alcohol consumption at local high schools.

The June 13 report details the arrests of a 16-year-old and a 17-year-old accused of stealing a bottle of whiskey at the Martin Way Safeway. In the report, manager David Kipp tells an Olympia police officer the teens told him the problem is widespread.

"The boys told him (the manager) that 'everyone' at North Thurston High School is stealing liquor from Safeway," the report states. The manager said one of the teens "told him it was his intention to sell this liquor to other kids from the school."

A police officer could smell liquor on one of the teens, who told the officer he had been drinking before school with seven or eight other students in the school's south parking lot, the report states. Both teens also told the officer "they realized it was wrong to steal, but many of the students have been stealing alcohol from the store because it is easy to do so," according to the report.

## ON THE SHELVES

The issue of access is of paramount concern for Graham and others.



Stores typically keep cigarettes behind a glass case on a shelf behind a cashier, "but if you want to buy a bottle of tequila, it's right across the aisle from the Doritos," Graham said.

Some outlets place plastic locks on top of liquor caps, but they can easily be defeated with a screwdriver, he noted.

At the Martin Way Safeway, liquor and single-serving energy drinks and sodas recently were stocked in adjacent aisles. School-age children traveling in groups and wearing backpacks were lined up in the aisle, grabbing energy drinks. Surveillance cameras kept an eye on the area where liquor was sold.

The school district has asked the store's managers not to stock liquor near the energy drinks, but Safeway's corporate office has yet to respond to the district, Schrieve said.

To help deter teen shoplifting of liquor, with Safeway's permission, the school district has brought in security staff members to patrol the store, Schrieve said. That seems to "have made a difference," she said.

Another idea, Graham suggested, is having stores sell liquor in a separate area, with a single entrance and exit so that employees could more easily monitor who belongs there and who doesn't.

Kevin Stormans, owner of Ralph's Thriftway and Bayview Thriftway in downtown Olympia, said he has no data indicating a significant increase in teens stealing liquor since I-1183 passed

But, he added, "I don't want to create easier access for minors or any other shoplifters." He said he is experimenting with ways to deter liquor thefts.

At Bayview Thriftway, for example, customers wanting to buy liquor must enter through a single access point, near the cash registers, so cashiers can keep an eye on who is there.

He said he's considering requiring customers intending to buy liquor to leave it with cashiers and then continue with their shopping for other items.

At both of his stores, surveillance cameras are placed in the areas where liquor is sold, he added.

Stormans said he would oppose any requirement that grocery stores place liquor in separate areas away from other food items. Big chains could afford to do that, he said, but small, locally owned stores such as his would be at a competitive disadvantage. He said he looked at selling liquor at a separate area at Ralph's Thriftway but that it was too expensive.

At Costco, Benoliel said, shoplifting of liquor is not an issue because most of the store's members are at least 18, plus employees check customers' receipts as they leave the store.

The state Liquor Control Board is not working on rules that would require grocery stores to make liquor less accessible to minors, spokesman Brian Smith said.

## THE STORES' RESPONSIBILITIES

Local stores benefiting from legalization of private liquor sales have a responsibility to the community to keep liquor out of the hands of minors, Graham said.

"They're there to make their money," he said. "The state gave them the ability to make their money with no real limit in how they're going to make their money with alcohol sales."

The public health issues that likely would result from liquor being more readily available to underage shoplifters was among the reasons some groups opposed I-1183, said Jim Cooper, executive director of Together, a local organization that fights teen violence and substance abuse.

"The stores have a responsibility to do what they can," said Cooper, an Olympia city councilman and a board member of the Washington Association for Substance Abuse and Violence Prevention. Given the money the stores now make from liquor sales, they "certainly can't argue that they don't have the resources" to make liquor less accessible to minors, Cooper said.

Benoiel said he believes opponents of privatization are making an issue of liquor shoplifting by teens because they want to try to repeal the new law.

"You have people who are sore losers and are trying to make a political point," he said.

Graham took issue with Benoiel's comments.

He said it was "patently false" to assert that young people don't have easier access to liquor now that the state-run liquor stores are closed and liquor is available at grocery stores and retail stores across the state.

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## **United Kingdom: Women drinkers 'pass on bad habits to their teenage children'**

Source: Daily Mail  
By Sophie Borland  
Dec 9th

Mothers who drink heavily risk passing down their bad habits to their children, warns a think-tank.

Teenagers whose mothers 'always' drank were nearly twice as likely to have alcohol problems in adulthood, it said.

The authors added that ministers should focus more on parenting instead of minimum pricing to tackle binge drinking.

They warn that many parents - particularly the middle class - 'reach for a bottle of wine at night to cope with the stress'.

While adults may think it has 'no impact on their families', this habit may be 'hampering' their ability to be effective parents.

The research by Demos claims that as many as 2.5 million children - a fifth of the total - live with a parent who drinks hazardously.

The study insists that the example set by a family is far more important than the proposed minimum price per unit of alcohol.

Demos examined a survey of 17,000 adults in their 30s questioned about their alcohol consumption. They were asked how often their mother and father drank when they were 16, with the options always, often, sometimes or never.

The respondents also ranked the effectiveness of the parenting they had received, with four categories ranging from 'tough love' at the top to 'laissez-faire' at the bottom.

Those whose mothers 'always' drank were found to be 1.7 times more likely to admit they were now hazardous drinkers themselves.

This was defined as exceeding the NHS recommended safe drinking level of 21 units a week for a man or 14 units for a woman.

Similarly, mothers who had 'always' drunk alcohol were three times more likely to be described by their children as 'disengaged'. The report claimed that a fifth of children, including 90,000 babies, live in families where at least one parent drank 'hazardously'.

'Many parents think their drinking has little or no impact on their families, convincing themselves that if they feed and clean their children and make sure they attend school, they have fulfilled their most important duties,' it added.

'Yet, as our research suggests, alcohol misuse is potentially hampering their ability to be the most effective type of parent.'

Last month, the Government announced proposals to impose a minimum price of 45p per unit of alcohol to tackle binge-drinking. But the think-tank said it would be far better to focus on parenting.

Lead author Jonathan Birdwell said: 'The children in these families should be our number one priority and higher prices are likely to only increase their suffering.'

'The Government should focus on ensuring that parents who are misusing alcohol have all the support they need to be effective parents.

'This is the best approach to minimising harm to children and ensuring that the cycle of excessive consumption is reduced.

'The Prime Minister has said that binge drinking needs to be "attacked from every angle" but the proposals tend to be limited to technocratic solutions like minimum pricing.'

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## **Scots Health Secretary has "constructive" Brussels talks over minimum pricing (Excerpt)**

Source: Just-Drinks  
By James Wilmore  
10 December 2012

Scotland's Health Secretary has held "constructive discussions" with European Commission officials over minimum pricing and says he remains confident that the measure is legal under EU law.

Alex Neil met with lead officials from the commission's business and health departments on Thursday (6 December) to "highlight" the Scottish Government's stance on minimum pricing. "I had constructive discussions with DG Enterprise and Industry, DG Health and Consumers and DG Internal Market and Services in Brussels," said Neil.

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## **DISTILLED SPIRITS COUNCIL FIFTH ANNUAL BEST PRACTICES MEDIA SUMMIT BRINGS TOGETHER INDUSTRY TO PROMOTE RESPONSIBLE ALCOHOL ADVERTISING**

Source: DISCUS  
Dec 10th

Industry leaders, government officials and media experts from across the country gathered recently in Washington, D.C. at the Distilled Spirits Council's (DISCUS) Fifth Annual Best Practices Media Summit for a full-day session focusing on social media and compliance with the DISCUS Responsible Advertising Code.

"DISCUS Media Summits are the place to go for companies of all sizes and from all sectors to learn and share best practices in self-regulation," said Janet Evans of the Federal Trade Commission.

This year's Summit addressed the challenges and opportunities for alcohol advertising on social media, and showcased Code compliant tools available for use with social media platforms. Also featured were innovative techniques and technologies to moderate user-generated content on social media sites and to appropriately engage with brand page visitors.

"With the proliferation of new media options available to marketers today, a continuous exchange of ideas on best practices for responsible alcohol advertising placement and content is critical," said Peter Cressy, President of the Distilled Spirits Council. "Now in its fifth year, the DISCUS Summits underscore the collective commitment by our industry to ensure that our products - beer, wine or distilled spirits -- are advertised responsibly and directed to adults of legal purchase age regardless of the medium."

There was also a session explaining DISCUS' social media marketing guidelines, which went into effect September 30, 2011. The guidelines apply to all branded digital marketing communications and were developed jointly by DISCUS and the European Forum for Responsible Drinking, an alliance of Europe's leading spirits companies.

"Social media has become an increasingly important marketing channel to reach adult consumers and the DISCUS digital guidelines reflect our companies' strong commitment to extend their responsible alcohol marketing practices to these emerging media platforms," Cressy said.

The Summit, which was held November 27, featured speakers from the Federal Trade Commission, experts in social media disciplines, and top executives from social networking sites and syndicated demographic data

sources, including Facebook, Google/YouTube, Twitter, DEI Worldwide, Evidon, Nielsen, and comScore.

The distilled spirits industry's Code of Responsible Advertising Practices has been pointed to as a model for other industries by the Federal Trade Commission, and has been commended on numerous occasions by regulators, industry watchdogs and the media. The Code Review Board issues transparent public reports summarizing complaint decisions and the advertiser's response and posts these decisions on the DISCUS website after the conclusion of the review process before publication in the Code Reports.

To learn more about the Code of Responsible Practices for Beverage Alcohol Advertising and Marketing and the Code Review Board's public reports, please see <http://www.discus.org/responsibility/code/>.

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## **Drought still affecting majority of U.S. crops**

Source: NRN  
John Barone  
Dec. 10, 2012

The weekly U.S. Drought Monitor report, released Thursday, shows that more than 62 percent of the contiguous U.S. remains in some form of drought.

The USDA says extreme drought is affecting all six major wheat-growing states, and its final crop condition report on Nov. 26 rated only 33 percent of winter wheat acres as being in good or excellent condition, while 26 percent of them were poor or very poor. Those figures compare to 52 percent and 13 percent, respectively, a year ago.

On the cattle side, grass and wheat pasture conditions have deteriorated from Texas through the Dakotas. Lack of pasture and water sources will further delay any ideas ranchers may have had of expanding their herds.

On a final drought-related note: Mississippi River water levels are dropping, and the 180-mile stretch between St. Louis and Cairo, Ill. may

be unable to handle barge traffic by late December.

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## **Burgundy Drinkers Will Pay More as 2012 Production Drops**

Source: Bloomberg  
By John Mariani  
Dec 9, 2012

Despite losing as much as 40 percent of their grapes for the 2012 harvest, the vintners and merchants of Burgundy are smiling.

In Burgundy, whose wines compose only about 3 percent of France's total production, the wineries sell just about every drop they make, even in abundant years, though that hasn't happened since 2009.

In 2010 quantity fell 40 percent, and in 2011 it was down 15 percent. This year winter's frost, combined with mildew and hail, destroyed more than half the crop in prestigious vineyards like Chateau de Pommard.

At the charity wine auction at the Hospices de Beaune held each November in the city of Beaune since 1851, Burgundian officials, vigneron and negociants described the situation with a curious mix of regret and bonhomie.

"The damage of up to 50 percent in the Cote de Beaune was a disaster," moaned Michel Baldassini, president delege and acting chairman of the Bureau Interprofessionnel des Vins de Bourgogne (BIVB), who then brightened with the declaration that "the highlight in 2012, however, is that the reds have fantastic concentration with silky, powerful tannins."

Pierre-Henry Gagey, president and chairman of the BIVB, was positively buoyant, saying: "Prices are always a question of supply and demand, and Burgundy is selling very well these days. Prices will definitely be higher for the 2012s, but if we get a big harvest in 2013, it may dampen the consumers' shock."

Strong Dollar



Louis-Fabrice Latour, president and chairman of the Federation des Negociants-Eleveurs de Grande Bourgogne, joined the joyful chorus noting that "Burgundy has been recession proof the last two years. The U.S., our biggest market, was up 10 percent for 2011, and is our biggest priority right now because the dollar is getting stronger."

Exports to Japan are up 35 percent in value for 2011, and it soon could surpass the U.K. as Burgundy's second largest market, he said. Canada is number three, followed by China, where all the wine goes through Hong Kong.

Latour also said higher prices were inevitable and warned, "There just won't be any burgundies available at under \$10 a bottle."

Back at the wineries around Beaune, I found a more guarded degree of optimism, since farmers hate more than anything to lose crops, especially three years in a row. "In the last 20 years we have tried to educate the vines to grow less grapes but of better quality," said Marie-Andree Mugneret, who owns Domaine Georges Mugneret-Gibourg in the Vosne-Romanee region with her sister Marie-Christine.

### Less Wine

"Still, we weren't expecting to lose nearly half our production," she said, pointing to two stacks of aging wine barrels, which in a good year would nearly touch the ceiling. "Last year, we made 85 barrels; this year we have only 68."

Mugneret knows she easily can sell her wines for more money, and the 2010s will begin appearing in the market next year. "I am relieved that the higher prices will help blunt the lower supply," she said, "but I'm skeptical that Burgundy prices can just keep rising so much with demand. We may price ourselves out of the market at some point."

At Domaine Arnoux Pere et Fils in Chorey-les-Beaune, owner Pascal Arnoux told me, "the last good year for both volume and quality was 2009. That was ideal and helped keep prices at a reasonable level. This year my volume is down 40 percent, but I think the wines will turn out to be

excellent."

## Fruit, Spice

He asked if I wanted to be the first American journalist to taste the wines out of the barrel, and I was fortunate to sample most of the 15 wines Arnoux makes. I found the Aloxe-Corton the most advanced -- for a wine made from grapes picked less than two months ago -- and overall the wines had lots of fruit and spice.

"I like my wines with lots of fruit because we drink burgundy younger now," said Arnoux. "Do I know, really, what these wines will develop into? No, but I'm meeting this afternoon with my colleagues to discuss the new vintage. I'm optimistic about the quality."

In any other luxury industry, the impetus to increase holdings to boost sales is basic business sense. But in Burgundy, where simply buying more land, even an adjacent acre, does not guarantee quality, the pride of maintaining distinctive excellence is the driving force.

"My sister and I have been asked many times if we are interested in buying other lots to add to ours, which have been in our family since 1933," said Mugneret. "But I don't want more and more land or money. Through good and bad times, my quality of life has no price."

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## **Beaujolais forges ahead with classification**

Source: the drinks business  
by Gabriel Savage  
10th December, 2012

The Beaujolais region is working to introduce a vineyard-based classification system within the next decade.

Following the model of its Burgundian neighbour, the system will be based entirely on terroir rather than the tasting and pricing factors advocated recently by St Emilion. In a further step to keep the process simple, the model will be limited to a sole "premier cru" qualification for the best sites.

The assessment process for Beaujolais' 18,000 hectares of vineyard began around four years ago and, said Anthony Collet, marketing and communications manager for Inter Beaujolais, "We've done about 40% so far."

Despite the complexities of establishing this project, he stressed that the end result is designed to help, rather than confuse consumers. "We are an easy to understand region," remarked Collet, "12 appellations, two grapes, three colours. We want to remain simple."

Instead, he explained of this scheme, "The whole purpose is to increase the average price for Beaujolais," adding as a secondary but related objective: "It's very important for us to show that Beaujolais can age."

Although UK volume sales of Beaujolais increased by 1.5% last year, with value also in growth, sales of the region's top cru-level wines fell by 12%. In contrast, there was an explosion of interest in Beaujolais Nouveau, which saw volumes rise by 80%. Analysing this uplift, Collet said: "I think it came from the independents - we had lots of requests for promotional material for events."

However, with the region enjoying a run of three strong vintages between 2009 and 2011, Collet expressed an ambition to draw attention to the higher quality end of Beaujolais' output.

Picking out 2009 in particular, which he suggested "will easily last 20 or 30 years", Collet observed that this vintage supported an important shift among producers in supporting Beaujolais' quality drive.

"Producers are starting to age their wines and I think with the 2009 vintage they realised that they have to do this," he remarked.

Although sales are struggling in a number of European markets, Beaujolais enjoyed 2.8% growth in exports last year. According to Collet, China is "doubling every year - and it's not Nouveau, it's the top end"; while Russia is "exploding" with triple digit growth. Even Japan, where sales spent 10 years in steady decline, has rebounded since 2009, with Collet reporting "10% growth last year."

Although Inter Beaujolais will be shifting its UK focus in 2013 towards consumer events such as the Taste festivals and will not be attending next year's London International Wine Fair, Collet outlined plans for a nationwide programme of trade masterclasses, as well as the organisation's annual trade tasting in London.

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## **A Peek Into the Exclusive World of Wine Societies**

Source: WSJ  
By LETTIE TEAGUE  
Dec 9th

When it came to adding new members, the most important question of all wasn't even about wine, but about compatibility.

THE FREEMASONS are said to be one of the most secretive societies in the world. They have many mysterious rituals, special symbols and words and at least 12 different handshakes (some of which can be seen on YouTube). Some wine societies are almost as secretive, although their members are less likely to employ a special handshake than they are to break into song.

Two of the most exclusive wine societies, La Confrérie des Chevaliers du Tastevin and the Commanderie de Bordeaux, have special songs that accompany an evening of drinking and are delivered in French (naturellement). The Tastevin tune is a traditional Burgundy chanson, while the Commanderie song, "Toujours Bordeaux," is a more recent work. Created in 1998 by Eric Vogt, the music-loving maître (or head) of the Boston Commanderie chapter, the song won a prize at a competition in Bordeaux. (The prize was Mr. Vogt's "weight in Bordeaux," or 10 cases of wine, although Mr. Vogt maintained that the prize committee erred "on the generous side.")

The Commanderie ditty is a fairly rousing number and, save for a few references to the region's major varietals and great châteaux, it might well have been my college drinking song. On the other hand, the group I saw singing "Toujours" at the French ambassador's residence in Washington a

few weeks ago didn't look like anyone I knew in college. The members, mostly in their 60s, were an accomplished group of women and men with careers in government, law, banking and finance-and possessed an impressive knowledge of French.

I'd been invited to attend the Commanderie dinner, aka "parlement," by its grand maître (national director), Angus Smith, and Neal Borden, the maître of the Washington chapter. They were inducting a new member to the chapter and Mr. Smith thought it would be a good time for me to see the Commanderie in action. The Washington chapter was especially open and friendly, said Mr. Smith-unlike the other two chapters he had first proposed but whose membership had turned him down.

The Commanderie de Bordeaux aux États-Unis d'Amérique, founded in 1957, is an organization of men and women who love, buy and drink the wines of Bordeaux. There are more than 30 Commanderie chapters in the country and around 1,100 members nationwide, although new chapters and members are added frequently. (A Palm Beach, Fla., Commanderie chapter opened earlier this year, and a new chapter is to open in Charleston, S.C., sometime next year.) Mr. Smith is always looking to add new members to the Commanderie, especially wine drinkers under 40 years old. Some chapters have younger members than others and some chapters are easier-or harder-to join. The New York chapter, for example, is particularly hard.

The same is true of the New York chapter of La Confrérie des Chevaliers du Tastevin, an organization of Burgundy lovers founded in Burgundy in 1934. Although there are Tastevin branches all over the world-from the U.S. to Singapore-the New York branch has a great cellar and a long waiting list, according to the members who were willing to speak with me.

David Milligan, a wine importer and member of both the Tastevin and the Commanderie in New York, said a prospective candidate may have to wait up to two years to join either organization-and faces some rather daunting requirements as well.

A candidate must be recommended by a member in good standing and seconded by another. He or she must also demonstrate a thorough knowledge of the wines of the region. In New York, Tastevin candidates

are given written exams and Commanderie candidates undergo oral exams, though this may not be the case in other chapters of each organization. The candidates must host a dinner or two for members of the society's nominating committee at a restaurant or club. He or she must also serve wines from his or her cellar. (Not all of the chapters require their prospects to hold these dinners, which can cost into the tens of thousands of dollars, depending on the restaurant and the wine.)

And not just any wine will do, of course. As Geoffrey Troy, a New York wine merchant and a member of both clubs, put it, "You need to at least bring a grand cru." Mr. Troy recalled attending a Commanderie dinner at New York's Union Club at which a prospective candidate served eight wines from his collection, including a 1970 Château Latour, a 1961 Pichon Baron and a 1995 Château d'Yquem. "This guy really reached deep into his cellar," he noted approvingly. While most members presumably have similarly impressive cellars, that's not a necessity for membership, Mr. Troy noted: "You could also go out and buy some 1982 first growths."

A successful Tastevin candidate is expected to pay an initiation fee of an undisclosed amount and as much as \$1,800 in dues (as they do in New York), in addition to the price of each dinner or party. The Commanderie dinner that I attended in Washington cost \$180 per member, although some dinners cost much, much more. Some chapters charge a separate cellar fee, while others incorporate it into the cost of the membership. For example, the Washington chapter of the Commanderie costs \$500 annually with a \$250 cellar charge. The initiation fee was also confidential "as per our insurance carrier," said Mr. Borden.

It wasn't always so costly or, for that matter, competitive, recalled Mr. Troy, who joined Tastevin and the Commanderie in the late 1970s. In the early days, there were no tests or trial dinners. "It's gotten a lot more rigorous," he said.

And much more selective. Only seven or eight members are admitted to the New York Tastevin chapter each year, according to a member who wished not to be named. The reasons are partly practical: There aren't many great restaurants that can accommodate more than 60 people (New York Tastevin dinners are often held at restaurants like Le Bernardin and Per Se). It's also a matter of wine. There's only so much grand cru

Burgundy to go around.

There are plenty of other societies, of course. The Commanderie des Costes du Rhône was formed 12 years ago, in Philadelphia (there are also chapters in Montreal and New York) for lovers of Rhône wines. Brian Platton, a lawyer in New York, belongs to Tastevin and the Commanderie de Bordeaux and serves as the regent (director) of the New York Costes du Rhône chapter. Mr. Platton characterized the Rhône organization as "a little more relaxed" than the Bordeaux and Burgundy societies. It's cheaper, as well: The annual membership fee is \$700, and the initiation fee is a modest \$1,000 paid in cash or a case of wine that "you want to put in the cellar to share," said Mr. Platton.

The International Wine & Food Society, founded by famed gourmand André Simon in 1933, is also popular among oenophiles. It's a particularly active group, meeting as often as 15 or 20 times a year. Its annual dues are "less than many other organizations," according to past New York chapter President Ira Green (though he wouldn't name an exact amount). The Chaîne des Rotisseurs, founded in Paris in 1248 (and revived in 1950) is another large gastronomic society whose members include amateurs and professionals. In fact, there are many chefs, sommeliers and hotel managers among its ranks. The Chaîne is better known in Europe than in the U.S., noted John Vyhnaneck, the bailli provincial (director) of the Chaîne's Boston chapter. Chaîne members might get a "glass of wine or a dessert on the house," if they identify themselves to a fellow Chaîne restaurateur or chef while traveling abroad, said Mr. Vyhnaneck.

Although every organization has its own criteria, focus and cost, one theme proved constant. When it came to adding new members, the most important question of all wasn't even about wine, but about compatibility. Or, as Mr. Troy put it: "Do you want to sit across the table from this person for three or four hours?" Sometimes personality and character can trump even the greatest cellar of grand cru Burgundy and first-growth Bordeaux.

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## **NY wine industry celebrates one of best-ever years**

Source: The Associated Press  
Dec 10, 2012

New York's wine industry is celebrating a good year, with an early harvest, superb quality, and numerous medals.

The New York Wine and Grape Foundation says 17 new licenses were issued in 2012, bringing the number of wineries to 328 with nine more still pending.

In international wine competitions, New York wines received 88 "Best" designations, 565 gold medals, and 80 "double gold" medals which require unanimous decisions by the judges.

Forty-eight New York wines were rated 90 or above by the three major wine consumer magazines - Wine Enthusiast, Wine Spectator, and Wine & Spirits.

From being a largely regional industry in the Finger Lakes, Hudson Valley and Long Island, the wine industry has become virtually statewide, with producers in 55 of New York's 62 counties.

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## **Robert M. Parker Jr. stepping down from The Wine Advocate**

Source: Baltimore Sun  
December 10, 2012

Nearly 35 years after founding Wine Advocate, Robert M. Parker Jr. shocked wine enthusiasts this week with his announcement that he was stepping down as editor in chief of the the seminal newsletter he ran from his Maryland home.

Parker posted on the Wine Advocate website Sunday that he had brought in a new investment group and was handing over the reins to Lisa Perrotti-Brown, a master of wine and reviewer for Parker, who will run the publication from Singapore, where the Wine Advocate would establish a second office.



Parker said the publication's headquarters would remain in Monkton and he would stay on as CEO, chairman of the board and a frequent reviewer.

"While rumors about me retiring have circulated for years, nothing could be further from the truth," Parker wrote. "I am still in this profession for the long-term."

Wine Advocate officials also surprised longtime followers by saying they were ready to abandon their longtime advertising ban - a policy that helped establish the newsletter as a trusted, independent entity in the often intimidating world of wine.

The newsletter will now consider non-wine online ads from entities such as bed and breakfasts and investment companies, Parker said Monday on his Twitter account.

"I would like to think it wouldn't affect anything but I think it would change the perception of the publication, definitely," said Ian Stalfort, a buyer for Baltimore's The Wine Source. "I'm a little surprised to hear it."

Parker was not available for further comment but in his statement he reflected on his tenure with the Wine Advocate, pointing to its start in 1978 as an eight or 10-page "rough-hewn document" to a publication with worldwide reach and recognition, boasting 50,000 subscribers.

"[M]y vision and goal was to create a body of wine knowledge that exceeded anything the world had ever seen," he wrote. "The dream, the vision, the commitment to wine consumers for fair and independent content continues."

Much of Parker's esteem came from the rigid ethical foundation he built his business on. Because he didn't accept advertising or gifts, people trusted his opinion and considered him above influence.

"He was the first consumer-minded reviewer," Stalfort said. "He was an independent voice and wasn't swayed by those who were selling the product."

But times have changed. As wine has grown in popularity, its drinkers

have become more sophisticated and less reliant on Parker, even as the market has become clogged with imitators, borrowing Parker's once-unique 100-point rating system and broadcasting their opinions on blogs, discussion boards and social media sites.

"He's a victim of his success," says Tyler Colman, a James Beard-nominated wine writer based in New York who blogs under the name Dr. Vino; he thinks it's no mistake that the Wine Advocate is setting up shop in Asia. "They're a little newer on their voyage of discovery. Maybe they need [Parker's] kind of guidance where maybe the American market has kind of grown out of it."

Parker is 65 years old. Raised in the Hereford area, he graduated from the University of Maryland, where he started a wine-appreciation club and then earned a law degree from the University of Maryland School of Law in 1973. He practiced law for several years until he resigned to pursue wine writing and start what would become the Wine Advocate.

Parker biographer Elin McCoy, who didn't respond to inquiries Monday, told The Sun years ago that timing greatly helped cement Parker's reputation as a connoisseur. He stepped into the field in the 1970s, getting in just before his boomer peers, so they turned to him for advice.

"He started a little bit ahead of the people who would become his readers," McCoy said. Novices felt, McCoy said, "that if you read Parker, you wouldn't do anything stupid."

In addition to running the newsletter and its online counterpart, Parker has written nearly a dozen best-selling wine books.

Former French President Jacques Chirac gave Parker the Legion of Honor award in 1999, saying he was the most influential wine critic in the world.

Parker also said in his statement that he had taken on new investors and that the magazine would start offering wine education conferences worldwide. Last year one of the publication's Baltimore reviewers was accused of taking money in exchange for visits to wineries - allegations the critic steadfastly denied.

Despite initial news reports that the print edition of newsletter would be discontinued, Parker said Monday that there are no such plans - only to bolster the electronic options for readers.

Parker said he plans to continue to personally cover some of his most beloved wine regions - Bordeaux and the Rhone - as well as California vintages and bargain wines.

Laurie Forster, a Maryland wine educator and radio show host, said she was sorry to see Parker leave the magazine's helm but had confidence in the stable of reviewers Parker trained.

"He is truly an inspiration for everyone in the wine business, starting with a really great idea of how to do things differently in an industry that can be very stuck in its ways," she says. "But now he has trained all these amazing other wine writers to take over the business. He's built such a great team."

Colman doubts anyone will step up to claim Parker's power and authority.

"I think the question comes, 'Who will be next Robert Parker?' And I don't think there will be another Robert Parker," he said. "He came along at a point in the story of wine in America when we were needing that kind of leadership. He was one of a kind."

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## **Changes at The Wine Advocate Signal a Shift in the Market**

Source: NY Times  
By ERIC ASIMOV  
Dec 10th

For many wine lovers, the news that Robert M. Parker Jr. is planning to sell a portion of his influential newsletter, The Wine Advocate, to a group of Asian investors and step down as editor in chief does not so much signal an end of an era as acknowledges changes that have been under way for a decade.

The article, by Lettie Teague in Monday's Wall Street Journal, also reports that the print edition of The Wine Advocate will soon be eliminated, and that Lisa Perrotti-Brown, a correspondent for The Wine Advocate based in Singapore, will take over editorial control. Mr. Parker will assume the role of chairman, and he will continue to write for the newsletter, primarily covering the wines of Bordeaux and the Rhône.

Mr. Parker is still the world's most influential wine critic, at least in the sense that his words help set the prices of the top-flight Bordeaux market and Châteauneuf-du-Pape, as well as the auction market for old benchmark wines. In a larger sense, though, the peak of Mr. Parker's influence, when he along with other publications like Wine Spectator shaped how several generations of Americans thought about wine, has passed. The move recognizes a new reality, that the center of orbit for critics like Mr. Parker is now in Asia rather than North America.

In a statement posted on his Web site, Mr. Parker described the new investors as, "three 30-, early 40ish, highly qualified business and technology people and enthusiastic wine lovers as well as longtime subscribers."

"They are totally independent of the wine industry and have a very global vision that is essential in today's world," he said. He also said he was in no way stepping down.

"I am still in this profession for the long term as I remain the C.E.O. and chairman of the T.W.A. board, and an owner," he wrote. "Moreover, I will continue to comprehensively cover Bordeaux, the Rhône, retrospectives on California vintages and profiles of under-\$25 wine bargains from our finest importers."

When Mr. Parker, now 65, began publishing his newsletter in 1978, the world of wine was a far narrower place, easier to understand and to sum up. The primary focus for fine wine was France, specifically Bordeaux, Burgundy and Champagne. The rest of the world had access to a few wines from Italy, Spain and Germany - even the occasional Eastern European bottle - and California was emerging as a force to be reckoned with, but the choices by today's standards were few.

At the same time, a generation of baby boomers, benefiting from the food and transportation revolutions, having now seen European culture on television and firsthand, and with disposable income in hand, was poised to embrace wine. Certainly, though, they needed help.

Mr. Parker made it easy. He popularized the 100-point scale, which made it simple for an eager but ignorant public to compare bottles regardless of where they came from and who produced them. He took on a crusader's role, holding accountable well-known producers who were coasting on reputation and calling for an end to abusive agricultural practices and fraudulent production techniques. He focused a democratic spotlight on the small producers who might never have been appreciated in a more rigidly class-conscious evaluation system.

Most important, though, his boundless enthusiasm for wine, his genuine, hedonistic passion for drinking and eating, infused baby boomers and Gen Xers with the desire to share those experiences. I'm certainly among the generations strongly influenced by Mr. Parker. It's no exaggeration to say we're all his children.

In one sense, Mr. Parker and other like-minded critics planted the seeds of their own obsolescence. The 100-point scale and the vocabulary of tasting notes - those brief wine descriptions that break down what's in the glass to a series of aromas and flavors - are meaningful only until people start to develop a sense of their own taste. Wine-lovers discovered that these were merely intermediate tools, and that with confidence and ease comes a curiosity that goes beyond what's in the glass.

As the most serious wine lovers matured, they began to hear other voices, especially as the Internet gave platforms to many different points of view. To many, Mr. Parker's views began to seem narrow, outdated and defensive. While he has never lost the power to move bottles with a high score and a few words of praise, his ability to shape thinking, at least in North America, has waned.

I'm simplifying things, of course. The universe of wine aficionados is wide, and each personal arc of discovery differs. Some people will always be content to rely on scores and notes to tell them what to buy, and absolutely nothing is wrong with that. But in the last decade, there has

been the decentralization of critical thinking about wine in North America and Europe. It's a healthy evolution and points to a rising level of confidence in the small fraction of Americans who drink the vast majority of wine in the United States.

Like previous generations of Americans, the new wine markets of Asia will benefit from any guidance and influence The Wine Advocate can offer, until, for them, too, it's time to separate and go off on their own.

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## **AMERICAN WINE SOCIETY ANNOUNCES 2012 NATIONAL TASTING PROJECT RESULTS**

Source: American Wine Society  
December 10, 2012

The American Wine Society announced the results of its annual National Tasting Project (NTP) at its National Conference in Portland, Ore.

California Pinot Noirs proved the favorites in the coast-to-coast blind tastings involving more than 1,400 AWS members who evaluated a selection of 14 Pinot Noirs representing a range of styles, price points, and regions from around the world. The top performing wine was Twomey by Silver Oak 2009 Russian River Valley, followed by Belle Glos 2010 "Meiomi," Decoy 2010 Sonoma County, and Deloach 2009 Central Coast.

"Pinot Noir had not been the subject of the NTP for many years and we thought that it would be a good opening for our members planning to attend the conference in Portland," said NTP Chairman Rege Duralia. This year 65 local chapters in 26 states participated, which represented one-third of the membership.

The NTP allows AWS members across the country to experience a cross section of wines in a specific category and evaluate them blind using the AWS 20 Point Wine Evaluation Scale. Participants have the opportunity to learn more about Pinot Noir and compare their impressions with other AWS members and chapters nationwide.

In addition to developing educational materials, the NTP committee selected wines to provide an overview of Pinot Noir from wine regions around the globe to show Pinot Noir's ability to reflect terroir. Other wines included selections from Oregon - Willamette Valley Vineyards 2009 Pinot Noir, Chehalem 3 Vineyards, and Willamette Valley Vineyards 2010 Whole Cluster. The variety's homeland of Burgundy was represented by Bouchard Aisé & Fils 2009 Pommard, Vougeraie Savigny Les Beaunes 2009 "Les Marconnets," Bouchard Aisé & Fils Fixin 2009 "La Maziere" and Louis Jadot 2009 Bourgogne. Pinot Noir from the rest of the world included Innocent Bystander 2010 Yarra Valley from Australia, Kris 2010 Friuli-Venezia-Giulia from Italy, and Luca 2009 Argentina.

Next year the members will explore Rhône-style wines from various regions around the globe.

About the American Wine Society: Founded in 1967, the American Wine Society (AWS) is the oldest and largest consumer-based organization in the U.S. dedicated to promoting wine appreciation through education. AWS is a non-profit organization of 4,500 wine enthusiasts, from novice to expert, in 125 chapters throughout the U.S. and Canada. Membership is open to any adult interested in wine. To learn more, visit us online at: <http://www.americanwinesociety.org>.

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## **FREDERICK WILDMAN AND SONS, LTD. - Promotions and New Faces for Future Advancement**

Source: FREDERICK WILDMAN AND SONS, LTD.  
Dec 10th

Continually on the move and quickly making smart choices for a forward-thinking and focused future, Frederick Wildman and Sons, LTD. is most honored to announce many internal promotions and staff additions for the company's national business.

"I am very proud of our national staff, that over the past decades, has enabled us to develop constant momentum for change and increased growth," stated Richard Cacciato, Wildman's CEO. "We continue to take

our business to higher levels and our yearly successes are a reality through the hard work and effort that our veteran national team has invested in our company!" continued Cacciato.

Veteran of 12 years, Gerry Keogh, will head National Accounts for both the National and Fine Wine divisions of Wildman, after fostering distributor as well as many on- and off -premise relations throughout the Central region of the United States. Rick Caudle, a Wildman employee of 17 years, will be now heading the entire south for the national brands division. Barry Walsh, with seven years under his belt at Wildman, will head the entire west coast for National Brands. Ten-year veteran Bill Seawright, Northeastern Regional Sales Director, National Brands, will now expand his responsibilities west to the central Region including Illinois. Previously holding the role of National Accounts Director, Adam LaPierre will now lead the Sales team for the Fine Wine division, reporting directly to Rocco Lombardo, COO.

"A 'focused approach' is the theme here," says Rocco Lombardo, recently-named Wildman's COO, "and by providing more pinpointed attention to each individual regional manager's needs-both for national and the fine wine brands-we will better target, not only our prime customers--our wholesalers--with more quality and contemplated management, but also offer a more approachable and astute sales environment."

New faces include Barbara Messer, Director of National Accounts, On-premise Channel. Additional regional chain positions are planned by year's end.

The 'buck' is not stopping there for Wildman, and more additions in the marketing and sales teams to further serve its expansive portfolio will be in effect at New York headquarters in the first quarter. Moving forward in a focused direction will be the key to continued success for Frederick Wildman and Sons. The company is positioned strategically to meet the forefront of change and immediate challenges of the future.

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**Online sales keep setting records, more to come**



Source: RT  
December 10, 2012

Online sales are up 13% so far this holiday season and approaching a record \$27 billion, according to the latest tally from the digital measurement firm comScore.

From November 1 through December 7, comScore puts total online spending at \$26.8 billion, up 13% from \$23.7 billion during the comparable period last year. Last week saw spending on December, 3, 4 and 5 each surpass \$1 billion, according to the firm. That brings the number of billion spending days to seven. The highest volume day so far was Cyber Monday when sales hit nearly \$1.5 billion.

"Despite posting three consecutive billion-dollar spending days and five in excess of \$950 million, this past week saw a noticeable softening in e-commerce momentum as growth rates dipped into single-digits after beginning the season in the mid-teens," said comScore chairman Gian Fulgoni. "However, we expect this lull to be a temporary effect having more to do with the extended shopping calendar this year with two additional shopping days between Thanksgiving and Christmas, rather than weakening consumer fundamentals. This upcoming week led by Green Monday is likely to be the heaviest online spending week in history with a realistic chance of delivering five billion-dollar days."

According to the company, Green Monday got its moniker several years ago because of the widely held misconception at the time that Cyber Monday was the heaviest online shopping day of the season when in reality it was lucky to crack the top ten. Green Monday came to refer to that Monday near mid-December when online spending actually tended to peak as consumers hurried to finish their online shopping in time for shipments to arrive before Christmas.

"While we still see that steady build in spending continuing into mid-December, Cyber Monday's intense promotional activity has vaulted it into the top spot in recent years while Green Monday has had to settle for a spot in the top three. Still, it should be a very active online shopping day that will post a strong total when all is said and done," Fulgoni said.

-----

## **New Hampshire: Nashua's Law Warehouse takes legal action against Liquor Commission, questions 'unlawful conduct'**

Source: The Telegraph  
By KEVIN LANDRIGAN  
Dec 11th

Owners of the Nashua-based warehouse that stored state-owned liquor for decades launched a Right-to-Know lawsuit Monday questioning if the State Liquor Commission engaged in "unlawful conduct" in awarding a 20-year contract to a competitor.

Law Warehouse President Brian Law and his lawyers maintain the state agency repeatedly refused to release bid documents prior to and after Exel of Westerville, Ohio, won the competition.

"We have no choice other than seeking a court order releasing these public records," Law said.

"From what we know about the Deutsche Post Exel proposal, it appears to have some serious flaws because it does not provide the state with the key service improvements they are looking for and does not provide the best return to the people of New Hampshire.

"This is supposed to be a transparent, public bidding process and the Liquor Commission is obligated to let the bidders and public know the details about all of Exel's proposals including the complete bid scoring."

Law and his lawyers also maintain it appears the terms were changed several times to Exel's liking and the winner was allowed to "materially revise" its request for a proposal that won the historic agreement.

"As such, numerous questions exist as to any unlawful conduct of respondent in its handling of the bids and its selection of Exel for this substantial 20-year public contract," wrote Suzan Lehmann, Law's lead lawyer from a Concord firm.

Rather than be a big money-maker for the state, the contract, as written, could be a financial disaster, Law's lawyers say.

"Based on the limited information released by the Liquor Commission to date, it would appear these deficiencies have the potential to cost the state of New Hampshire millions of dollars over the terms of the contract in contrast to the commission's claim of millions of dollars of saving," Law's lawyers wrote in the Merrimack County Superior Court lawsuit.

State Liquor Commission Chairman Joe Mollica and Commissioner Mike Milligan have maintained the warehouse award process was fair to all five vendors, including Law Warehouse.

"The contract award is a significant milestone in enhancing the service and revenue we provide to the state of New Hampshire," Mollica said in a statement in announcing the contract award last month.

"The efficiencies and service advances provided by Exel will substantially upgrade New Hampshire's operation."

Liquor agency experts maintain that the state will save \$3 million over the first 30 months of the new contracts compared to the rates it was paying Law. Consumers will see \$4 million worth of savings during the same time, state officials said.

Exel is wholly owned by DHL, one of the world's largest distribution, shipping and logistics companies in the world whose warehousing clients include JC Penney, Sears, Office Depot, 7-Eleven and Williams-Sonoma.

For decades, Law has stored wine and liquor purchased by the state at its Nashua warehouse. A small amount of inventory is also placed at a state-owned warehouse space in Concord.

The contract was a source of controversy because it did not require a vote of the governor and Executive Council.

In 2009, the Legislature gave the SLC authority over its own budgeting and rendered it exempt from having to receive council approval for its contracts. At a recent meeting with the council, however, Mollica told councilors that

he intended to brief them on this project.

The commission's director of enforcement, Eddie Edwards, also raised questions about the warehouse contract process with an inquiry of Attorney General Michael Delaney.

The AG concluded there was nothing unethical about the contract process.

The Law family has been in business in Nashua for more than 130 years and operates six companies storing products ranging from lumber to wine with 65 different regional and national distribution programs.

Exel has an option to buy land in Bow where it will build a new 230,000-square-foot warehouse. Their work is not to begin until next Nov. 1, when Law's contract runs out. Law employs 50 people, and it remains unclear how many, if any, of them will end up working with the new vendor.

-----

## **Oregon: Gas station growlers growing in popularity**

Source: Herald & News  
December 9, 2012

Standing at the counter inside the Shell gas station on Bend's east side, Jim Mathiesen contemplated the nearly 30 beers available on tap, trying to decide which one should fill his 64-ounce growler.

Mathiesen, 49, said he's been filling up his growler at The Growler Guys since the beer started flowing. And now, filling his growler between two and five times a week has become a ritual.

It's a cost-effective way to enjoy a variety of craft beers, he said, as he sampled one of the brews.

Mathiesen isn't the only one.

On average, The Growler Guys fill nearly 900 growlers per week. Add in those filled by the 15 breweries that provide the service in Central Oregon, and you get nearly 2,700 growlers filled each week.

From an increasing number of growler fills and businesses offering the to-go bottles, to an emerging retail sector for growler accessories, the growler craze is bubbling up in Central Oregon.

To meet the growing growler demand, The Growler Guys owners, Kizer and Kent Couch, plan to branch out beyond the Shell station/convenience store at Northeast 27th Street and U.S. Highway 20 and open a second location on the north side of Bend by February.

The expansion won't stop there, they said.

Kizer Couch, Kent's son, said he hopes to have six, total, in Central Oregon and would like to see The Growler Guys also expand into other parts of the state and even into Boise, Idaho, through franchise and licensing agreements.

In March, The Growler Guys opened a 12-tap growler-fill station within a small portion of the Stop and Go Mini Mart to test out the market, Kizer Couch said. Four months and \$65,000 later, The Growler Guys have a 30-tap - soon to be 34 - fill station, an assortment of different sizes and styles of bottles, growler accessories like koozies and carriers, as well as other Growler Guys and brewery swag such as T-shirts and hats.

"There was a definite demand for fresh craft to-go," he said. "Craft beer is really growing in popularity. People are getting interested in different tastes and styles of beer."

About half the taps feature local breweries, such as Silver Moon Brewing, Boneyard Beer and GoodLife Brewing Co., Kizer Couch said. There's other beverages besides beer, including hard cider, sangria from Volcano Vineyards, and six additional taps dedicated to kombucha tea.

Depending on the beverage, Kizer Couch said, filling a growler can range from about \$7 to more than \$20, but averages \$9 at The Growler Guys.

"We are going through so much keg beer, we are able to rotate our styles and breweries all the time," he said. "Every time you come in here, you are going to see a new beer you didn't see the day or week before."

Couch said the beer he serves is as fresh as a beer connoisseur can get.

"Keg beer is the best kind of beer because it's coming from the brewery's keg, to our keg, to the tap," he said.

The consumer can also bring home brews that aren't being bottled yet, such as Boneyard's brews or those from small-batch breweries. And, costs are lower because consumers aren't paying for packaging.

But opening a growler-fill station isn't an easy task.

"This takes a lot of space, a lot of energy and money to set up," Kizer Couch said, noting he had about \$10,000 worth of growler bottles in the east-Bend store.

Beyond the cost to open it, he said obtaining an additional liquor license from the Oregon Liquor Control Commission for the growler-fill station was a challenge.

"The OLCC didn't know if they wanted to allow this," he said. "We kicked the doors open for other people."

Christie Scott, OLCC public affairs specialist, said The Growler Guys were the first to apply to the agency, and now three Bend businesses have licenses, and four more applications in Central Oregon are pending, Scott said.

Initially, she said, it took the OLCC some time to determine licensing requirements for a growler-fill-station.

"This is a different kind of business model than we're used to," she said.

For consumers to be in compliance with the law, growlers must be out of reach of the driver and passengers when being transported in a vehicle, said Sgt. Don Manning of Deschutes County Sheriff's Office.

Jay Cherry, distributor for Western Beverage, said the Growler Guys are at the forefront.

"They have the biggest volume account for a convenience store in the area," he said.

Cherry said he thinks the region's growing number of craft breweries has fueled the growler popularity.

The growler trend goes beyond Central Oregon, according to Paul Gatza, director for the Boulder-based Brewers Association.

"It feels like the tip of an iceberg to me," he wrote in an email. "It is popping up, but will become a greater trend, now that non-brewery companies are setting up fill stations."

Sunoco, a Philadelphia-based oil company, tested a growler-fill program in a retail store in the East and plans to expand, he said.

In Central Oregon, bars, restaurants and convenience stores have either started filling growlers or plan to in the near future.

On Friday, Empire Car Wash on Bend's north side opened a 29-tap growler fill station, said co-owner Rick Lane.

Andy Polancheck, co-owner of the Broken Top Bottle Shop in Bend, said he hopes to have a three-tap growler-fill station open this week.

He turns away three or four people each day who want growler fills, he said.

"We weren't going to do growlers at first because we have our bottle shop and we like to have people buy bottles instead of growlers to go. But, the demand for growlers is so large, we decided to give it a try," he said.

Beer isn't the only popular beverage getting poured into growlers.

Jamie Danek, co-founder of Bend tea maker Kombucha Mama said 23 locations in Central Oregon fill about 700 growlers per week with Kombucha Mama.

"The amount of growlers this town goes through is astounding," she said,

referring to Kombucha Mama fills. "Bend's a beer town, and that's the vehicle of choice to put your stuff in."

Sara Wiener, owner of Sara Bella Upcycled, has tapped into the craze, making growler tote bags out of sustainable material. This holiday season, she said, people are telling Wiener they plan to give growlers in a tote bag as gifts instead of giving wine in a gift bag.

People aren't into growlers just for taste of the beer, she said, it's also because they're reusable.



**From:** [Hastings, Peter](#)  
**To:** [Craig W. Bulkley](#)  
**Subject:** FW: Out of state data  
**Date:** Friday, December 07, 2012 6:36:49 PM

---

Hi Craig,

This is the only e-mail that I can find that doesn't have you cc: on. Actually it is only partly true. You are on the first part and in the reply to the last to exchanges; I must have done only reply not reply to all.

Peter

---

**From:** Becky Ross (EXEL US) [mailto:Becky.Ross@exel.com]  
**Sent:** Friday, July 27, 2012 2:39 PM  
**To:** Hastings, Peter  
**Subject:** RE: Out of state data

That is excellent news Peter! I appreciate your prompt follow up and echo your comments on working together. Enjoy your weekend!

---

**From:** Hastings, Peter [mailto:Peter.Hastings@doit.nh.gov]  
**Sent:** Friday, July 27, 2012 2:25 PM  
**To:** Becky Ross (EXEL US)  
**Subject:** RE: Out of state data

Hi Becky,

I was just informed that the data can reside on your systems in PA with out a right to know issue. So you will not have to propose an alternate site solution. Thank you very much for your help and understanding. It has been a pleasure speaking with you.

Have a great weekend.

Regards

---

**From:** Becky Ross (EXEL US) [mailto:Becky.Ross@exel.com]  
**Sent:** Friday, July 27, 2012 9:38 AM  
**To:** Hastings, Peter  
**Subject:** RE: Out of state data

Morning Peter!

Okay, I will admit, I do have one other question on the on-site servers ... redundant servers. Can you confirm the requirements around the redundant server – where does it need to be located (can it be out of state), and other special requirements? If it is too early to know based on your research into the overall legislation, I understand, but would appreciate any guidance you can give!

Thanks  
Becky

---

**From:** Hastings, Peter [mailto:Peter.Hastings@doit.nh.gov]  
**Sent:** Thursday, July 26, 2012 12:46 PM  
**To:** Becky Ross (EXEL US)  
**Subject:** RE: Out of state data

Hi Becky,

I look forward to that day!

I am still waiting for a definitive answer from legal on the data outside the state question. In the meantime you are correct in your assumption as it relates to your question of data flow. As long as the data is not stored on your systems, it would be considered as not discoverable.

As soon as I have an answer from legal, I will contact you. If you think of anything else please don't hesitate to contact me. Thank you again for your help and flexibility, it very much appreciated.

Peter

---

**From:** Becky Ross (EXEL US) [mailto:Becky.Ross@exel.com]  
**Sent:** Thursday, July 26, 2012 12:03 PM  
**To:** Hastings, Peter  
**Cc:** Craig W. Bulkley  
**Subject:** RE: Out of state data

Thanks Peter, great meeting you as well! First time we talk it is from across the room, second time via email. Hopefully one day we will progress to one-on-one over the phone!!

I did want to reach out to see if you have had any progress on the requirements for the Right to Know legislation. I am working with my team to design the on-site network, in case this does in fact become a reality, but wanted to check in to see if any update was available. Can I please confirm my understanding as to the assumed requirements ... any data that resides on the server must be in NH. So, for example, our WMS and OMS would be on site. However, in the case where we transmit data through our integration platform DHL Link, that could still reside outside of the state as long as we do not store the records on the server. We use it solely as a translation then delivery mechanism. Is that correct?

Is there any additional information I can provide to you as well based on our discussion on Tuesday? If so, please do not hesitate to reach out as you are permitted.

Thanks Peter.

becky

---

**From:** Hastings, Peter [mailto:Peter.Hastings@doit.nh.gov]  
**Sent:** Thursday, July 26, 2012 11:46 AM  
**To:** Becky Ross (EXEL US)  
**Cc:** Craig W. Bulkley  
**Subject:** RE: Out of state data

Hello Becky,

It was great to meet you the other day. I look forward to answering any questions that I may.

Peter

*Peter C. Hastings*

Director - Agency Software Division  
Department of Information Technology

64 South St.  
Concord, NH 03301

[REDACTED] e)  
www.nh.gov/doit

-----Original Message-----

From: Craig W. Bulkley [mailto:cbulkley@liquor.state.nh.us]  
Sent: Thursday, July 26, 2012 7:50 AM  
To: Scott Lyons (EXEL CA)  
Cc: Becky Ross (EXEL US); George P. Tsiopras; Hastings, Peter  
Subject: RE: Out of state data

Scott:

Becky can contact Peter directly by email. I have copied him so his email address is included.

P Please consider the environment before printing this e-mail.

Craig W. Bulkley

Director  
Division of Administration  
NH State Liquor Commission  
\* (603) 230-7008

[REDACTED]@state.nh.us

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-----Original Message-----

From: Scott Lyons (EXEL CA) [mailto:Scott.Lyons@exel.com]  
Sent: Wednesday, July 25, 2012 3:33 PM  
To: Craig W. Bulkley  
Cc: Becky Ross (EXEL US); George P. Tsiopras  
Subject: Out of state data

Would it be acceptable for our IT subject matter expert (Becky Ross) to speak with Peter regarding the potential requirement to house your data in New Hampshire. We are working through the possible options and have some technical questions.

Assuming so could you provide peter's email address. We will copy you on any correspondence.

Thanks,

Scott Lyons

691



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**From:** [Hastings, Peter](#)  
**To:** [Joseph W. Mollica](#)  
**Subject:** RE: Thank you  
**Date:** Friday, December 07, 2012 12:37:09 PM

---

Hi Joe,

Thank you very much for the kind words. It was my pleasure.

Merry Christmas to you and your family as well.

Peter

---

**From:** Joseph W. Mollica [mailto:joseph.mollica@liquor.state.nh.us]  
**Sent:** Thursday, December 06, 2012 12:43 PM  
**To:** Hastings, Peter  
**Subject:** Thank you

*Peter,*

*I just wanted to follow-up with a written "Thank You" for all you have done to support us at the NHLIC during our Warehouse RFP process. Your expertise in the areas of IT, Automation, Logistics and Warehousing has been invaluable to us.*

*I look forward to working with you in the years ahead and please don't hesitate to reach out to me if I can be of any assistance to you at any time in the future.*

*Merry Christmas to you and your family!*

*Sincerely,*

*Joe M*

*Joseph W. Mollica  
Chairman  
NH Liquor Commission  
50 Storrs Street  
PO Box 503  
Concord, NH 03302-0503  
Tel: 603-230-7005  
Fax: 603-271-1107*

**From:** [Craig W. Bulkley](#)  
**To:** [Stephen J. Judge](#); "Judge, Steve"  
**Cc:** [Joseph W. Mollica](#); [Michael R. Milligan](#); [Anne Bogart](#)  
**Subject:** FW: NHSLC - Follow up on Right to Know Request  
**Date:** Tuesday, December 04, 2012 10:24:31 AM  
**Attachments:** [NHSLC - Follow Up.Right to Know Request - 12.04.12.pdf](#)

---

FYI



Please consider the environment before printing this e-mail.

Craig W. Bulkley  
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FAX (603) 271-3897  
Cell: (603) 490-1559  
✉ [cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)

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**From:** Jim Bianco [mailto:[jbianco@biancopa.com](mailto:jbianco@biancopa.com)]  
**Sent:** Tuesday, December 04, 2012 10:10 AM  
**To:** Michael Brown ([michael.brown@doj.nh.gov](mailto:michael.brown@doj.nh.gov)); Craig W. Bulkley  
**Cc:** Lisa English ([lisa.english@doj.nh.gov](mailto:lisa.english@doj.nh.gov)); Anthony Cerone ([acerone@XTLonline.com](mailto:acerone@XTLonline.com)); Louis Cerone ([lcerone@XTLonline.com](mailto:lcerone@XTLonline.com))  
**Subject:** NHSLC - Follow up on Right to Know Request

Please see attached.

Thank you

*James J. Bianco, Jr., Esquire*  
*Bianco Professional Association*  
*Attorneys at Law*  
*18 Centre Street*  
*Concord, NH 03301*  
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**From:** [Scott Lyons \(EXEL CA\)](#)  
**To:** [Craig W. Bulkley](#)  
**Cc:** [Stephen J. Judge](#); [Fred Takavitz \(Exel US\)](#); [Rob Whipple \(Exel US\)](#); [Greg Foreman \(EXEL US\)](#); [Maria Tzagournis \(EXEL US\)](#)  
**Subject:** Redated BAFO files  
**Date:** Tuesday, December 04, 2012 8:28:26 AM  
**Attachments:** [Redacted - Robert MacLellan.pdf](#)  
[Redacted - Becky Ross.pdf](#)  
[Redacted - John Flanagan.pdf](#)  
[Redacted - Laurie Parent Bio.pdf](#)  
[Redacted - Michael Hecker Profile.pdf](#)  
[Redacted - Mike Shea.pdf](#)  
[Redacted - NH BAFO Summary Final - Aug 3 2012.pdf](#)  
[Redacted - Norm Hollingsworth.pdf](#)  
[Redacted - Paul Ledger.pdf](#)  
[Redacted - Profile - Omer Rashid Jul 2011 .pdf](#)  
[Redacted - Resume Marc Belanger.pdf](#)  
[Redacted - Best and Final Offer to NHSLC for RFP 2012-14 Final Aug 3, 2012.pdf](#)  
[Redacted - CREA Our Team.12.PDF](#)

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Scott Lyons

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**From:** [Scott Lyons \(EXEL CA\)](#)  
**To:** [Craig W. Bulkley](#)  
**Cc:** [Stephen J. Judge](#); [Greg Foreman \(EXEL US\)](#); [Rob Whipple \(Exel US\)](#); [Fred Takavitz \(Exel US\)](#); [Maria Tzagournis \(EXEL US\)](#)  
**Subject:** Redated BAFO Fine Tuning  
**Date:** Tuesday, December 04, 2012 8:05:40 AM  
**Attachments:** [Redacted - Fine Tuning of Best and Final Offer to NHSLC for RFP 2012-14 v2 Aug 13 2012 - 2 - 3 .pdf](#)

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**From:** [Scott Lyons \(EXEL CA\)](#)  
**To:** [Craig W. Bulkley](#)  
**Cc:** [Stephen J. Judge](#); [Rob Whipple \(Exel US\)](#); [Fred Takavitz \(Exel US\)](#); [Greg Foreman \(EXEL US\)](#); [Maria Tzagournis \(EXEL US\)](#)  
**Subject:** Redacted version of our response to June 18th questions  
**Date:** Tuesday, December 04, 2012 7:52:11 AM  
**Attachments:** [Redacted - Reply to Questions from NHSLC Regarding RFP 2012-14 on Jun 18, 2012.pdf](#)  
[Redacted - Exel Integration Standards.pdf](#)  
[Redacted - NHSLC Interfaces Standard vs Custom.pdf](#)

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**From:** [Scott Lyons \(EXEL CA\)](#)  
**To:** [Craig W. Bulkley](#)  
**Cc:** [Stephen J. Judge](#); [Rob Whipple \(Exel US\)](#); [Greg Foreman \(EXEL US\)](#); [Fred Takavitz \(Exel US\)](#); [Maria Tzagournis \(EXEL US\)](#)  
**Subject:** Redated Presentations  
**Date:** Tuesday, December 04, 2012 7:50:43 AM  
**Attachments:** [Redact - Exel Presentation to NHSLC - Final July 24 2012.pdf](#)  
[Redact - Exel Meeting with NHSLC Commissioners - v3 August 22, 2012.pdf](#)

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Here are the redacted versions of our presentations.

Cheers,  
Scott Lyons

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Mississauga, Ontario  
L5R 3R3  
Canada

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**From:** [Craig W. Bulkley](#)  
**To:** "Brown, Michael K. (Michael.Brown@doj.nh.gov)"  
**Cc:** [Joseph W. Mollica](#); [Michael R. Milligan](#); [Anne Bogart](#)  
**Subject:** FW: Right to Know Request - 3rd and Final Demand  
**Date:** Monday, December 03, 2012 4:24:06 PM  
**Attachments:** [Buckley Letter 12-3-12 # 1 51041358 \(2\).PDF](#)  
**Importance:** High

---

Mike – received this from Suzan Lehmann by email this afternoon. Expect hard copy tomorrow.



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Craig W. Bulkley  
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---

**From:** Lehmann, Suzan M. [<mailto:slehmann@HASLAW.com>]  
**Sent:** Monday, December 03, 2012 1:14 PM  
**To:** Craig W. Bulkley  
**Cc:** Brian H. Law ([brianlaw@lawwarehouses.com](mailto:brianlaw@lawwarehouses.com))  
**Subject:** Right to Know Request - 3rd and Final Demand  
**Importance:** High

Craig,

Please see attached 3<sup>rd</sup> and final demand for production of the information requested in our prior Right to Know Law Requests.

Thanks.

Suzan

**From:** [Craig W. Bulkley](#)  
**To:** ["Brown, Michael K. \(Michael.Brown@doj.nh.gov\)"](#)  
**Cc:** [Joseph W. Mollica](#); [Michael R. Milligan](#); [Anne Bogart](#)  
**Subject:** FW: Right to Know Request - 3rd and Final Demand  
**Date:** Monday, December 03, 2012 4:24:06 PM  
**Attachments:** [Buckley Letter 12-3-12 # 1 51041358 \(2\).PDF](#)  
**Importance:** High

---

Mike – received this from Suzan Lehmann by email this afternoon. Expect hard copy tomorrow.



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 (603) 230-7008  
FAX (603) 271-3897  
Cell: (603) 490-1559  
 [cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)

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---

**From:** Lehmann, Suzan M. [<mailto:slehmann@HASLAW.com>]  
**Sent:** Monday, December 03, 2012 1:14 PM  
**To:** Craig W. Bulkley  
**Cc:** Brian H. Law ([brianlaw@lawwarehouses.com](mailto:brianlaw@lawwarehouses.com))  
**Subject:** Right to Know Request - 3rd and Final Demand  
**Importance:** High

Craig,

Please see attached 3<sup>rd</sup> and final demand for production of the information requested in our prior Right to Know Law Requests.

Thanks.

Suzan

**From:** [Craig W. Bulkley](#)  
**To:** "Brown, Michael K. (Michael.Brown@doj.nh.gov)"  
**Cc:** [Joseph W. Mollica](#); [Michael R. Milligan](#); [Anne Bogart](#)  
**Subject:** FW: Right to Know Request - 3rd and Final Demand  
**Date:** Monday, December 03, 2012 4:24:06 PM  
**Attachments:** [Buckley Letter 12-3-12 # 1 51041358 \(2\).PDF](#)  
**Importance:** High

---

Mike – received this from Suzan Lehmann by email this afternoon. Expect hard copy tomorrow.



Please consider the environment before printing this e-mail.

Craig W. Bulkley  
Chief of Administration  
NH State Liquor Commission  
 (603) 230-7008  
FAX (603) 271-3897  
Cell: (603) 490-1559  
 [cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)

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---

**From:** Lehmann, Suzan M. [mailto:[slehmann@HASLAW.com](mailto:slehmann@HASLAW.com)]  
**Sent:** Monday, December 03, 2012 1:14 PM  
**To:** Craig W. Bulkley  
**Cc:** Brian H. Law ([brianlaw@lawwarehouses.com](mailto:brianlaw@lawwarehouses.com))  
**Subject:** Right to Know Request - 3rd and Final Demand  
**Importance:** High

Craig,

Please see attached 3<sup>rd</sup> and final demand for production of the information requested in our prior Right to Know Law Requests.

Thanks.

Suzan

**From:** [Scott Lyons \(EXEL CA\)](#)  
**To:** [Craig W. Bulkley](#)  
**Cc:** [Fred Takavitz \(Exel US\)](#); [Greg Foreman \(EXEL US\)](#)  
**Subject:** Presentation to supplier tomorrow  
**Date:** Monday, December 03, 2012 2:05:28 PM  
**Attachments:** [Exel Presentation to Suppliers December 4th, 2012 - 2nd Draft.pptx](#)

---

Here is our draft presentation for tomorrow. Any feedback would be much appreciated.

Once finalized we will put it onto a memory stick that we can utilize with your projector.

Thanks,  
Scott Lyons

Exel  
90 Matheson Blvd. West, Suite 111  
Mississauga, Ontario  
L5R 3R3  
Canada

Telephone: 905 366-7691



[www.exel.com](http://www.exel.com)

**From:** [Stephen J. Judge](#)  
**To:** [Craig W. Bulkley](#)  
**Subject:** 7/5 Questions  
**Date:** Friday, November 30, 2012 5:46:08 PM  
**Attachments:** [Questions Regarding Rate Calculation Template.msg](#)  
[Questions Regarding Rate Calculation Template.msg](#)  
[Questions Regarding Rate Calculation Template.msg](#)  
[Questions Regarding Rate Calculation Template.msg](#)

---

\*\*\*\*\*

Stephen J. Judge  
AG Legal Consultant for NHS Liquor Commission  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
Fax: 603-669-6018  
Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)  
E-mail: [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)

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**From:** [Stephen J. Judge](#)  
**To:** [Craig W. Bulkley](#)  
**Subject:** FW: Revised Template & Answers to Exercise Questions  
**Date:** Friday, November 30, 2012 4:53:35 PM  
**Attachments:** [RFP2012-14 Rate Calculation Template - revised.xls](#)

---

See if you get two templates.

\*\*\*\*\*

Stephen J. Judge  
AG Legal Consultant for NHS Liquor Commission  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
Fax: 603-669-6018  
Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)  
E-mail: [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)

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---

**From:** Craig W. Bulkley  
**Sent:** Friday, June 29, 2012 5:01 PM  
**To:** George P. Tsiopras; John D. Bunnell; Hastings, Peter; Stephen J. Judge; Judge, Steve  
**Subject:** FW: Revised Template & Answers to Exercise Questions

Gentlemen:

This is the email George and I crafted after vendors sent questions regarding the template we sent to them on Wednesday, 6/27. We sent it at 5 PM today and extended their reply time to Tuesday, 7/3 at noon.



Please consider the environment before printing this e-mail.

Craig W. Bulkley  
Director  
Division of Administration  
NH State Liquor Commission  
 (603) 230-7008  
FAX (603) 271-3897  
Cell: (603) 490-1559  
 [cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)

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---

**From:** Craig W. Bulkley  
**Sent:** Friday, June 29, 2012 4:58 PM  
**To:** Goclowski, Mike  
**Subject:** Revised Template & Answers to Exercise Questions

Dear Vendor:

For the purposes of this exercise, below are the answers to questions posed by the vendors as a result of reviewing our original email with our template.

See attached template with revised volumes highlighted in yellow. Be careful to note that even though there are subtotals, in certain categories there may be a mix of cases and pallets (e.g. there are not 19 million cases in storage; this sub-total is blended between cases and pallets).

Quantities shown under each category are reflective of the estimated product shipped, stored, or otherwise handled as noted. For example, under Storage, 1-84 days, 14 million plus cases were received and stored for between 1 and 84 days.

Feel free to enter any formulas required to provide total estimated cost (e.g. Estimated Volume X Proposed Contract Rates = Total Estimated Cost).

Outbound activities include preparing orders which include picking, packing and loading.



Please consider the environment before printing this e-mail.

Craig W. Bulkley  
Director  
Division of Administration  
NH State Liquor Commission  
 (603) 230-7008  
FAX (603) 271-3897  
Cell: (603) 490-1559  
 [cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)

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**From:** [Stephen J. Judge](#)  
**To:** [Craig W. Bulkley](#)  
**Subject:** FW: Alternative Warehouse proposal we spoke of last night  
**Date:** Friday, November 30, 2012 3:59:34 PM  
**Attachments:** [20120719153049853.pdf](#)

---

This needs to be disclosed when we share internal emails.

\*\*\*\*\*

Stephen J. Judge  
AG Legal Consultant for NHS Liquor Commission  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
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Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)  
E-mail: [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)

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---

**From:** Craig W. Bulkley  
**Sent:** Tuesday, July 24, 2012 7:54 AM  
**To:** Stephen J. Judge; Judge, Steve  
**Subject:** FW: Alternative Warehouse proposal we spoke of last night

Steve:

Joe emailed this to me on Friday. Apparently, Dean Williams spoke with Joe and then sent the attachment.



Please consider the environment before printing this e-mail.

Craig W. Bulkley  
Director  
Division of Administration  
NH State Liquor Commission  
 (603) 230-7008  
FAX (603) 271-3897  
Cell: (603) 490-1559  
 [cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)

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---

**From:** Joseph W. Mollica  
**Sent:** Friday, July 20, 2012 12:14 PM  
**To:** Craig W. Bulkley  
**Subject:** FW: Alternative Warehouse proposal we spoke of last night

FYI...Joe M

*Joseph W. Mollica*  
Chairman  
NH Liquor Commission  
603-230-7005

---

**From:** D. Dean Williams [<mailto:DeanW@martignetti.com>]  
**Sent:** Thursday, July 19, 2012 3:50 PM  
**To:** Joseph W. Mollica  
**Subject:** Re: Alternative Warehouse proposal we spoke of last night

Nice to see you last night!!!

Look forward to the next time.

Regards,

Dean

**D. Dean Williams**  
**Executive Vice President**  
Martignetti Companies of NH, Inc.  
PO Box 1113  
Manchester, NH 03105  
P (603) 669-5884  
[deanw@martignetti.com](mailto:deanw@martignetti.com)

**From:** [Stephen J. Judge](mailto:Stephen.J.Judge@liquor.state.nh.us)  
**To:** [Craig W. Bulkley](mailto:Craig.W.Bulkley@liquor.state.nh.us)  
**Subject:** FW: Agenda  
**Date:** Friday, November 30, 2012 3:53:32 PM

---

Another one for the Exel file.

\*\*\*\*\*

Stephen J. Judge  
AG Legal Consultant for NHS Liquor Commission  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
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Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)  
E-mail: [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)

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---

**From:** Scott Lyons (EXEL CA) [<mailto:Scott.Lyons@exel.com>]  
**Sent:** Monday, July 23, 2012 2:56 PM  
**To:** Stephen J. Judge  
**Subject:** Re: Agenda

Got it.

Thanks,

Scott Lyons

Telephone: 905 366-7691  


[www.exel.com](http://www.exel.com)

---

**From:** Stephen J. Judge [<mailto:stephen.j.judge@liquor.state.nh.us>]  
**Sent:** Tuesday, July 24, 2012 02:49 AM  
**To:** Scott Lyons (EXEL CA)  
**Subject:** FW: Agenda

Scott,

I copied your email address from the agenda you sent to Craig. When I pasted it, the S and the L got capitalized, perhaps that threw it off. A different vendor acknowledged receipt to a different email that I had to send three times. Now that I look back, I see that one of the undeliverable notices was for you. Let me know if you get this one.

Steve

\*\*\*\*\*

Stephen J. Judge  
AG Legal Consultant for NHS Liquor Commission  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
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E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)  
E-mail: [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)

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---

**From:** Stephen J. Judge  
**Sent:** Friday, July 20, 2012 3:55 PM  
**To:** 'Scott Lyons (EXEL CA) '  
**Cc:** Craig W. Bulkley  
**Subject:** Agenda

Scott,

Craig is out of the office today and he asked me to respond to your email regarding the agenda. Please Reply to All and Craig will pick up the thread on Monday. You may bring all the people you have listed in your email. You may bring additional people or substitute individuals. The only restriction is the size of the room. It has 18 chairs and could hold a few more. There will be 5 of us. I went to law school to avoid having to do math, you can figure it out. In terms of your agenda, you can skip to Solution in Detail. We will be interested in whether the spreadsheet is correct and whether there are any variables that will change the rates. We will also be interested in whether you can have an appropriate facility up and running in time. Are there any terms in the RFP and proposed contract to which you have taken an exception and why? I am sure there will be specific substantive questions.

Steve

\*\*\*\*\*

Stephen J. Judge  
AG Legal Consultant for NHS Liquor Commission

Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
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Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)  
E-mail: [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)

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**From:** [Scott Lyons \(EXEL CA\)](#)  
**To:** [Craig W. Bulkley](#)  
**Cc:** [Stephen J. Judge](#)  
**Subject:** Redacted Section 5  
**Date:** Friday, November 30, 2012 11:45:59 AM  
**Attachments:** [First Year Budget.Redacted \(00024736\).PDF](#)  
[Redacted - Warehouse Services for Wine and Spirits and Related Products Proposal - Section 5 Cost Proposal Final \(00024750\).PDF](#)  
[Appendix D.pdf](#)

---

Scott Lyons

Exel  
90 Matheson Blvd. West, Suite 111  
Mississauga, Ontario  
L5R 3R3  
Canada

Telephone: 905 366-7691



[www.exel.com](http://www.exel.com)



**From:** [Scott Lyons \(EXEL CA\)](#)  
**To:** [Craig W. Bulkley](#); [Rob Whipple \(Exel US\)](#); [Stephen J. Judge](#)  
**Subject:** RE: Redacted Documents  
**Date:** Friday, November 30, 2012 9:58:14 AM

---

Got your vm. Glad you were able to get the zip files to work.

Please replace the section 5 that is on your web site with the redacted version sent by Rob yesterday. Our Section 5 is more extensive than others as we provided commercially confidential information about our commercial structure that we redacted.

Also, please have a look at the LAW and others section 5 information on your web site. It attempts to download a word document that does not work properly.

Thanks,  
Scott Lyons

Telephone: 905 366-7691  


---

**From:** Craig W. Bulkley [mailto:[cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)]  
**Sent:** Friday, November 30, 2012 9:29 AM  
**To:** Rob Whipple (Exel US); Stephen J. Judge  
**Cc:** Scott Lyons (EXEL CA)  
**Subject:** RE: Redacted Documents

Rob & Scott:

We are having trouble with your zip files. Is there any way you can put all redacted sections together (including the proposal signature page with a signature on it), scan it into a pdf doc, and email that to me?

Also, you just sent Section 5 with pricing information and you redacted some of it. We already have Section 5 up on the website in the original form. You should look at the pricing information for all vendors (on the website) to understand that there was no redaction for anyone in this section.

 Please consider the environment before printing this e-mail.

Craig W. Bulkley  
Chief of Administration  
NH State Liquor Commission  
 (603) 230-7008  
FAX (603) 271-3897  
Cell: (603) 490-1559

✉ [cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)

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---

**From:** Rob Whipple (Exel US) [mailto:Rob.Whipple@exel.com]  
**Sent:** Thursday, November 29, 2012 5:15 PM  
**To:** Craig W. Bulkley; Stephen J. Judge  
**Cc:** Scott Lyons (EXEL CA)  
**Subject:** Redacted Documents  
**Importance:** High

Craig / Steve,

Attached are the following redacted documents:

1. Redacted - Warehouse Services for Wine and Spirits and Related Products Proposal Final – (sent yesterday but this time the first page is intentionally left blank)
2. Redacted - Warehouse Services for Wine and Spirits and Related Products Proposal COO Final
3. Redacted - Warehouse Services for Wine and Spirits and Related Products Proposal - Section 5 Cost Proposal Final
4. Redacted - First Year Budget
5. Redacted - Resume Greg Foreman
6. Redacted - Resume Marc Belanger – Sr
7. Redacted - Resume Robert MacLellan - Director of Ops
8. Redacted - SJT\_bio\_2012
9. Redacted - Teri Donegan Bio
10. Redacted – Stephen Dougans Bio

I zipped the files due to size. Items 5 through 10 are zipped together and called “Resumes”. Let me know if/when this comes through. Thanks.

Rob Whipple  
Associate General Counsel

DHL Global Business Services  
Dept. 230  
570 Polaris Parkway  
Westerville, Ohio 43082  
U.S.A.

Telephone: 614.865.8415



Facsimile: 614.865.8879

[www.dhl.com](http://www.dhl.com)

**From:** [Scott Lyons \(EXEL CA\)](#)  
**To:** [Craig W. Bulkley](#)  
**Cc:** [Greg Foreman \(EXEL US\)](#); [Robert Rujevcan \(EXEL US\)](#); [Fred Takavitz \(Exel US\)](#)  
**Subject:** RE: Template  
**Date:** Friday, November 30, 2012 8:32:33 AM  
**Attachments:** [NH BFO Summary NHSLC - 27M - Nov 7, 2012.pdf](#)

---

Here you go...

Scott Lyons

Telephone: 905 366-7691  


---

**From:** Craig W. Bulkley [mailto:[cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)]  
**Sent:** Thursday, November 29, 2012 6:01 PM  
**To:** Scott Lyons (EXEL CA)  
**Subject:** Template

Scott:

Don't forget to send us the revised template that shows \$27,000,000 even. Need it asap. Thanks.

 Please consider the environment before printing this e-mail.

Craig W. Bulkley  
Chief of Administration  
NH State Liquor Commission  
 (603) 230-7008  
FAX (603) 271-3897  
Cell: (603) 490-1559  
 [cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)

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**From:** [Rob Whipple \(Exel US\)](#)  
**To:** [Stephen J. Judge](#); [Craig W. Bulkley](#)  
**Cc:** [Scott Lyons \(EXEL CA\)](#)  
**Subject:** RE: Warehouse Services for Wine and Spirits and Related Products Proposal Final  
**Date:** Friday, November 30, 2012 8:34:32 AM  
**Attachments:** [Redacted - Warehouse Services for Wine and Spirits and Related Products Proposal Final.ZIP](#)

---

Steve, the preamble about the pages issue was my 'to do' and I dropped the ball. Take a look at the attached and let me know if this meets with your approval.

Rob Whipple  
Associate General Counsel

DHL Global Business Services  
Dept. 230  
570 Polaris Parkway  
Westerville, Ohio 43082  
U.S.A.

Telephone: 614.865.8415

[www.dhl.com](#)

---

**From:** Stephen J. Judge [mailto:[stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)]  
**Sent:** Thursday, November 29, 2012 6:17 PM  
**To:** Rob Whipple (Exel US); Craig W. Bulkley  
**Cc:** Scott Lyons (EXEL CA)  
**Subject:** RE: Warehouse Services for Wine and Spirits and Related Products Proposal Final

My thought was to put something as a preamble to the document that explains that there never was a page 64 and that the pagination in the electronic version is different than the hard copy. We have 62 of 62 pages. Page 62 is a cover page titled Cost Proposal for NH State Liquor Commission June 7, 2012

At this point, I do not believe it is necessary to review your redactions, we didn't review any other redactions by a Vendor. Just get us the Redacted Proposal in a form that we can post tomorrow.

Steve

\*\*\*\*\*

Stephen J. Judge  
AG Legal Consultant for NHS Liquor Commission  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
Fax: 603-669-6018  
Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)  
E-mail: [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)

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---

**From:** Rob Whipple (Exel US) [mailto:Rob.Whipple@exel.com]  
**Sent:** Thursday, November 29, 2012 2:20 PM  
**To:** Craig W. Bulkley; Stephen J. Judge  
**Cc:** Scott Lyons (EXEL CA)  
**Subject:** FW: Warehouse Services for Wine and Spirits and Related Products Proposal Final  
**Importance:** High

Craig / Steve – on the last page of the Warehouse Services for Wine and Spirits and Related Products Proposal Final (sent yesterday and attached again for convenience) it indicates page 63 of 64 but I believe that is a pagination error as there are only 63 pages. You have everything as best we can tell.

Rob Whipple  
Associate General Counsel

DHL Global Business Services  
Dept. 230  
570 Polaris Parkway  
Westerville, Ohio 43082  
U.S.A.

Telephone: 614.865.8415

Facsimile: 614.865.8879

[www.dhl.com](http://www.dhl.com)

---

**From:** Rob Whipple (Exel US)  
**Sent:** Wednesday, November 28, 2012 5:31 PM  
**To:** 'cbulkley@liquor.state.nh.us'; 'stephen.j.judge@liquor.state.nh.us'  
**Cc:** Scott Lyons (EXEL CA)  
**Subject:** Redacted Response in PDF  
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**From:** [Stephen J. Judge](#)  
**To:** ["Rob Whipple \(Exel US\)"; Craig W. Bulkley](#)  
**Cc:** ["Scott Lyons \(EXEL CA\)"](#)  
**Subject:** RE: Warehouse Services for Wine and Spirits and Related Products Proposal Final  
**Date:** Thursday, November 29, 2012 6:16:53 PM

---

My thought was to put something as a preamble to the document that explains that there never was a page 64 and that the pagination in the electronic version is different than the hard copy. We have 62 of 62 pages. Page 62 is a cover page titled Cost Proposal for NH State Liquor Commission June 7, 2012

At this point, I do not believe it is necessary to review your redactions, we didn't review any other redactions by a Vendor. Just get us the Redacted Proposal in a form that we can post tomorrow.

Steve

\*\*\*\*\*

Stephen J. Judge  
AG Legal Consultant for NHS Liquor Commission  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
Fax: 603-669-6018  
Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)  
E-mail: [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)

Please do not print this email unless necessary

\*\*\*\* CONFIDENTIALITY NOTE \*\*\*\*

NOTICE: This e-mail, including any attachments, is intended for the receipt and use by the intended addressee(s) only, and may contain privileged, confidential, work product and/or trade secrets or other information of a proprietary nature. If you are not an intended recipient of this e-mail, you are hereby notified that any unauthorized use or distribution of this e-mail, including any attachments, is strictly prohibited.

---

**From:** Rob Whipple (Exel US) [<mailto:Rob.Whipple@exel.com>]  
**Sent:** Thursday, November 29, 2012 2:20 PM  
**To:** Craig W. Bulkley; Stephen J. Judge  
**Cc:** Scott Lyons (EXEL CA)  
**Subject:** FW: Warehouse Services for Wine and Spirits and Related Products Proposal Final  
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**From:** [Rob Whipple \(Exel US\)](#)  
**To:** [Craig W. Bulkley](#); [Stephen J. Judge](#)  
**Cc:** [Scott Lyons \(EXEL CA\)](#)  
**Subject:** Redacted Documents  
**Date:** Friday, November 30, 2012 8:36:17 AM  
**Attachments:** [Warehouse Services for Wine and Spirite and Related Products Proposal.ZIP](#)  
[Redacted - Warehouse Services for Wine and Spirits and Related Products Proposal COO Final.ZIP](#)  
[Redacted - Warehouse Services for Wine and Spirits and Related Products Proposal - Section 5 Cost Proposal Final.ZIP](#)  
[Redacted - First Year Budget.ZIP](#)  
[Resumes.ZIP](#)  
**Importance:** High

---

Craig / Steve,

Attached are the following redacted documents:

1. Redacted - Warehouse Services for Wine and Spirits and Related Products Proposal Final – (sent yesterday but this time the first page is intentionally left blank)
2. Redacted - Warehouse Services for Wine and Spirits and Related Products Proposal COO Final
3. Redacted - Warehouse Services for Wine and Spirits and Related Products Proposal - Section 5 Cost Proposal Final
4. Redacted - First Year Budget
5. Redacted - Resume Greg Foreman
6. Redacted - Resume Marc Belanger – Sr
7. Redacted - Resume Robert MacLellan - Director of Ops
8. Redacted - SJT\_bio\_2012
9. Redacted - Teri Donegan Bio
10. Redacted – Stephen Dougans Bio

I zipped the files due to size. Items 5 through 10 are zipped together and called “Resumes”. Let me know if/when this comes through. Thanks.

Rob Whipple  
Associate General Counsel

DHL Global Business Services  
Dept. 230  
570 Polaris Parkway  
Westerville, Ohio 43082  
U.S.A.

Telephone: 614.865.8415  
[REDACTED]  
Facsimile: 614.865.8879

[www.dhl.com](http://www.dhl.com)

**From:** [Anne Bogart](#)  
**To:** [Michael R. Milligan](#)  
**Cc:** [Joseph W. Mollica](#)  
**Subject:** RE: Warehouse Contract Press Release  
**Date:** Thursday, November 29, 2012 3:53:46 PM

---

Yes, I received an email from Craig stating he pointed Mr. Leishman to our website.

*Anne Bogart*

Administrative Assistant  
NH State Liquor Commission  
(603) 230-7005

---

**From:** Michael R. Milligan  
**Sent:** Thursday, November 29, 2012 12:45 PM  
**To:** Anne Bogart; Joseph W. Mollica  
**Subject:** RE: Warehouse Contract Press Release

[Is the contract posted on the web site?](#)

---

**From:** Anne Bogart  
**Sent:** Tuesday, November 27, 2012 8:56 AM  
**To:** Joseph W. Mollica; Michael R. Milligan  
**Subject:** FW: Warehouse Contract Press Release

Hi,

I have sent this to Craig. I asked he keep me posted for the commission. I believe this person is a rep coming in in January.

*Anne Bogart*

Administrative Assistant  
NH State Liquor Commission  
(603) 230-7005

**From:** [prleishman@aol.com](mailto:prleishman@aol.com) [<mailto:prleishman@aol.com>]  
**Sent:** Friday, November 23, 2012 11:35 PM  
**To:** Anne Bogart  
**Subject:** Re: Warehouse Contract Press Release

Hi,

I would like a copy of the proposed contract.

Thank you,  
Peter Leishman

-----Original Message-----

From: Anne Bogart <[abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us)>  
To: hreps <[hreps@leg.state.nh.us](mailto:hreps@leg.state.nh.us)>; senators <[senators@leg.state.nh.us](mailto:senators@leg.state.nh.us)>; ray.burton <[ray.burton@myfairpoint.net](mailto:ray.burton@myfairpoint.net)>; ecdave <[ecdave@miracleacresfarm.net](mailto:ecdave@miracleacresfarm.net)>; sthilairelaw <[sthilairelaw@yahoo.com](mailto:sthilairelaw@yahoo.com)>; cts <[cts@sunununterprises.com](mailto:cts@sunununterprises.com)>; rwieczorek <[rwieczorek@nh.gov](mailto:rwieczorek@nh.gov)>;

jennifer.kuzma <[jennifer.kuzma@nh.gov](mailto:jennifer.kuzma@nh.gov)>; pamela.walsh <[pamela.walsh@nh.gov](mailto:pamela.walsh@nh.gov)>  
Cc: Joseph W. Mollica <[joseph.mollica@liquor.state.nh.us](mailto:joseph.mollica@liquor.state.nh.us)>; Michael R. Milligan  
<[michael.milligan@liquor.state.nh.us](mailto:michael.milligan@liquor.state.nh.us)>  
Sent: Tue, Nov 20, 2012 1:27 pm  
Subject: Warehouse Contract Press Release

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Thank you.

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Administrative Assistant  
Office of the Commissioners  
NH State Liquor Commission  
50 Storrs St, PO Box 503  
Concord, NH 03302-0503  
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(603) 230-7005  
(603) 271-1107, fax

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jennifer.kuzma <[jennifer.kuzma@nh.gov](mailto:jennifer.kuzma@nh.gov)>; pamela.walsh <[pamela.walsh@nh.gov](mailto:pamela.walsh@nh.gov)>  
Cc: Joseph W. Mollica <[joseph.mollica@liquor.state.nh.us](mailto:joseph.mollica@liquor.state.nh.us)>; Michael R. Milligan  
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(603) 230-7005  
(603) 271-1107, fax



**From:** [Craig W. Bulkley](#)  
**To:** [Craig W. Bulkley](#)  
**Subject:** Extension of RFP Protest Deadline  
**Date:** Thursday, November 29, 2012 3:27:12 PM

---

Vendors:

The following notice will appear on our website tomorrow:

### **November 30, 2012 – CLARIFICATIONS AND AMENDMENTS**

Pursuant to Section 1.5.3, Page 8 of the Warehouse Services RFP, the NHSLC has the authority to amend the RFP at any time and at its sole discretion.

The NHSLC amends Section 1.24, Page 16 to change “within 10 business days” to “within 20 business days. So there is no doubt, all protests, if any, must be received by the issuing officer by 4:00 PM on Thursday, December 20, 2012. The protest must be in writing via email. The NHSLC will provide a copy of the protest to all other Vendors.



Please consider the environment before printing this e-mail.

Craig W. Bulkley  
Chief of Administration  
NH State Liquor Commission  
 (603) 230-7008  
FAX (603) 271-3897  
Cell: (603) 490-1559  
 [cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)

#### **CONFIDENTIALITY NOTICE**

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**From:** [Rob Whipple \(Exel US\)](#)  
**To:** [Craig W. Bulkley](#); [Stephen J. Judge](#)  
**Cc:** [Scott Lyons \(EXEL CA\)](#)  
**Subject:** FW: Warehouse Services for Wine and Spirits and Related Products Proposal Final  
**Date:** Thursday, November 29, 2012 2:22:17 PM  
**Attachments:** [0429\\_001.pdf](#)  
**Importance:** High

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**From:** [Scott Lyons \(EXEL CA\)](#)  
**To:** [Craig W. Bulkley](#)  
**Cc:** [Greg Foreman \(EXEL US\)](#); [Fred Takavitz \(Exel US\)](#)  
**Subject:** Dec 4th  
**Date:** Thursday, November 29, 2012 2:08:36 PM

---

Just wanted to confirm that we will be meeting / presenting to the suppliers from 2 to 4 on December 4<sup>th</sup> and the location is  
NH State Liquor Commission  
Division of Enforcement & Licensing  
57 Regional Drive  
Concord, New Hampshire 03301

We would also like to have lunch with yourself, Rick Gerrish, and I believe you suggested one other person to discuss coordinating our activities going forward. Could you recommend a restaurant and a time (I assume noon).

Thanks,  
Scott Lyons

Exel  
90 Matheson Blvd. West, Suite 111  
Mississauga, Ontario  
L5R 3R3  
Canada

Telephone: 905 366-7691



[www.exel.com](http://www.exel.com)

**From:** [Scott Lyons \(EXEL CA\)](#)  
**To:** [Craig W. Bulkley](#)  
**Cc:** [Stephen J. Judge](#); [Rob Whipple \(Exel US\)](#); [Maria Tzagournis \(EXEL US\)](#); [Fred Takavitz \(Exel US\)](#); [Greg Foreman \(EXEL US\)](#)  
**Subject:** Non-Redacted Files  
**Date:** Thursday, November 29, 2012 2:02:54 PM  
**Attachments:** [Executed Proposal Offer Page.pdf](#)  
[NH Exel Inc Good Standing.pdf](#)  
[Certificate of Insurance DSC USA - FSL - USD2m - 051769830.pdf](#)  
[Certificate of Insurance Exel \\$2M GLAL \\$1WC.pdf](#)  
[Exel W9 for NH - May 2012.pdf](#)  
[Corporate Resolution.pdf](#)  
[NH 2012 Exel Inc Annual Report.pdf](#)  
[Insurance Letter.pdf](#)  
[2011 DHDHL IS.pdf](#)  
[2009 DHDHL Audit Statement.pdf](#)  
[2009 DHDHL BS.pdf](#)  
[2009 DHDHL CF.pdf](#)  
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[2010 DHDHL IS.pdf](#)  
[2011 DHDHL Audit Statement.pdf](#)  
[2011 DHDHL BS.pdf](#)  
[2011 DHDHL CF.pdf](#)  
[Control 360 Distribution single layout.pdf](#)  
[Appendix D.pdf](#)  
[Redact - First Year Budget.pdf](#)

---

Creating the redacted version of our proposal is a little complicated as the electronic files don't mesh with the sections of our written proposal. This is how the files you will receive should be put together to match our written proposal. Executed Proposal Offer Page

- Redacted - Warehouse Services for Wine and Spirits and Related Products Proposal Final
- Redacted - Warehouse Services for Wine and Spirits and Related Products Proposal COO Final
- NH Exel Inc Good Standing
- Certificate of Insurance DSC USA - FSL - USD2m – 051769830
- Certificate of Insurance Exel \$2M GLAL \$1WC
- Exel W9 for NH - May 2012
- Corporate Resolution
- NH 2012 Exel Inc Annual Report
- Insurance Letter
- 12 files with DPDHL financials for the last three years (file names start with the year then the letters DHDHL and a two letter code for the type of document)
- Control 360 Distribution single layout
- Redacted - Resume Greg Foreman
- Redacted - Resume Marc Belanger – Sr
- Redacted - Resume Robert MacLellan - Director of Ops
- Redacted - SJT\_bio\_2012
- Redacted - Teri Donegan Bio
- Redacted - StephenDougansBio
- Redacted - Warehouse Services for Wine and Spirits and Related Products Proposal - Section 5 Cost Proposal Final
- Appendix D

- Redacted - First Year Budget

I have attached all the files that did not require redaction. Rob will be sending you the files that have redactions shortly. This should avoid the email size limitations.

In terms of next steps we are finishing the redaction of:

- Answer to Questions from Jun 18, 2012
- BAFO
- BAFO Fine Tuning
- Presentation to Evaluation Committee
- Presentation to Commissioners
- Email traffic

I trust this helps,

Please call me with any questions.

Cheers,  
Scott Lyons

Exel  
90 Matheson Blvd. West, Suite 111  
Mississauga, Ontario  
L5R 3R3  
Canada

Telephone: 905 366-7691



[www.exel.com](http://www.exel.com)

**From:** [Michael R. Milligan](#)  
**To:** [Anne Bogart](#); [Joseph W. Mollica](#)  
**Subject:** RE: Warehouse Contract Press Release  
**Date:** Thursday, November 29, 2012 12:44:38 PM

---

Is the contract posted on the web site?

---

**From:** Anne Bogart  
**Sent:** Tuesday, November 27, 2012 8:56 AM  
**To:** Joseph W. Mollica; Michael R. Milligan  
**Subject:** FW: Warehouse Contract Press Release

Hi,

I have sent this to Craig. I asked he keep me posted for the commission. I believe this person is a rep coming in in January.

*Anne Bogart*

Administrative Assistant  
NH State Liquor Commission  
(603) 230-7005

**From:** [prleishman@aol.com](mailto:prleishman@aol.com) [<mailto:prleishman@aol.com>]  
**Sent:** Friday, November 23, 2012 11:35 PM  
**To:** Anne Bogart  
**Subject:** Re: Warehouse Contract Press Release

Hi,

I would like a copy of the proposed contract.

Thank you,  
Peter Leishman

-----Original Message-----

**From:** Anne Bogart <[abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us)>  
**To:** hreps <[hreps@leg.state.nh.us](mailto:hreps@leg.state.nh.us)>; senators <[senators@leg.state.nh.us](mailto:senators@leg.state.nh.us)>; ray.burton <[ray.burton@myfairpoint.net](mailto:ray.burton@myfairpoint.net)>; ecdave <[ecdave@miracleacresfarm.net](mailto:ecdave@miracleacresfarm.net)>; sthilairelaw <[sthilairelaw@yahoo.com](mailto:sthilairelaw@yahoo.com)>; cts <[cts@sununuenterprises.com](mailto:cts@sununuenterprises.com)>; rwieczorek <[rwieczorek@nh.gov](mailto:rwieczorek@nh.gov)>; jennifer.kuzma <[jennifer.kuzma@nh.gov](mailto:jennifer.kuzma@nh.gov)>; pamela.walsh <[pamela.walsh@nh.gov](mailto:pamela.walsh@nh.gov)>  
**Cc:** Joseph W. Mollica <[joseph.mollica@liquor.state.nh.us](mailto:joseph.mollica@liquor.state.nh.us)>; Michael R. Milligan <[michael.milligan@liquor.state.nh.us](mailto:michael.milligan@liquor.state.nh.us)>  
**Sent:** Tue, Nov 20, 2012 1:27 pm  
**Subject:** Warehouse Contract Press Release

Good afternoon,

Chairman Mollica and Commissioner Milligan would like to let you know the Attorney General has approved the twenty-year warehouse services contract. Attached is the Press Release that will be going out this afternoon.

Thank you.  
*Anne Bogart*  
Administrative Assistant



Office of the Commissioners  
NH State Liquor Commission  
50 Storrs St, PO Box 503  
Concord, NH 03302-0503  
[abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us)  
(603) 230-7005  
(603) 271-1107, fax

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Administrative Assistant  
NH State Liquor Commission  
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Peter Leishman

-----Original Message-----

**From:** Anne Bogart <[abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us)>  
**To:** hreps <[hreps@leg.state.nh.us](mailto:hreps@leg.state.nh.us)>; senators <[senators@leg.state.nh.us](mailto:senators@leg.state.nh.us)>; ray.burton <[ray.burton@myfairpoint.net](mailto:ray.burton@myfairpoint.net)>; ecdave <[ecdave@miracleacresfarm.net](mailto:ecdave@miracleacresfarm.net)>; sthilairelaw <[sthilairelaw@yahoo.com](mailto:sthilairelaw@yahoo.com)>; cts <[cts@sununuenterprises.com](mailto:cts@sununuenterprises.com)>; rwieczorek <[rwieczorek@nh.gov](mailto:rwieczorek@nh.gov)>; jennifer.kuzma <[jennifer.kuzma@nh.gov](mailto:jennifer.kuzma@nh.gov)>; pamela.walsh <[pamela.walsh@nh.gov](mailto:pamela.walsh@nh.gov)>  
**Cc:** Joseph W. Mollica <[joseph.mollica@liquor.state.nh.us](mailto:joseph.mollica@liquor.state.nh.us)>; Michael R. Milligan <[michael.milligan@liquor.state.nh.us](mailto:michael.milligan@liquor.state.nh.us)>  
**Sent:** Tue, Nov 20, 2012 1:27 pm  
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Thank you.  
*Anne Bogart*  
Administrative Assistant

Office of the Commissioners  
NH State Liquor Commission  
50 Storrs St, PO Box 503  
Concord, NH 03302-0503  
[abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us)  
(603) 230-7005  
(603) 271-1107, fax

**From:** [Mary K. Sartwell](#)  
**To:** [Joseph W. Mollica](#); [Michael R. Milligan](#); [Richard Gerrish](#); [Andrew Davis](#); [Craig W. Bulkley](#); [John D. Bunnell](#); [Stephen J. Judge](#); [Nicole A. Brassard](#); [Mark R. Roy](#); [Lisa M. Lassonde](#); [Frank D. Deluca](#)  
**Subject:** FW: Hippo Coverage - News Stores & Warehouse  
**Date:** Thursday, November 29, 2012 10:15:32 AM  
**Attachments:** [NHLC Hippo 11.29.pdf](#)

---

FYI

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
[LiquorandWineOutlets.com](http://LiquorandWineOutlets.com)  
[facebook.com/nhliquorwine](https://facebook.com/nhliquorwine)  
[twitter.com/nhliquorwine](https://twitter.com/nhliquorwine)



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---

**From:** Kristin Hagerman [mailto:[KristinH@evradvertising.com](mailto:KristinH@evradvertising.com)]  
**Sent:** Thursday, November 29, 2012 10:04 AM  
**To:** Mary K. Sartwell  
**Subject:** Hippo Coverage - News Stores & Warehouse

Good Morning Mary,

In this week's Hippo, we received coverage for the New Stores and Warehouse contract.

See attached.

Thank you,

Kristin Hagerman  
Account Executive  
(603) 647-8606 x209



Eisenberg, Vital & Ryze Advertising  
155 Dow Street, Suite 101  
Manchester, NH 03101

**From:** [Rob Whipple \(Exel US\)](#)  
**To:** [Stephen J. Judge](#); [Craig W. Bulkley](#)  
**Cc:** [Scott Lyons \(EXEL CA\)](#)  
**Subject:** RE: Redacted Response in PDF  
**Date:** Wednesday, November 28, 2012 5:40:12 PM

---

Strange...thanks for confirming receipt of the pdf.

Rob Whipple  
Associate General Counsel

DHL Global Business Services  
Dept. 230  
570 Polaris Parkway  
Westerville, Ohio 43082  
U.S.A.

Telephone: 614.865.8415

  
Facsimile: 614.865.8879

[www.dhl.com](http://www.dhl.com)

---

**From:** Stephen J. Judge [mailto:[stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)]  
**Sent:** Wednesday, November 28, 2012 5:38 PM  
**To:** Rob Whipple (Exel US); Craig W. Bulkley  
**Cc:** Scott Lyons (EXEL CA)  
**Subject:** RE: Redacted Response in PDF

Rob,

In one of the great mysteries of life, neither Craig nor I received the word document. We have the pdf. We will get back to you tomorrow.

\*\*\*\*\*

Stephen J. Judge  
AG Legal Consultant for NHS Liquor Commission  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
Fax: 603-669-6018  
Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)  
E-mail: [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)

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---

**From:** Rob Whipple (Exel US) [mailto:Rob.Whipple@exel.com]  
**Sent:** Wednesday, November 28, 2012 5:32 PM  
**To:** Craig W. Bulkley; Stephen J. Judge  
**Cc:** Scott Lyons (EXEL CA)  
**Subject:** Redacted Response in PDF  
**Importance:** High

Craig / Steve,

I inadvertently sent a Word document a few minutes ago but attached pdf should be used instead. Otherwise the redactions can be reversed. Sorry for the confusion – long day redacting.

Rob Whipple  
Associate General Counsel

DHL Global Business Services  
Dept. 230  
570 Polaris Parkway  
Westerville, Ohio 43082  
U.S.A.

Telephone: 614.865.8415  
[REDACTED]  
Facsimile: 614.865.8879

[www.dhl.com](http://www.dhl.com)

---

**From:** Rob Whipple (Exel US)  
**Sent:** Wednesday, November 28, 2012 5:23 PM  
**To:** 'cbulkley@liquor.state.nh.us'; 'stephen.j.judge@liquor.state.nh.us'  
**Cc:** Scott Lyons (EXEL CA)  
**Subject:** RE: Redacted

Craig / Steve – per our conversation yesterday, attached is Exel Response to the RFP with redactions. I think you'll agree when you review the document, we did not go overboard with redactions.

Several more documents are on their way soon; including our cost presentation and a power point we provided.

I look forward to your comments.

Rob Whipple  
Associate General Counsel

DHL Global Business Services  
Dept. 230  
570 Polaris Parkway  
Westerville, Ohio 43082  
U.S.A.

Telephone: 614.865.8415

[REDACTED]  
Facsimile: 614.865.8879

[www.dhl.com](http://www.dhl.com)

---

**From:** Rob Whipple (Exel US)  
**Sent:** Tuesday, November 27, 2012 12:39 PM  
**To:** 'cbulkley@liquor.state.nh.us'; [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)  
**Cc:** Scott Lyons (EXEL CA)  
**Subject:** Redacted  
**Importance:** High

Craig / Steve,

Exel is working on submitting a redacted version of our response to the RFP. We anticipate having something to you by end of day today (or first thing tomorrow morning, latest). We are also seeking an extension of a couple of more days to verify with the State the 'universe' of e-mails and other documents at issue so we can redact them as necessary. Our redaction efforts will focus on commercial, confidential and financial information as provided for in 91-A:5 Exemptions.

Please let me know if there is any issues with our anticipated approach.

Thank you.

Rob Whipple  
Associate General Counsel

DHL Global Business Services  
Dept. 230  
570 Polaris Parkway  
Westerville, Ohio 43082  
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**Cc:** [Scott Lyons \(EXEL CA\)](#)  
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**Attachments:** [0429\\_001.pdf](#)  
**Importance:** High

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U.S.A.

Telephone: 614.865.8415

[REDACTED]  
Facsimile: 614.865.8879

[www.dhl.com](http://www.dhl.com)

**From:** [Rob Whipple \(Exel US\)](#)  
**To:** [Craig W. Bulkley](#); [Stephen J. Judge](#)  
**Cc:** [Scott Lyons \(EXEL CA\)](#)  
**Subject:** RE: Redacted  
**Date:** Thursday, November 29, 2012 7:50:22 AM  
**Attachments:** [1 file \[RCW 11-28-2012 05\].ZIP](#)

---

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Westerville, Ohio 43082  
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**Importance:** High

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[www.dhl.com](http://www.dhl.com)

**From:** [Stephen J. Judge](#)  
**To:** [Craig W. Bulkley](#)  
**Subject:** Document4 [Compatibility Mode]  
**Date:** Wednesday, November 28, 2012 12:53:28 PM  
**Attachments:** [Document4 \[Compatibility Model\].doc](#)

---

Another new Exhibit

\*\*\*\*\*

Stephen J. Judge  
AG Legal Consultant for NHS Liquor Commission  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
Fax: 603-669-6018  
Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)  
E-mail: [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)

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Stephen J. Judge  
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Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
Fax: 603-669-6018  
Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)  
E-mail: [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)

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**From:** [Scott Lyons \(EXEL CA\)](#)  
**To:** [Craig W. Bulkley](#)  
**Subject:** Re: Part IV of Email  
**Date:** Wednesday, November 28, 2012 12:51:31 PM

---

Received - thanks.

Scott Lyons

Telephone: 905 366-7691  


[www.exel.com](http://www.exel.com)

---

**From:** Craig W. Bulkley [mailto:[cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)]  
**Sent:** Thursday, November 29, 2012 12:13 AM  
**To:** Scott Lyons (EXEL CA)  
**Subject:** Part IV of Email

Scott – did this one get thru to you?



Please consider the environment before printing this e-mail.

Craig W. Bulkley  
Chief of Administration  
NH State Liquor Commission  
 (603) 230-7008  
FAX (603) 271-3897  
Cell: (603) 490-1559  
 [cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)

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**From:** [Anne Bogart](#)  
**To:** [Joseph W. Mollica](#); [Michael R. Milligan](#); [George P. Tsiopras](#); [Craig W. Bulkley](#); [Stephen J. Judge](#); [Stephen J. Judge \(sjudge@wadleighlaw.com\)](#)  
**Subject:** Financial Benefits of Warehouse Contract

---

Senator Morse may have guests as well. I will find out prior to the meeting if he does and who they may be. Thanks~

**From:** [Stephen Judge](#)  
**To:** [Craig W. Bulkley](#)  
**Subject:** FW: Warehouse Contract PR  
**Date:** Tuesday, November 27, 2012 4:55:32 PM  
**Attachments:** [image001.jpg](#)

---

\*\*\*\*\*

Stephen J. Judge  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
Fax: 603-669-6018  
Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)

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---

From: Stephen Judge  
Sent: Sunday, November 11, 2012 6:20 PM  
To: [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)  
Subject: FW: Warehouse Contract PR

\*\*\*\*\*

Stephen J. Judge  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
Fax: 603-669-6018  
Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)

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---

From: Kristin Hagerman [KristinH@evradvertising.com]  
Sent: Friday, November 09, 2012 10:42 AM  
To: Jeff Eisenberg; Mary K. Sartwell  
Cc: Stephen Judge; Craig W. Bulkley; Richard Gerrish  
Subject: RE: Warehouse Contract PR

I have read the email below and agree to the confidentiality requirements.

Thank you,

Kristin Hagerman  
Account Executive  
(603) 647-8606 x209  
[cid:image001.jpg@01CDBE66.EC80D460]  
Eisenberg,Vital & Ryze Advertising  
155 Dow Street, Suite 101  
Manchester, NH 03101

From: Jeff Eisenberg  
Sent: Tuesday, November 06, 2012 4:32 PM  
To: Mary K. Sartwell; Kristin Hagerman  
Cc: sjudge@wadleighlaw.com; Craig W. Bulkley; Richard Gerrish  
Subject: RE: Warehouse Contract PR

I understand and agree to comply with these confidentiality requirements.

Jeff Eisenberg

From: Mary K. Sartwell [<mailto:mary.sartwell@liquor.state.nh.us>]  
Sent: Tuesday, November 06, 2012 4:17 PM  
To: Jeff Eisenberg; Kristin Hagerman  
Cc: sjudge@wadleighlaw.com<<mailto:sjudge@wadleighlaw.com>>; Craig W. Bulkley; Richard Gerrish  
Subject: Warehouse Contract PR

Jeff & Kristin, to confirm our agreement at the beginning of our meeting this morning, this is to reiterate that any information including e-mails, files transmitted and meeting notes regarding this public relations project are strictly confidential and should not be discussed with or shared with any party other than the authorized members of the New Hampshire Liquor Commission without prior approval from the New Hampshire Liquor Commission. Until further notice, I will be your sole contact with the New Hampshire Liquor Commission. In addition, you agreed to limit dissemination of this information within your firm to only those who have a need to know and who are directly working on the project. Both of you need to respond to this e-mail with your understanding and acceptance of this requirement. Thank you for your attention to this matter.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
E-mail: [mary.sartwell@liquor.state.nh.us](mailto:mary.sartwell@liquor.state.nh.us)<<mailto:mary.sartwell@liquor.state.nh.us>>  
Telephone: 603-230-7087  
Fax: 603-271-8540  
[LiquorandWineOutlets.com](http://LiquorandWineOutlets.com)  
[facebook.com/nhliquorwine](https://facebook.com/nhliquorwine)

[twitter.com/nhliquorwine](https://twitter.com/nhliquorwine)

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**From:** [Stephen Judge](#)  
**To:** [Craig W. Bulkley](#)  
**Subject:** FW: Deal Announced  
**Date:** Tuesday, November 27, 2012 4:53:05 PM

---

\*\*\*\*\*

Stephen J. Judge  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
Fax: 603-669-6018  
Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)

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---

From: Stephen Judge  
Sent: Wednesday, November 21, 2012 2:55 PM  
To: Rob Whipple (Exel US)  
Cc: [stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)  
Subject: RE: Deal Announced

Hi Rob,

At least two parties, XTL and Law have made Right-to-Know requests and discussed the RFP Protest Process. They have 10 business days and have to notify Exel of their protest. Cross your fingers.  
Happy Thanksgiving

Steve

P.S. If you hit reply to all you will have my email at Liquor, where I spend most of my time.

\*\*\*\*\*

Stephen J. Judge  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
Fax: 603-669-6018  
Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)

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---

From: Rob Whipple (Exel US) [Rob.Whipple@exel.com]  
Sent: Wednesday, November 21, 2012 11:12 AM  
To: Stephen Judge  
Subject: Deal Announced

Good morning Steve and Happy Thanksgiving.

I see the deal was announced yesterday – how's it going over with the other interested parties? Any lawsuits or other legal maneuvering?

Rob Whipple  
Associate General Counsel

DHL Global Business Services  
Dept. 230  
570 Polaris Parkway  
Westerville, Ohio 43082  
U.S.A.

Telephone: 614.865.8415

Facsimile: 614.865.8879

[www.dhl.com](http://www.dhl.com)<UrlBlockedError.aspx>

**From:** [Stephen Judge](#)  
**To:** [Craig W. Bulkley](#)  
**Subject:** FW: Deal Announced  
**Date:** Tuesday, November 27, 2012 4:51:50 PM

---

\*\*\*\*\*

Stephen J. Judge  
Wadleigh, Starr & Peters, PLLC  
95 Market Street  
Manchester, New Hampshire 03101  
Tel: 603-669-4140  
Fax: 603-669-6018  
Web: [www.wadleighlaw.com](http://www.wadleighlaw.com)  
E-mail: [sjudge@wadleighlaw.com](mailto:sjudge@wadleighlaw.com)

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---

From: Rob Whipple (Exel US) [[Rob.Whipple@exel.com](mailto:Rob.Whipple@exel.com)]  
Sent: Wednesday, November 21, 2012 11:12 AM  
To: Stephen Judge  
Subject: Deal Announced

Good morning Steve and Happy Thanksgiving.

I see the deal was announced yesterday – how's it going over with the other interested parties? Any lawsuits or other legal maneuvering?

Rob Whipple  
Associate General Counsel

DHL Global Business Services  
Dept. 230  
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U.S.A.

Telephone: 614.865.8415



Facsimile: 614.865.8879

[www.dhl.com](http://www.dhl.com)<UrlBlockedError.aspx>

**From:** [Chris Conrad](#)  
**To:** [Joseph W. Mollica](#)  
**Subject:** warehouse contract  
**Date:** Tuesday, November 27, 2012 3:07:01 PM

---

I am hearing it is going to get ugly from the competition, have you heard the same thing?

Just as an FYI, based on the rates in the contract, we are concerned we will realize zero savings.

Was that your understanding?

**Chris Conrad**

Vice President Sales

**MARTIGNETTI COMPANIES OF NH**

Representing the Finest in Wine and Spirits

34 Fir Street

Manchester, NH 03101

603-263-2511

603-644-7845 fax

[chrisc@martignetti.com](mailto:chrisc@martignetti.com)

**From:** [Rob Whipple \(Exel US\)](#)  
**To:** [Craig W. Bulkley](#); [Stephen J. Judge](#)  
**Cc:** [Scott Lyons \(EXEL CA\)](#)  
**Subject:** Redacted  
**Date:** Tuesday, November 27, 2012 12:39:05 PM  
**Importance:** High

---

Craig / Steve,

Exel is working on submitting a redacted version of our response to the RFP. We anticipate having something to you by end of day today (or first thing tomorrow morning, latest). We are also seeking an extension of a couple of more days to verify with the State the 'universe' of e-mails and other documents at issue so we can redact them as necessary. Our redaction efforts will focus on commercial, confidential and financial information as provided for in 91-A:5 Exemptions.

Please let me know if there is any issues with our anticipated approach.

Thank you.

Rob Whipple  
Associate General Counsel

DHL Global Business Services  
Dept. 230  
570 Polaris Parkway  
Westerville, Ohio 43082  
U.S.A.

Telephone: 614.865.8415

  
Facsimile: 614.865.8879

[www.dhl.com](http://www.dhl.com)

**From:** [Anne Bogart](#)  
**To:** [Joseph W. Mollica](#); [Michael R. Milligan](#); [George P. Tsiopras](#); [Craig W. Bulkley](#); [Stephen J. Judge](#); [Stephen J. Judge \(sjudge@wadleighlaw.com\)](#)  
**Subject:** Financial Benefits of Warehouse Contract

---

Senator Morse may have guests as well. I will find out prior to the meeting if he does and who they may be. Thanks~



**From:** [Anne Bogart](#)  
**To:** ["Queenan, Patrick J"](#)  
**Cc:** [Joseph W. Mollica](#); [Michael R. Milligan](#)  
**Subject:** RE: NHSLC/Right to Know  
**Date:** Tuesday, November 27, 2012 11:02:48 AM

---

Thank you Patrick.

*Anne Bogart*

Administrative Assistant  
NH State Liquor Commission  
(603) 230-7005

---

**From:** Queenan, Patrick J [mailto:Patrick.Queenan@doj.nh.gov]  
**Sent:** Tuesday, November 27, 2012 10:25 AM  
**To:** Anne Bogart  
**Cc:** Brown, Michael K.  
**Subject:** RE: NHSLC/Right to Know

Anne,

[REDACTED]

[REDACTED]

-Patrick

---

**From:** Anne Bogart [mailto:abogart@liquor.state.nh.us]  
**Sent:** Tuesday, November 27, 2012 8:51 AM  
**To:** Queenan, Patrick J  
**Subject:** FW: NHSLC/Right to Know

Hi Patrick,

[REDACTED]

*Anne Bogart*

Administrative Assistant  
NH State Liquor Commission  
(603) 230-7005

---

**From:** Craig W. Bulkley  
**Sent:** Monday, November 26, 2012 3:02 PM  
**To:** Brown, Michael K. ([Michael.Brown@doj.nh.gov](mailto:Michael.Brown@doj.nh.gov))  
**Cc:** Anne Bogart  
**Subject:** FW: NHSLC/Right to Know

Mike – not sure if you received a copy of this RTK request from Jim Bianco dated 11/21.



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Craig W. Bulkley  
Chief of Administration  
NH State Liquor Commission  
☎ (603) 230-7008  
FAX (603) 271-3897  
Cell: (603) 490-1559  
✉ [cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)

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---

**From:** Jim Bianco [<mailto:jbianco@biancopa.com>]  
**Sent:** Wednesday, November 21, 2012 9:37 AM  
**To:** Craig W. Bulkley  
**Cc:** Stephen J. Judge; Anthony Cerone ([acerone@XTLonline.com](mailto:acerone@XTLonline.com)); Louis Cerone ([lcerone@XTLonline.com](mailto:lcerone@XTLonline.com))  
**Subject:** NHSLC/Right to Know

Mr. Bulkley,

Please see letter attached.

Thanks

Jim

*James J. Bianco, Jr., Esquire*  
*Bianco Professional Association*  
*Attorneys at Law*  
*18 Centre Street*  
*Concord, NH 03301*  
*Phone: (603) 225-7170*  
*Fax: (603) 226-0165*  
[jbianco@biancopa.com](mailto:jbianco@biancopa.com)  
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**From:** [Anne Bogart](#)  
**To:** [Craig W. Bulkley](#)  
**Cc:** [Joseph W. Mollica](#); [Michael R. Milligan](#)  
**Subject:** RE: Exel Contract  
**Date:** Tuesday, November 27, 2012 9:26:54 AM

---

Thanks Craig

*Anne Bogart*

Administrative Assistant  
NH State Liquor Commission  
(603) 230-7005

---

**From:** Craig W. Bulkley  
**Sent:** Tuesday, November 27, 2012 9:25 AM  
**To:** 'prleishman@aol.com'  
**Cc:** Anne Bogart  
**Subject:** Exel Contract

Mr. Leishman:

The contract can be found on our website at the following URL:

<http://www.nh.gov/liquor/longtermwarehousecontract.pdf>



Please consider the environment before printing this e-mail.

Craig W. Bulkley  
Chief of Administration  
NH State Liquor Commission  
 (603) 230-7008  
FAX (603) 271-3897  
Cell: (603) 490-1559  
 [cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)

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**From:** [Anne Bogart](#)  
**To:** [Joseph W. Mollica](#); [Michael R. Milligan](#)  
**Subject:** FW: Warehouse Contract Press Release  
**Date:** Tuesday, November 27, 2012 8:56:06 AM

---

Hi,

I have sent this to Craig. I asked he keep me posted for the commission. I believe this person is a rep coming in in January.

*Anne Bogart*

Administrative Assistant  
NH State Liquor Commission  
(603) 230-7005

**From:** prleishman@aol.com [mailto:prleishman@aol.com]  
**Sent:** Friday, November 23, 2012 11:35 PM  
**To:** Anne Bogart  
**Subject:** Re: Warehouse Contract Press Release

Hi,

I would like a copy of the proposed contract.

Thank you,  
Peter Leishman

-----Original Message-----

From: Anne Bogart <[abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us)>  
To: hreps <[hreps@leg.state.nh.us](mailto:hreps@leg.state.nh.us)>; senators <[senators@leg.state.nh.us](mailto:senators@leg.state.nh.us)>; ray.burton <[ray.burton@myfairpoint.net](mailto:ray.burton@myfairpoint.net)>; ecdave <[ecdave@miracleacresfarm.net](mailto:ecdave@miracleacresfarm.net)>; sthilairelaw <[sthilairelaw@yahoo.com](mailto:sthilairelaw@yahoo.com)>; cts <[cts@sununuenterprises.com](mailto:cts@sununuenterprises.com)>; rwieczorek <[rwieczorek@nh.gov](mailto:rwieczorek@nh.gov)>; jennifer.kuzma <[jennifer.kuzma@nh.gov](mailto:jennifer.kuzma@nh.gov)>; pamela.walsh <[pamela.walsh@nh.gov](mailto:pamela.walsh@nh.gov)>  
Cc: Joseph W. Mollica <[joseph.mollica@liquor.state.nh.us](mailto:joseph.mollica@liquor.state.nh.us)>; Michael R. Milligan <[michael.milligan@liquor.state.nh.us](mailto:michael.milligan@liquor.state.nh.us)>  
Sent: Tue, Nov 20, 2012 1:27 pm  
Subject: Warehouse Contract Press Release

Good afternoon,

Chairman Mollica and Commissioner Milligan would like to let you know the Attorney General has approved the twenty-year warehouse services contract. Attached is the Press Release that will be going out this afternoon.

Thank you.

*Anne Bogart*  
Administrative Assistant  
Office of the Commissioners  
NH State Liquor Commission  
50 Storrs St, PO Box 503  
Concord, NH 03302-0503  
[abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us)  
(603) 230-7005

(603) 271-1107, fax

**From:** [Michael R. Milligan](#)  
**To:** [Anne Bogart](#); [Joseph W. Mollica](#)  
**Subject:** RE: NHSLC/Right to Know  
**Date:** Tuesday, November 27, 2012 7:42:39 AM

---

Thank you Craig.

---

**From:** Anne Bogart  
**Sent:** Monday, November 26, 2012 3:42 PM  
**To:** Michael R. Milligan; Joseph W. Mollica  
**Subject:** FW: NHSLC/Right to Know

F.Y.I.

*Anne Bogart*

Administrative Assistant  
NH State Liquor Commission  
(603) 230-7005

---

**From:** Craig W. Bulkley  
**Sent:** Monday, November 26, 2012 3:02 PM  
**To:** Brown, Michael K. ([Michael.Brown@doj.nh.gov](mailto:Michael.Brown@doj.nh.gov))  
**Cc:** Anne Bogart  
**Subject:** FW: NHSLC/Right to Know

Mike – not sure if you received a copy of this RTK request from Jim Bianco dated 11/21.



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Craig W. Bulkley  
Chief of Administration  
NH State Liquor Commission  
☎ (603) 230-7008  
FAX (603) 271-3897  
Cell: (603) 490-1559  
✉ [cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)

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---

**From:** Jim Bianco [<mailto:jbianco@biancopa.com>]  
**Sent:** Wednesday, November 21, 2012 9:37 AM  
**To:** Craig W. Bulkley  
**Cc:** Stephen J. Judge; Anthony Cerone ([acerone@XTLOnline.com](mailto:acerone@XTLOnline.com)); Louis Cerone ([lcerone@XTLOnline.com](mailto:lcerone@XTLOnline.com))  
**Subject:** NHSLC/Right to Know

Mr. Bulkley,

Please see letter attached.

Thanks

Jim

*James J. Bianco, Jr., Esquire*  
*Bianco Professional Association*  
*Attorneys at Law*  
*18 Centre Street*  
*Concord, NH 03301*  
*Phone: (603) 225-7170*  
*Fax: (603) 226-0165*  
[jbianco@biancopa.com](mailto:jbianco@biancopa.com)  
[www.biancopa.com](http://www.biancopa.com)

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**From:** [Michael R. Milligan](#)  
**To:** [Anne Bogart](#); [Joseph W. Mollica](#)  
**Subject:** RE: NHSLC/Right to Know  
**Date:** Tuesday, November 27, 2012 7:42:39 AM

---

Thank you Craig.

---

**From:** Anne Bogart  
**Sent:** Monday, November 26, 2012 3:42 PM  
**To:** Michael R. Milligan; Joseph W. Mollica  
**Subject:** FW: NHSLC/Right to Know

F.Y.I.

*Anne Bogart*

Administrative Assistant  
NH State Liquor Commission  
(603) 230-7005

---

**From:** Craig W. Bulkley  
**Sent:** Monday, November 26, 2012 3:02 PM  
**To:** Brown, Michael K. ([Michael.Brown@doj.nh.gov](mailto:Michael.Brown@doj.nh.gov))  
**Cc:** Anne Bogart  
**Subject:** FW: NHSLC/Right to Know

Mike – not sure if you received a copy of this RTK request from Jim Bianco dated 11/21.



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NH State Liquor Commission  
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Cell: (603) 490-1559  
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**From:** Jim Bianco [<mailto:jbianco@biancopa.com>]  
**Sent:** Wednesday, November 21, 2012 9:37 AM  
**To:** Craig W. Bulkley  
**Cc:** Stephen J. Judge; Anthony Cerone ([acerone@XTLonline.com](mailto:acerone@XTLonline.com)); Louis Cerone ([lcerone@XTLonline.com](mailto:lcerone@XTLonline.com))  
**Subject:** NHSLC/Right to Know



Mr. Bulkley,

Please see letter attached.

Thanks

Jim

*James J. Bianco, Jr., Esquire*  
*Bianco Professional Association*  
*Attorneys at Law*  
*18 Centre Street*  
*Concord, NH 03301*  
*Phone: (603) 225-7170*  
*Fax: (603) 226-0165*  
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**From:** [Michael R. Milligan](#)  
**To:** [Mary K. Sartwell](#)  
**Subject:** RE: JeffE@evradvertising.com has shared: Supporters criticize process that led to Nashua company being ousted from storing state liquor  
**Date:** Monday, November 26, 2012 11:39:35 AM

---

Thanks Mary. There were several articles over the last five days.

---

**From:** Mary K. Sartwell  
**Sent:** Monday, November 26, 2012 8:25 AM  
**To:** Joseph W. Mollica; Michael R. Milligan; Richard Gerrish; Mark R. Roy; Frank D. Deluca; Nicole A. Brassard; Anne Bogart; Craig W. Bulkley; Stephen J. Judge; John D. Bunnell; Scott Lyons (EXEL CA); Lynn S Anderson (Exel US)  
**Subject:** FW: JeffE@evradvertising.com has shared: Supporters criticize process that led to Nashua company being ousted from storing state liquor

FYI

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
[LiquorandWineOutlets.com](http://LiquorandWineOutlets.com)  
[facebook.com/nhliquorwine](https://facebook.com/nhliquorwine)  
[twitter.com/nhliquorwine](https://twitter.com/nhliquorwine)

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**From:** Jeff Eisenberg [<mailto:JeffE@evradvertising.com>]  
**Sent:** Thursday, November 22, 2012 1:46 PM  
**To:** Mary K. Sartwell; Kristin Hagerman  
**Subject:** FW: [JeffE@evradvertising.com](mailto:JeffE@evradvertising.com) has shared: Supporters criticize process that led to Nashua company being ousted from storing state liquor

fyi

**From:** ShareThis [<mailto:notifier@bounces.sharethis.com>] On Behalf Of [JeffE@evradvertising.com](mailto:JeffE@evradvertising.com)  
**Sent:** Thursday, November 22, 2012 1:44 PM  
**To:** Jeff Eisenberg  
**Subject:** [JeffE@evradvertising.com](mailto:JeffE@evradvertising.com) has shared: Supporters criticize process that led to Nashua company being ousted from storing state liquor

---

[Supporters criticize process that led to Nashua company being ousted from storing state liquor](#)

Source: [nashuatelegraph.com](http://nashuatelegraph.com)

CONCORD – Supporters of Law Warehouse in Nashua are seething at the state Liquor Commission

---

[JeffE@evradvertising.com](mailto:JeffE@evradvertising.com) sent this using [ShareThis](#). Please note that ShareThis does not verify the

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**From:** [Mary K. Sartwell](#)  
**To:** [Joseph W. Mollica](#); [Michael R. Milligan](#); [Richard Gerrish](#); [Mark R. Roy](#); [Frank D. Deluca](#); [Nicole A. Brassard](#); [Anne Bogart](#); [Craig W. Bulkley](#); [Stephen J. Judge](#); [John D. Bunnell](#); "Scott Lyons (EXEL CA)"; "Lynn S Anderson (Exel US)"  
**Subject:** FW: JeffE@evradvertising.com has shared: Supporters criticize process that led to Nashua company being ousted from storing state liquor  
**Date:** Monday, November 26, 2012 8:24:31 AM

---

FYI

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
[LiquorandWineOutlets.com](#)  
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[twitter.com/nhliquorwine](#)



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**From:** Jeff Eisenberg [mailto:JeffE@evradvertising.com]  
**Sent:** Thursday, November 22, 2012 1:46 PM  
**To:** Mary K. Sartwell; Kristin Hagerman  
**Subject:** FW: JeffE@evradvertising.com has shared: Supporters criticize process that led to Nashua company being ousted from storing state liquor

fyi

**From:** ShareThis [mailto:notifier@bounces.sharethis.com] **On Behalf Of** JeffE@evradvertising.com  
**Sent:** Thursday, November 22, 2012 1:44 PM  
**To:** Jeff Eisenberg  
**Subject:** JeffE@evradvertising.com has shared: Supporters criticize process that led to Nashua company being ousted from storing state liquor

---

[Supporters criticize process that led to Nashua company being ousted from storing state liquor](#)

Source: [nashuatelegraph.com](#)

CONCORD – Supporters of Law Warehouse in Nashua are seething at the state Liquor Commission

---

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**From:** [Mary K. Sartwell](#)  
**To:** ["Scott Lyons \(EXEL CA\)"; "Lynn S Anderson \(Exel US\)"](#)  
**Subject:** FW: Monitor article  
**Date:** Monday, November 26, 2012 8:18:34 AM

---

FYI

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
[LiquorandWineOutlets.com](#)  
[facebook.com/nhliquorwine](#)  
[twitter.com/nhliquorwine](#)



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**From:** Mary K. Sartwell  
**Sent:** Monday, November 26, 2012 8:16 AM  
**To:** Joseph W. Mollica; Michael R. Milligan; Richard Gerrish; Frank D. Deluca; Nicole A. Brassard; Mark R. Roy; Anne Bogart; Andrew Davis; Craig W. Bulkley; Stephen J. Judge; John D. Bunnell  
**Subject:** FW: Monitor article

FYI

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
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**From:** Jeff Eisenberg [mailto:JeffE@evradvertising.com]  
**Sent:** Saturday, November 24, 2012 9:01 AM  
**To:** Mary K. Sartwell  
**Cc:** Kristin Hagerman  
**Subject:** Monitor article

<http://www.concordmonitor.com/news/work/business/2969330-95/bow-town-warehouse-contract>

**From:** [Mary K. Sartwell](#)  
**To:** [Joseph W. Mollica](#); [Michael R. Milligan](#); [Richard Gerrish](#); [Frank D. Deluca](#); [Nicole A. Brassard](#); [Mark R. Roy](#); [Anne Bogart](#); [Andrew Davis](#); [Craig W. Bulkley](#); [Stephen J. Judge](#); [John D. Bunnell](#)  
**Subject:** FW: Monitor article  
**Date:** Monday, November 26, 2012 8:15:49 AM

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FYI

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
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**From:** [Michael R. Milligan](#)  
**To:** [Gordon Heins](#); [Joseph W. Mollica](#)  
**Subject:** RE: Warehouse Contract Award Press Release  
**Date:** Wednesday, November 21, 2012 10:43:25 AM

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Yes they are Gordon.

Have a nice holiday.

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**Sent:** Tuesday, November 20, 2012 3:17 PM  
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Things are looking up!

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Best regards,

Mike

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*Executive Councilor Elect Van Ostern (Colin),*

*I look forward to meeting and working with you also in the upcoming years ahead. My best to you, Kristyn and your families during the Thanksgiving and Holiday Season.*

*Sincerely,*

*Joe M*

*Joseph W. Mollica*

Chairman  
NH Liquor Commission  
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**Date:** Wednesday, November 21, 2012 9:46:24 AM

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Kristin, thanks. I saw this and agree, this is the one that will continue on.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
[LiquorandWineOutlets.com](http://LiquorandWineOutlets.com)  
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[twitter.com/nhliquorwine](https://twitter.com/nhliquorwine)



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**From:** Kristin Hagerman [mailto:[KristinH@evradvertising.com](mailto:KristinH@evradvertising.com)]  
**Sent:** Wednesday, November 21, 2012 9:46 AM  
**To:** Mary K. Sartwell  
**Subject:** Long Term Warehouse Contract - Nashua Telegraph Story

Hi Mary,

Listed below is a link to today's story in the Nashua Telegraph. I have made Jeff aware of the story so we can stay on top of anything that might develop from it.

<http://www.nashuatelegraph.com/news/984561-469/nashua-warehouse-loses-out-to-national-chain.html>

Kristin Hagerman  
Account Executive  
(603) 647-8606 x209



Eisenberg,Vital & Ryze Advertising  
155 Dow Street, Suite 101  
Manchester, NH 03101

**From:** [Mary K. Sartwell](#)  
**To:** [Joseph W. Mollica](#); [Michael R. Milligan](#); [Richard Gerrish](#); [Craig W. Bulkley](#); [John D. Bunnell](#); [Stephen J. Judge](#); ["Scott Lyons \(EXEL CA\)"](#); ["Lynn S Anderson \(Exel US\)"](#)  
**Cc:** [Anne Bogart](#)  
**Subject:** Warehouse Services Contract Award Press Coverage  
**Date:** Wednesday, November 21, 2012 8:39:12 AM  
**Attachments:** [Union Leader\\_11.21.12\\_Warehouse.pdf](#)

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Press coverage to date:

Industry News Update (below)

Union Leader (attached)


Nashua Telegraph <http://www.nashuatelegraph.com/news/984561-469/nashua-warehouse-loses-out-to-national-chain.html>

Mary K. Sartwell  
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**From:** Mark Brown [mailto:[mbrown@buffalotrace.com](mailto:mbrown@buffalotrace.com)]  
**Sent:** Wednesday, November 21, 2012 4:55 AM  
**To:** Mary K. Sartwell  
**Subject:** Industry News Update

 Please consider the environment before printing this e-mail.

Just wanted to take a minute to wish everyone a very happy and safe  
Thanksgiving holiday!!

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## Drug Bust Reveals Meth Now Being Disguised as Liquor

Source: ABC News  
By COLLEEN CURRY  
Nov. 20, 2012

A drug bust on one of California's most popular trafficking routes this week turned up liquid drugs disguised in liquor bottles, a new trend police are trying to combat.

On Monday, California Highway Patrol officers found 15 Mexican-brand tequila bottles that were actually filled with 56 pounds of liquid

methamphetamine. The bust came during a drug stop on the heavily-trafficked Interstate 5 in Fresno County.

According to the California Highway Patrol, Mexican drug cartels have begun manufacturing drugs in liquid form to send north into the United States and Canada, shipping the drugs disguised in liquor bottles.

The Highway Patrol found the drugs after pulling over a vehicle driven by Rene Diaz, 22, and Veronica Carrasco, 38, both of Oregon, on Monday afternoon. According to spokesman Matt Radke, the officer noticed the drivers "acting nervously," and used his drug sniffing K9 to search the vehicle.

Radke noted that officers commonly travel with K9s on Interstate 5 because of its prominence as a drug trafficking route through the US from Mexico to Canada.

"This is a new trend of transportation from Mexico to the States," Radke said.

The amount of methamphetamine seized is estimated to be worth more than half a million dollars, he said.

"At this level of amount, it is going to be distributed all over the place. Once it gets to the final form, the powdered form, it's going to be disseminated throughout the country," he told ABC News affiliate KFSN.

Diaz and Carrasco originated from Southern California for their trip and told officers they were heading to Oregon. The bottles, he noted, had labels that were completely in Spanish.

The pair was charged with federal drug trafficking and attempting to traffic across state lines and are being held in Fresno County jail.

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**REMY COINTREAU : François Hériard Dubreuil  
Appointed Chairman of Rémy Cointreau**

Source: 4 Traders  
11/20/2012

The Board of Directors of Rémy Cointreau (Paris:RCO) has, today, appointed M. François Hériard Dubreuil as Chairman of the Board of Directors.

As announced at the AGM on 26 July 2012, Mme Dominique Hériard Dubreuil confirmed her intention to relinquish her Chairmanship of Rémy Cointreau at the end of 2012. She will, however, remain a Board member of Rémy Cointreau, Chairman of E. Rémy Martin & Cie and of Cointreau.

M. François Hériard Dubreuil stated: "I would like to thank the Board for the trust it has placed in me, which demonstrates and reaffirms the family's involvement in the continued implementation of the Group's development strategy".

François Hériard Dubreuil

François Hériard Dubreuil was Chairman of the Rémy Martin Group from 1984-1990, Chief Executive of the Rémy Cointreau Group from 1990-2000, and Chairman of the Supervisory Board of Rémy Cointreau from 2000-2004. He is Chairman of the Management Board of Andromède (the family holding company), and Chief Executive of several subsidiaries, including Orpar, Rémy Cointreau's holding company. He has also been Vice-Chairman of Dynasty Wines (Tianjin) since 1980.

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## **New Hampshire: NEW HAMPSHIRE LIQUOR COMMISSION AWARDS TWENTY-YEAR WAREHOUSE SERVICES CONTRACT TO EXEL INC.**

New Facility in Bow Will Begin Shipping in November of 2013

Source: NHLC  
Nov 20th

The New Hampshire Liquor Commission (NHLC) announced today that the twenty-year warehouse services contract has been awarded to Exel Inc.

(Exel). The contract term of twenty years was established to allow for vendor financing and to attract world-class bidders, local, national and international. The new contract, which goes into effect in November of 2013, is expected to result in significant savings to the New Hampshire Liquor Commission, its business partners and consumers.

"This contract award is a significant milestone in enhancing the service and revenue we provide to the State of New Hampshire," stated NHLC Chairman Joseph Mollica. "The efficiencies and service advances provided by Exel will substantially upgrade our operations and bolster our competitive advantage."

Compared to the rates in the current contract, in the first thirty months of the new contract, the NHLC projects approximately \$3 million in savings as a result of reduced costs. The projection for business partners and consumers is approximately \$4 million in savings during this same period of time.

Exel is based in Westerville, Ohio, and is a recognized world leader in contract logistics and supply chain management. Exel provides supply chain design, consulting, warehousing, fulfillment, and transportation services to help companies be more productive, more efficient and more competitive. Exel has established itself as the country's leading logistics provider through work for clients that include some of the largest and most successful retail and consumer goods companies.

As the new warehouse services provider, Exel will now move forward with improvement plans which include a new warehouse site, state-of-the-art systems, and a building designed specifically for the needs of the NHLC and its customers. The new warehouse will be located in Bow and is scheduled to begin shipping on November 1, 2013. The 50,000 square foot warehouse on Storrs Street in Concord owned by the NHLC will remain in service. In total, the warehouse system will store, manage, and distribute over 10,000 individual SKUs of wines and spirits.

"We are excited about this opportunity to bring our experience and expertise to the warehousing services of the New Hampshire Liquor Commission," said Fred Takavitz, Senior Vice President, Exel. "We look forward to further enhancing the success of these operations, which in turn

ensures the success of the service and revenue provided to the State of New Hampshire by the NHLC."

Exel was selected from five vendors that submitted proposals. All five vendors proposed a new warehouse site, emphasizing a smooth transition as an important requirement. The evaluation criteria included considerations such as vendor experience, pricing, financial stability, transition, information systems, service and innovation. The bid process was intensive and required the vendors to make competitive adjustments in order to stay in contention. At the conclusion of a thorough decision process, the Commission unanimously agreed that Exel provided the best overall solution.

The NHLC acknowledges with gratitude its long-term working relationship with Law Warehouses.

INU Editor Note: Additional information

Exel is part of the SUPPLY CHAIN division of Deutsche Post DHL, the world's leading logistics group, with more than 300,000 employees in more than 220 countries and territories around the world and 2009 annual revenues of more than 46 billion euros.

<http://www.exel.com/exel/index.jsp>

Connect Logistics Services Inc. [www.connect-logistics.com/](http://www.connect-logistics.com/) Large third party logistics company in Canada. Specializes in handling alcohol and spirits. A subsidiary of Exel Logistics.

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## **Global Beer: The Road to Monopoly**

Source: Corporate Crime Reporter  
November 20th, 2012

Will the unthinkable happen?

A merger of the world's top two beer companies into a gargantuan monopoly?

And if a megamerger does materialize between the two giant multinational companies - ABInBev - parent of Anheuser-Busch - and SABMiller Ltd. - parent of MillerCoors and MolsonCoors - will antitrust authorities allow it to happen?

Those are two questions posed by a report released last week by the American Antitrust Institute (AAI).

The report - Global Beer: The Road to Monopoly - was written by Bernard Ascher.

Ascher is an economist who retired from the Office of the U.S. Trade Representative after 42 years of government service. He's now an AAI research fellow.

Right now, the U.S. beer market is a duopoly, with ABInBev and SABMiller together controlling 80 percent of the U.S. market.

Together they control about a third of the global market.

Is it possible that the unthinkable could happen - a merger of the world's two top brewing companies into a global monopoly - or at least a virtual monopoly?

Ascher concludes that it's "conceivable," despite the fact that, as noted by a TV reporter in St. Louis, a combination of Anheuser-Busch InBev and SABMiller "would be like a merger of Catholics and Protestants."

Ascher says that "rumors continue to fly about a potential deal and speculation has reached the stage where bankers and analysts are reported to have considered some possible divestitures that would have to be made to satisfy antitrust authorities."

If this acquisition were to happen, how would U.S. antitrust authorities react? In response, Ascher poses more questions.

Ascher cites a Reuters report quoting a "the banker who worked for one of the big brewers" who believes that ABInBev (or SABMiller) would have to divest \$13 billion of holdings "to get around antitrust issues in the U.S. and

China."

To satisfy U.S. authorities, the banker further concludes that this would involve a spin-off of MillerCoors, probably to MolsonCoors.

"Has the banker conferred with U.S. antitrust officials?" Ascher asks. "Why is there another assumption that Chinese officials will require some divestiture? Has the banker met with Chinese antitrust officials? There is more here than meets the eye."

"These calculations suggest that there is a limit to the market share that U.S. antitrust officials permit for a single company," Ascher says.

"Presumably, the 'banker' believes that authorities can tolerate an 80 percent market share for a duopoly, but perhaps not for a single entity. Is there an implicit limit based on market share? Would this be a departure from the current DOJ-FTC merger guidelines? Could the contemplated transaction bring about 'economic efficiencies' that will meet requirements of the current guidelines - regardless of the level of industry concentration?"

While the duopoly and possible merger may be good for the beer companies, it's bad for consumers.

"In the event of a big merger or acquisition, it is likely that the new giant brewer would not pass along any cost savings to consumers," Ascher concludes.

"It is more likely that it would raise prices, especially when costs of ingredients rise. Consumers will face higher prices. Since the mergers of 2008, both ABInBev and SABMiller have benefitted from higher beer prices with revenues more than needed to cover increased costs of inputs. Increases in profits, dividend payouts, and the image of greater market power have rewarded the corporations with higher stock values. From a consumer standpoint, however, the transactions have resulted in no benefits, but rather in higher prices."

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**Sanford C. Bernstein Reaffirms Market Perform**



## Rating on Pernod Ricard SA (RI)

Source: Daily Political  
by Latisha Jones  
November 20th, 2012

Pernod Ricard SA (EPA: RI)'s stock had its "market perform" rating reaffirmed by research analysts at Sanford C. Bernstein in a report released on Tuesday. They currently have a \$121.79 (?95) target price on the stock.

Pernod Ricard SA traded up 2.00% on Tuesday, hitting ?85.01. Pernod Ricard SA has a 1-year low of ?63.77 and a 1-year high of ?91.11. The company has a market cap of ?22.401 billion and a price-to-earnings ratio of 19.29.

A number of other firms have also recently commented on RI. Analysts at RBC Capital upgraded shares of Pernod Ricard SA to an "outperform" rating in a research note to investors on Tuesday, November 13th. They now have a \$115.19 price target on the stock. Separately, analysts at CIC Securities reiterated a "hold" rating on shares of Pernod Ricard SA in a research note to investors on Monday, November 12th. They now have a \$105.06 price target on the stock. Finally, analysts at AlphaValue reiterated a "reduce" rating on shares of Pernod Ricard SA in a research note to investors on Thursday, November 1st. They now have a \$114.94 price target on the stock.

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## Beer is Favorite Alcohol Category Overall But Spirits Winning Among Women and Age 21-27, Study Shows

Source: Consumer Edge Insight  
Nov 20th

A recent survey of alcohol consumer behaviors in the United States showed that while beer may be by far the most popular alcoholic beverage category in terms of per capita consumption, what consumers name as their favorite category of alcoholic beverage is different from actual

consumption, and consumers' favorite category varies significantly across different demographic groups.

Overall, 39% of alcohol consumers name beer as their favorite category, followed by spirits at 31%, wine at 25%, flavored malt beverages at 4%, and alcoholic cider at 1%. This compares to beer/cider/flavored malt beverages capturing 53% of servings of alcohol in the US in 2011, spirits capturing 31% and wine 16% on an equivalent -servings basis (according to industry data analyzed by Consumer Edge Research).

There is a wide gender gap when it comes to alcoholic beverage preferences, according to the Consumer Edge Insight survey. Among all men, beer is by far their favorite alcoholic beverage with 50%, while 29% name spirits. 17% name wine, 3% name flavored malt beverages and 1% name cider. Among women, wine grabs the number one spot with 36% naming it as their favorite, followed closely by spirits with 33%. Beer falls into a distant third-place among women with 24%, followed by flavored malt beverages with 9% and cider with 1%.

Younger alcoholic beverage drinkers have very different preferences than older people. For 21-27 year olds, a key target for many alcoholic beverage producers, spirits beats beer as the favorite by a narrow margin, 36% to 34%, with wine at 19%, flavored malt beverages at 9% and cider at 3%. Beer is the most preferred category among 28-34 and 35-54 year olds, by 46% and 44% respectively, by a wide margin over spirits and wine in those age groups. But for people age 55 and older. their preferences show a three-way tie with wine, spirits and beer each being named by about 33%.

Looking at different racial and ethnic groups, Caucasians favor beer over other categories by a wider margin, with 35% naming beer as their favorite, followed by spirits (30%), wine (26%), and flavored malt beverages (4%). Hispanics like beer and spirits about equally, 34% and 33% respectively, while 27% name wine and 5% name flavored malt beverages. African-Americans also like beer and spirits equally, 35% for each, with 20% naming wine and 7% naming flavored malt beverages.

"While beer is still the most-consumed and is the favorite alcoholic beverage of the most people, there are reasons for brewers to worry." said

David Decker, President, Consumer Edge Insight. "The sizable gender gap in preferences is not new, but is a key issue that needs to be addressed. And the bad news is that young adults age 21-27 are more likely to prefer spirits to beer. The fast-growing Hispanic group also has a less strong preference for beer. Targeting these groups with relevant marketing and product innovation will be critical for the beer category to maintain its consumption advantage. And the high number of people who name wine as their favorite alcoholic beverage category suggests that category is likely to continue to grow"

#### ABOUT ALCOHOLIC BEVERAGE DEMANDTRACKER

Alcoholic Beverage DemandTracker provides an in-depth analysis of the key economic and attitudinal factors impacting alcoholic beverage demand. Data for the most recent wave of Alcoholic Beverage DemandTracker was collected in June via an online survey of over 2,500 US consumers, age 21 and over, designed and weighted to be representative of the US adult alcohol-drinking population. Some of the topics addressed include drivers of change in alcohol category consumption, the impact of economic factors and secular trends on overall alcohol consumption and by category, channel behaviors, ways to increase category consumption, and numerous brand metrics. The research covers the beer, spirits, wine, cider, and flavored-malt beverage categories including the largest brands in each category.

To learn more, call David Decker at (203) 504-7558 or send an email to [ddecker@consumeredgeinsight.com](mailto:ddecker@consumeredgeinsight.com)

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## **Redhook reaches settlement in worker's death (Excerpt)**

Source: Fosters.com

By Jim Haddadin

Wednesday, November 21, 2012

Federal workplace safety officials have agreed to lower the combined \$63,500 in fines against Redhook Ale Brewery in Portsmouth after reaching a settlement with the owner regarding a fatal keg explosion in April.

Ben Harris, a 26-year-old brewery worker, was killed when a plastic keg he was cleaning with pressurized air exploded, striking him in the head and chest.

OSHA concluded the brewery was at fault in the death because its equipment for emptying kegs was operating at a pressure that exceeded the maximum threshold recommended by the manufacturer of the plastic keg.

[http://www.fosters.com/apps/pbcs.dll/article?AID=/20121121/GJNEWS\\_01/121129786/-1/FOSNEWS](http://www.fosters.com/apps/pbcs.dll/article?AID=/20121121/GJNEWS_01/121129786/-1/FOSNEWS)

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## **Resources Needed for Teens**

Source: Campaign for a Healthy Alcohol Marketplace  
by Pamela S. Erickson  
Nov 20th

Several years ago, I worked with a group of high school kids that had "alcohol and drug problems." They met twice a week as a group with an alcohol and drug counselor at a local high school. This was one of the saddest and most inspiring experiences of my life. Most of these kids came from chaotic homes with drug or alcohol addicted family members. They were nice kids, eager to do something positive, and grateful that someone would pay attention to them. Very few had ever been to any sort of treatment facility or program for youth. Several spent part of their year homeless or "couch surfing." There were simply no facilities or programs for these youth. They generally believed that no one really cared about them.

How did this happen? Probably no one thought youth as young as 12 would become addicted. We probably didn't see that kids would start drinking in middle school. And, we probably didn't think girls would become addicted at rates higher than boys.

According to the Substance Abuse and Mental Health Services Administration, more than 1.16 million adolescents needed but did not

receive treatment for drug problems and more than 1.3 million needed but did not receive treatment for alcohol problems. Alcohol continues to be our kids' drug of choice and unmet needs for treatment were higher for females.

Our culture glorifies alcohol (and sometimes drug) use. As one of the students said to me, "TV makes alcohol seem fun and glamorous, but I was in a dark place every day that I was addicted."

Given our budget problems, the chances of a whole new series of treatment programs are probably slim, but there is a program that offers hope for kids in a very cost-effective way. It's called Teen Addiction Anonymous.

Teen AA is a unique program, created by teens for teens. In 2003, a group of high school students voiced an interest in designing a 12-step program for teens. Many of these students had attended adult AA programs, but wanted a program specifically for them. Thus, a teen version of AA came into being.

In order to operate in public venues such as schools, some changes were made: The 12 steps were edited by concentrating on the words "Higher Power, as I define it" and changing the word "prayer" to "pledge." In 2009, for the first and only time, Alcoholics Anonymous World Services approved Teen AA's "new" 12 Steps. Teen AA now operates in several Arizona high schools and the Arizona Juvenile Corrections facility.

The program trains adult facilitators and two attend each meeting. Data collected for the program indicates that participants improve in behavior, attendance, graduation rates and overall success. For information about the program, go to their website [www.teenaddictionanonymous.org](http://www.teenaddictionanonymous.org).

Certainly we need more programs for youth with addiction problems, but the best answer is prevention. We need to continue to do all we can to prevent our kids from drinking or doing drugs in the first place. Public health officials provide good advice about the policies that work: a good alcohol regulatory system, effective parent action and good community resources. After all, our kids are our future.

## Youth Involvement

I strongly recommend that prevention advocates and local coalition members develop prevention projects that involve working with youth. The picture featured in this email came from such a project. The kids in this picture developed a campaign designed to reduce drinking in their high school. They used a "social norms" survey of students to determine how many kids were drinkers. Then, they developed an information campaign designed to inform students that, in reality, most kids don't drink. And, they asked everyone to suggest ways they could help reduce destructive drinking patterns. It was one of the cleverest, most impressive information campaigns I have ever seen.

Kids will really amaze you if you give them a chance!

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## **Hospices critics hail 'impressive' Burgundy 2012**

Source: Decanter  
by Panos Kakaviatos in Beaune  
Tuesday 20 November 2012

Experts who tasted the 43 wines from the recently harvested 2012 vintage - later auctioned at the Hospices de Beaune - were surprised at the high quality of the wines, in spite of bad weather conditions that led to one of the smallest harvests ever.

The number of Hospices auction lots represented the smallest amount for 25 years, according to Roland Masse, manager at the Domaine Hospices de Beaune - a reflection of decreased volumes overall in the region.

The Burgundy Wine Council (BIVB), for example, reported 25% lower volumes in the Côte de Nuits as compared to last year. Hail-hit vineyards of the Côte de Beaune led to 40-50% lower volumes.

Although spring and early summer were bad - with rain at bud break, mildew and oidium and hail in the Côte de Beaune - a fine late summer and continued good weather through to the harvest led to a small, if excellent quality of grapes, according to winemakers like Philippe Prost at

Bouchard Pere & Fils. '2012 has the potential to be a great vintage, particularly for red wines.'

According to Masse, the few grapes that remained proved concentrated, with good acidity and good degrees. 'Less grapes in bunches allowed for a cleaner harvest, especially with windy, dry weather leading up to the harvest, so that in the end, we did not have grey rot,' Masse emphasized.

Although at a very early phase - samples had not yet undergone malolactic fermentation - the aromas, concentration levels and overall purity pleased many experienced palates.

'After such a freakish year, I thought the wines would be unwieldy, but there was a lot of balance and concentration, and the wines were, for the most part, very clean,' Neil Beckett, editor of World of Fine Wine, said

'My general impression is that the wines are impressive with fine concentration and precision,' Michael Apstein of the American journal Wine Review Online said.

Australian blogger and Burgundy expert Greg Love said 2012 is 'an exciting vintage' with wines exuding 'energy and structure as well as fruit for the most part.'

Observers also note that prices are likely to go up because of increasing demand for Burgundy in most markets, coupled with low stocks.

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## **Priced-out Bordeaux fans shop elsewhere**

Source: the drinks business  
by Gabriel Savage  
20th November, 2012

UK fine wine lovers are abandoning Bordeaux in favour of other regions, as high prices and a run of good European vintages encourage them to seek alternatives.

"If you put wines in front of people that are interesting and good enough,

they're more willing to try it than 10 years ago", Giles Burke-Gaffney, buying director at Justerini & Brooks told the drinks business. "These things catch on more quickly than they used to."

As a sign of this widening fine wine focus, Burke-Gaffney revealed that "Burgundy, Rhône and Italy sales are booming", with Burgundy in particular "bigger than ever before".

Presenting a combination of factors contributing to this shift, he remarked: "07 and 08 in Barolo were great vintages - there's lots of noise so people want to see what all the fuss is about - but it also shows a broadening out of people's horizons; they're being pushed into areas they'd never considered."

Presenting the UK-based merchant's 2011 Rhône en primeur offer, Burke-Gaffney was upbeat about the quality, without expressing too much concern that the vintage had failed to receive the same critical acclaim as 2010 and 2009.

"We sort of need a vintage like this to be able to offer customers something that's drinking well now", he commented, highlighting particular demand for these styles among J&B's restaurant clientele.

This early-drinking appeal is particularly true of the Southern Rhône in 2011, whose wines, Burke-Gaffney suggested, "will be drinking nicely in two to five years time."

Summarising 2011 in the south as "a very fruity, easy vintage to taste", he added: "The wines are very balanced - the alcohols are not ridiculously high as they can be in 'great' vintages."

As for the Northern Rhône, Burke-Gaffney was even more complimentary, describing it as "a really lovely vintage, but with more substance than the south. It will be reasonably early drinking as well."

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**Vinexpo 2013 dates confirmed**



Source: Drinks International  
By Lucy Britner  
19 November, 2012

The 17th Vinexpo exhibition is to be held from 16-20 June 2013 at the Bordeaux Lake Exhibition Centre.

Exhibitors at the 2011 exhibition represented 47 countries and according to organisers, similar attendance is anticipated for 2013.

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## **NZ winemakers toast brighter outlook**

Source: The Australian  
Lucy Craymer  
November 21

NEW Zealand's wine industry has news worth toasting: an oversupply of grapes that tainted the country's reputation as a maker of premium wines has peaked.

New Zealand's wine grape harvest for the 2012 season was 18 per cent lower on year due to cool weather. This has combined with a shortage of grapes in California and increasing consumption of wines in Asia, particularly China, to boost demand.

"The smaller vintage is having a significant impact on our supply demand equation in the industry," said New Zealand Wine chief executive Philip Gregan. "Grape grower and wineries are looking more positively to the future than they have been for a little while. It's certainly not all doom and gloom."

The industry has struggled since a bumper grape crop in 2008, coupled with an exponential rise in the number of vineyards in the country, flooded the global market with bulk New Zealand wine. The surplus created opportunities for global competitors such as UK supermarket chains to bottle wine under their own labels and undercut the previously exclusive New Zealand brand.

Digital Pass \$1 for first 28 Days

Over the past four years, however, the industry has consolidated with a number of takeovers in the sector and several wineries being shut down. These include the decision by French liquor company Pernod Ricard to sell 12 brands to Lion and close its Napier Winery.

The average price of New Zealand wine fell in the year to June 30 as bulk wine rose to around 35 per cent of the country's wine exports. But there are indications that the smaller harvest in 2013 will see bulk wine exports fall. Furthermore, New Zealand wine is not being exported in bulk to the growing Chinese market so the returns are much better with the average price \$NZ11.47 per litre in 2012.

Asia is an increasing focus for local wineries, with New Zealand Wine opening an office in Hong Kong last month to grow the market further.

"Our outlook is great because we have emerging markets in Asia where the demand is growing quite rapidly," said Terry Peabody, owner and founder of Craggy Range in New Zealand. "With New Zealand wines really coming into favour internationally we can command the price we want if the quality is there."

As the New Zealand wine market comes back into favour, international players are moving to take advantage of demand for local wines; French company Compagnie Vinicole Baron Edmond de Rothschild Winemakers is the latest offshore company to buy land with the intention of establishing an "ultra-premium" single estate wine brand.

ASX-listed Treasury Wine Estates purchased the remainder of its New Zealand joint venture with a plan to increase grapes crushed at its winery by 66 per cent, while the California-based company Foley Family Wines earlier in the year took an 80 per cent stake in New Zealand Wine Co to increase its exposure to the market.

"I have an advantage over a lot of the small wineries. that we have US distribution. The normal New Zealand wine company doesn't have that. I basically have created demand for the Vavasour and Clifford Bay wines and this year we will hit about 75,000 cases (in US sales for both brands) where 2.5 years ago it was zero," said Foley Family Wines founder William P. Foley.

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## **CHRISTIE'S HOSTS TWO ONLINE-ONLY AUCTIONS THIS THANKSGIVING SEASON**

- . Multiples By Matisse From The Matisse Family Collections
- . The Magnificent Cellar of Charlie Trotter's (Part II)

Source: Christie's  
Nov 20th

New York - Thanks to its industry-leading e-commerce capabilities, global auction house Christie's is getting an early start to Cyber Monday, the annual online holiday shopping ritual, when Americans begin their quest to find the perfect holiday gift online. Starting today, shoppers can log on to Christies.com to browse and bid in two new online-only auctions running from now to December 4.

For the art-lover in your life, Christie's presents the Online-Only sale of Multiples by Matisse from the Matisse Family Collections. The selection comprises 96 lots that represent a fascinating cross-section of the artist's graphic oeuvre, including drypoints and etchings from his early career through to large-scale lithographs and aquatints from his later years. All of the works are sourced directly from the artist's family - an impeccable provenance. New collectors as well as established connoisseurs will find a range of techniques, styles and subjects, as well as a wide range of starting estimates, from \$1,000 up to \$50,000. This collection's approachable pricing, along with the added convenience of online browsing and bidding, makes this an ideal sale for those interested in starting their own art collection or looking for the perfect holiday gift.

For wine-lovers, Christie's online-only auction of wines from The Magnificent Cellar of Charlie Trotter's offers more than 440 lots of fine and rare wines from Burgundy, Bordeaux, Rhone Valley, Napa Valley and beyond. Lovingly collected over 25 years by Chef Charlie Trotter and his award-winning sommeliers, this collection ranks among the most anticipated and celebrated restaurant cellar collections ever offered at auction. The auction of Part One of the cellar on November 16 totaled

\$918,000, with nearly every bottle sold. This second and final installment features many more rare treasures, including a 2-bottle lot of 1945 Chateau Haut-Brion, 6 bottles of 1999 Perrier-Jouet La Fleur, and a magnum of cult favorite 2000 Sassicaia. Estimates start as low at \$50 and range up to \$5,000, making this an exceptional opportunity to bring home truly magnificent wines with the added imprimatur of Chef Trotter's legendary, five-star wine cellar.

For both of these sales, all browsing and bidding is done online, with the click of a mouse. Registration is open to anyone, anywhere in the world, and all payment is by credit card within 48 hours of the sale close on December 4. A variety of shipping options and timeframes are available.

To browse the sales and register to bid, please visit:

Multiples by Matisse at Christie's: <http://www.multiplesbymatisse.com>

The Magnificent Cellar of Charlie Trotter's, Part II:

<http://www.christies.com/signaturecellars>

#### Digital Innovation at Christie's

As a 246-year old company, Christie's has proven itself adept at embracing innovation while preserving its core business model. In July 2006, Christie's was the first international auction house to give clients worldwide access to bidding in its saleroom over the Internet, via Christie's LIVE™; by 2007 the system was available across all Christie's salerooms worldwide. Since then, Christie's has continued to invest in digital assets, leading to the redesign of Christies.com in April 2008, the launch of Christie's iPhone and iPad apps in 2009 and 2010, and the introduction of our first online-only auction in 2011.

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## **Domaine de la Romanee-Conti Dominates Again as Acker Merrall Kicks off Holiday Auction Season**

Source: EON  
Nov 19th

\$4.1 Million & over 98% Sold During November NYC Auction at Ciano  
Huge December Hong Kong Auction Next on the Acker Merrall Calendar

Over US\$8 million will be offered December 6-8 at the Grand Hyatt Hong Kong

Superlots of DRC Assorted Cases, La Tache, Haut-Brion, Margaux, Yquem, Screaming Eagle plus rare magnums of 1978 Henri Jaye Cros Parantoux

Domaine de la Romanee-Conti, the legendary Burgundy estate, continued to grab the lion's share of collectors' attention globally during a unique Wednesday night auction session in Manhattan. When the final hammer came down late night at the great Manhattan restaurant Ciano, buyers from Asia, South America, the US and Europe had collectively made DRC the star of the evening. Sixteen of the auction's top twenty-five lots were from DRC. Of those twenty-five, all but two were from the estate's famed monopole vineyards, Romanee-Conti and La Tache.

"Our Wednesday night auction in NYC put another emphatic stamp on the ascendancy of DRC during 2012 as the king of collectible wines, in particular Romanee-Conti and La Tache as the sought after wines for collectors around the world"

The 2002 Romanee-Conti snared the auction's two top lots, as collectors competed to buy two rare, large formats. Three magnums of the 2002 Romanee-Conti led the sale with the winning bidder paying \$61,500. A very rare jeroboam (3 liters) of the 2002 brought \$43,050, a world record for a jeroboam. This is the only time during 2012 that this wine, in this format, has been offered at auction worldwide. The same is true for the auction's fourth highest selling lot, another very rare jeroboam of Romanee-Conti from the much smaller 2003 vintage, which was also a world record. A collector paid \$36,900 for this highly collectible jeroboam when the bidding was all said and done.

Bordeaux shone too during the night at Ciano. Seven of the auction's top twenty-five lots were from that great region in France, represented by the famous estates of Lafite, Latour, Mouton and Petrus. A twelve bottle original wood case of the renowned 1982 Lafite was the third highest selling lot at \$36,900. Three magnums of the great 1998 Petrus fetched \$19,680.

Notable among the auction's top 25 lots was a twelve-bottle case of a

legendary California cabernet. Anyone who has tasted the great 1974 Heitz Cellars Martha's Vineyard knows it fully justifies its reputation. The case sold for \$18,450. Older California cabernets continue to be sought after at auction, a trend that emerged quickly after the summer auction break.

Just a few weeks away, on December 6, 7 and 8 at Grissini in the Grand Hyatt Hong Kong, Acker Merrall will hold its final 2012 Hong Kong auction, an auction that could be the company's largest of the entire year. The list of incredible lots are headlined by a single lot of eight assorted cases from DRC, a 19 vintage vertical of La Tache, a 10 magnum lot of Screaming Eagle, huge verticals of Chateaux Haut-Brion, Margaux and Yquem plus three very rare magnums of Henri Jayer's legendary 1978 Vosne-Romanee Cros Parantoux as well as a case of Leroy's rare and magnificent 1962 Musigny. And these only scratch the surface of what will be a phenomenal three days in Hong Kong. A three days that will include the finest assortment of Italian wines ever to be offered in Hong Kong, including the first ever direct consignment from the cellars of Gaja. For a catalog please download one from [www.ackerasia.com](http://www.ackerasia.com).

"Our Wednesday night auction in NYC put another emphatic stamp on the ascendancy of DRC during 2012 as the king of collectible wines, in particular Romanee-Conti and La Tache as the sought after wines for collectors around the world," said Acker Merrall & Condit's CEO, John Kapon. "Next we are off to finish 2012 in Hong Kong. It's going to be a great three days. As a wine lover I haven't been this excited since the Don Stott auction in November 2011. It's a great catalog with incredible wines and tons of Burgundy and exceptional wines from Italy, the best collection of Italian wines to be offered at auction in Hong Kong, led by the first direct consignment from the cellars of Angelo Gaja. Of course, Bordeaux will be well represented as well, but this sale is about as A to Z as we have seen in HK. We are going to say thank you to our collectors and friends in Hong Kong for a great 2012 in our usual over the top Acker Merrall way."

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**Grapes (and raisins) of wrath: Supreme Court may hear farm program cases**

Source: Kansas City Star  
By Michael Doyle  
Nov 20th

Supreme Court justices on Tuesday will chew over several challenges to farm programs filed by disgruntled California raisin and table grape growers.

One case to be considered behind closed doors Tuesday touches on the state-run California Table Grape Commission. The other challenges a federal raisin-marketing order. In both cases, justices will decide whether the appeals of lower court decisions merit full-bore consideration next year.

In both cases, the legal questions seem arcane, while the consequences affect the real world. They represent the latest fronts in a long-running dispute between farmers who like programs that promote collective action and those who prefer to go their own way.

"These programs were created in a different era," said Steffen Johnson, a lawyer who wrote a brief in support of some dissident raisin farmers, "and frankly, it was an era when farmers didn't have access to international markets."

The grape commission case started with plant patents developed by federal scientists and subsequently licensed to the Fresno-based commission. The legal question now is whether the U.S. Agriculture Department can be sued.

The raisin case began when Fresno-area farmers challenged the authority of a government program that requires them to set aside part of their crop in reserve. The pressing legal questions now include when and how individuals can pursue claims against the government.

"The question is very important," Johnson said. "If you're going to require giving these crops to the government, you're going to have to pay for it."

At least four justices must agree for the court to accept any case, and most petitions are rejected without comment. At first blush, the cases lack the sizzle of others that will be considered Tuesday. These include Idaho's

refusal to allow the insanity defense in criminal trials and the sentencing of a convicted Texas murderer.

But for farmers, they could have long-term consequences. At their core are several dozen marketing orders at the state and federal level, which began during the New Deal as a way to manage fluctuations in farm supplies and prices. The programs cover crops that range from California almonds to Washington state potatoes.

The raisin marketing order requires "handlers" who process and pack raisins to place part of their product in reserve, with an industry committee to decide how much they're to be paid for this set-aside tonnage. Raisin handlers set aside 47 percent of their crop during the 2002-03 season and 30 percent for 2003-04, but they were paid for only part of what they gave up.

"The federal government, without providing the just compensation required by the Fifth Amendment, extracts title to a hefty portion of a farmer's annual raisin crop as a condition for giving the farmer permission to sell the remainder of his crop on the market," attorney Michael W. McConnell, a former federal appellate judge, wrote in a brief for Fresno-area farmers Marvin and Laura Horne.

Unhappy with the raisin program, the Hornes and others formed what the Obama administration termed a "scheme" ostensibly to exempt themselves from the set-aside requirement. The Agriculture Department subsequently ordered the Hornes and their coalition to pay more than \$650,000 in fees and penalties.

In a brief defending the department, Solicitor General Donald Verrilli wrote that the farmers "identify no reason why the imposition of a civil penalty and other assessments for noncompliance with a regulatory scheme constitutes a taking of property without just compensation."

Many growers, moreover, support the marketing order as good for the raisin industry, which the 9th U.S. Circuit Court of Appeals noted last year "has long been an important one in California."

The appellate court rejected the Hornes' challenge, saying farmers were



regulated only after they "voluntarily chose to send their raisins into the stream of interstate commerce."

By contrast, a lower appellate court sided with dissident farmers who are challenging the California Table Grape Commission over different issues.

Grape grower Dan Gerawan joined Delano Farms and others in disputing patents licensed to the table grape commission. Gerawan, whose prior farm program challenges have reached the Supreme Court as well, and other dissidents say the three varieties of grapes already had been put into public use before being patented. The legal question is whether the Agriculture Department has sovereign immunity from the lawsuit challenging the patents.

"Only this court can resolve this matter and bring clarity to this important area of the law," Randolph D. Moss, a former assistant attorney general, wrote on behalf of the grape commission.

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## **Carrefour exits Indonesian business**

Source: FT

By Scheherazade Daneshkhu in Paris

Nov 20th

Carrefour is to sell its business in Indonesia for ?525m (\$673m), **marking the fifth exit from an overseas market** under Georges Plassat, new chief executive, as the world's second-biggest retailer by sales reduces debt and reinvests in its core markets in Europe, China and South America.

The Paris-based retailer said on Tuesday it had agreed to sell its 60 per cent stake in its Indonesian business - its second-biggest in Asia after China by number of stores - to its joint venture partner CT Corp, the banking, media and retail conglomerate controlled by Chairul Tanjung, the Indonesian businessman.

Under the agreement, CT Corp will take full control and Carrefour will become a franchisee - similar to the deal Carrefour struck earlier this year in its exit from Greece.

The Indonesian chain is the third-largest in the country with 84 shops, of which 70 are hypermarkets.

The \$525m headline price for Carrefour's stake comprises \$500m equity and \$25m net cash, giving the entire business an enterprise value of \$830m, which analysts at Espirito Santo bank said was 13 per cent higher than their \$732m estimate.

"Georges Plassat is rapidly delivering on his strategy to exit businesses that others see more value in," said Caroline Gulliver of Espirito Santo, who estimated that Carrefour's net debt would fall to around \$6bn in 2013, down 30 per cent on the group's 2011 net debt of \$9.2bn.

The news could presage an agreement in Turkey, where Carrefour is in negotiations with its minority local partner Sabanci Holding, which holds 38.8 per cent of the Turkish unit against 58.2 per cent held by Carrefour.

The group's Polish operations are also under the spotlight, where eight retailers have roughly the same market share, putting pressure on profitability.

Since becoming chairman and chief executive in May, Mr Plassat has sold out of Malaysia, Colombia and Greece and closed its small business in Singapore, raising \$2.6bn to date, including the Indonesia sale. But he has expanded the group's operations in Argentina, where it is market leader, through acquisition.

The sales are part of a three-year turnaround plan needed to remedy what Mr Plassat has diagnosed as a "serious illness" at the underperforming retailer.

He has put the need to defend the group's key markets in Europe, Brazil and China at the centre of his strategy and his progress is being closely watched by Colony Capital, the US private equity group and Groupe Arnault, headed by luxury goods tycoon Bernard Arnault, which between them own 16 per cent of the equity.

The activist shareholders are sitting on large paper losses, having

originally invested in 2007, when the shares traded at around ?50 a share.

The shares were one of the few risers in a downbeat French stock market, trading 2 per cent higher mid-morning at ?18.45.

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## **Enterprise Inns focuses on paying debts**

Source: FT  
By Roger Blitz, Leisure Industries Correspondent  
Nov 20th

Selling more beer is not as relevant to the financial health of Enterprise Inns as paying off its debt, the pub group's chief executive suggested after posting a fall in pre-tax profit for 2012.

Enterprise Inns faced a period of "flat calm" during which the focus of the tenanted pub group had to continue to be on its long-term financing structure, Ted Tuppen said.

Net debt continues to be the biggest challenge for the group, which has 5,900 pubs on its estate. But its cash generation helped to reduce net debt by £266m to £2.7bn, and Mr Tuppen pointed at a 21 per cent rise in the average price of its bonds in the 12 months to September as evidence of the group's relative stability.

Mr Tuppen said there was "a sentimental importance" attached to like-for-like sales, but added that they were relatively immaterial. "Compared to the impact of paying off debt, "being 1 per cent up or down is a bit at the margins", he said.

"Realistically, the most important thing to create value for shareholders is to simply pay down our debt."

In terms of next year, Mr Tuppen said: "There is nothing in the economy that is going to set trading alight. It will be a period of flat calm."

Pre-tax profit fell from £157m last year to £137m, and like-for-like net income was down 1.1 per cent, compared to a fall of 4.3 per cent in 2011.

However, in the 81 per cent of its pubs where publicans had been in occupation for at least a year, net income growth was up 2.2 per cent.

Of the three big events of the year, the weather damped hopes of strong trading from the diamond jubilee while Euro 2012 trading was largely flat. As for the Olympics, the stay-at-home factor dragged beer volume sales down by 8 per cent on a like-for-like basis.

Revenues were £692m compared to £711m the previous year. Pre-exceptional earnings before interest, tax, depreciation and amortisation were down more than 7 per cent to £340m. No dividend was paid.

Enterprise disposed of 301 pubs, raising £208m, in the period. It said 199 of these pubs were unsustainable. It said it would pare down the size of its estate to 5,200 over the next three years and spend £180m on improving the estate's quality. Its shares closed up 0.75 per cent at 67.25p.

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## **Ruby Tuesday names JJ Buettgen CEO**

Buettgen resigned from his position as SVP and chief marketing officer at Darden to take the role

Source: NRN  
Erin Dostal  
Nov. 19, 2012

James J. "JJ" Buettgen has stepped down from his position as senior vice president and chief marketing officer at Darden Restaurants, Inc. to become president and chief executive officer at Ruby Tuesday, Inc.

The resignation is effective immediately, and he will begin his new position on Dec. 1. Buettgen will replace company founder Sandy Beall, who announced his retirement from Ruby Tuesday in June.

During his time at Darden, which operates more than 2,000 company-owned casual dining restaurants, Buettgen had also served as senior vice president of business development and as president of Smokey Bones Barbeque & Grill.

Ruby Tuesday chief people officer Rob LeBoeuf said Buettgen's history with Darden was partly what made him a strong candidate for the chief executive position. He added that Buettgen's experience as a chief marketing officer was also a plus, and that it made him a "natural pick" for the position. "In the environment that we're in today, it's really important that you're able to market; it's a share game," LeBoeuf noted. "It's important to have an organization that's really able to drive sales."

Ruby Tuesday first began its search for a new chief executive in July, LeBoeuf said. Since then, he noted, the company had looked at several different candidates. "It was a good, sound process," he said.

Matt Drapkin, Ruby Tuesday's lead director who was appointed chairman of the board, effective Dec. 1, said he believes Buettgen's experience at Darden will make him an asset to the company. "We have tremendous opportunity ahead of us and JJ's strategic thinking and brand marketing experience will be very valuable," he said in a statement.

Today, Orlando-based Darden released a statement announcing Buettgen's resignation. "We understand and respect JJ's desire to lead an organization and we wish him well in his new endeavor," said Drew Madsen, Darden's president and chief operating officer, in the statement.

Darden has not yet named a new chief marketing officer.

Worldwide, Ruby Tuesday operates 712 company-owned restaurants and franchises 78 units. The company is based in Maryville, Tenn.

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## **New Mexico: Total Wine to open two ABQ locations**

Source: New Mexico Business Weekly  
by Steve Ginsberg  
Tuesday, November 20, 2012

Total Wine & More is coming to New Mexico with two Albuquerque superstores.

Leases have been signed for locations at Uptown's former Morgan Stanley location at 6701 Uptown Blvd and at Cottonwood Corners in the former Borders book store space.

The Maryland-based chain's vice president of real estate, Phillip Armstrong, confirmed the openings and anticipates both stores will be in open by the middle of next year. He said two stores in the Duke City would be enough.

The chain is on a national rollout and currently has 84 stores in 11 states. A typical store features 3,000 different spirits, including 2,500 varieties of beer, with unusual microbrews and hard-to-find niche labels. The company broke \$1 billion in sales in 2011 after 20 years in business.

Geltmore LLC, owner of the former Morgan Stanley space, confirmed a 24,000-square-foot Total Wine store would open by next April. Geltmore's Silverman family sought a high-profile retailer to replace Morgan Stanley for nearly a year, and competed with shopping centers throughout the Duke City to land Total Wine.

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## **Iowa: Inaugural Symposium 21 Success**

Source: IABD  
Nov 20th

Last week the Iowa Alcoholic Beverages Commission (Commission) in conjunction with the Iowa Alcoholic Beverages Division (ABD) hosted Symposium 21: From Production to Consumption in Sioux City, Iowa.

"The intent was to bring together policy makers, industry professionals, local authorities and prevention experts for a discussion on the role of the three-tier regulatory framework in the alcohol marketplace," said ABD Administrator Stephen Larson. "With 120 people in attendance, the first annual symposium was a great success."

The symposium featured panels both from Iowa's alcohol industry and experts from around the country. Iowa Assistant Attorney General John Lundquist summarized the three-tier system that requires that alcohol

manufacturers only sell to wholesalers who may exclusively sell to retailers. Only retailers may sell alcoholic beverages to consumers.

Bob Wersen, owner of Tassle Ridge Winery in Leighton, Iowa, spoke of Iowa's long history of wine making. Iowa was the sixth largest grape producing state prior to national alcohol prohibition and today has nearly 100 licensed wineries contributing \$234 million annually to Iowa's economy.

City officials from Sioux City, Iowa City, Waterloo and Des Moines shared the opportunities and challenges experienced by their communities. Regulating in a climate of deregulation, as well as Washington State's recent alcohol deregulation, were covered by multiple national presenters.

One panel discussed the role of alcohol regulations in protecting public health, safety and welfare. National prevention experts examined the effectiveness of the checks and balances established by the three-tier system to prevent business practices that threaten tier independence, promote responsible use and protect the public.

The final panel had a roundtable discussion on today's onslaught of innovative new products, online marketing and evolving business models that are blurring the lines between the tiers and product categories. These emerging trends in the beverage alcohol industry are impacting the three-tier system.

"The Commission plans to make Symposium 21 an annual event that will travel to different parts of Iowa each year," said Commission Chair Jim Clayton. "It is very important that stakeholders and policy makers have the opportunity for open, informative and frank discussion as individual state control of alcohol regulation is under scrutiny around the nation."

Symposium 21's name references the 21st Amendment, which repealed national Prohibition, the 21st century and the 21-year-old legal drinking age. The word symposium is from ancient Greek times when people would gather for drinks and discussion following a banquet.

Detailed agenda, speaker biographies and materials are available at [Symposium21.com](http://Symposium21.com) and [IowaABD.com](http://IowaABD.com).

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## **Scotland: Clampdown on alcohol tax fraud imminent**

Source: OLN  
By Nigel Huddleston  
20 November, 2012

HMRC has set up a taskforce to tackle tax fraud in the alcohol industry in Scotland.

It said the move was hoping to recover around £4 million.

The force will visit traders to check records and carry out other investigations, and is one of 30 set up by HMRC in various business sectors since May of last year.

Danny Alexander, chief secretary to the Treasury, said: "It is just not fair that while Most people in Scotland are paying the right tax, a tiny minority are not paying what they should.

"We will not tolerate tax evasion and will crack down on the minority who choose to break the rules."

Taskforces are specialist teams that undertake intensive bursts of activity in targeted trade sectors and locations deemed by HMRC to be high risk.



**From:** [Scott Lyons \(EXEL CA\)](#)  
**To:** [Mary K. Sartwell](#); [Lynn S Anderson \(Exel US\)](#)  
**Cc:** [Craig W. Bulkley](#); [Stephen J. Judge](#); [John D. Bunnell](#); [Richard Gerrish](#)  
**Subject:** Re: Warehouse Contract Award Press Release  
**Date:** Tuesday, November 20, 2012 4:54:08 PM

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If you could send the press coverage that would be great.

We look forward to working with you as well.

Scott Lyons

Telephone: 905 366-7691



[www.exel.com](http://www.exel.com)

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**From:** Mary K. Sartwell [mailto:[mary.sartwell@liquor.state.nh.us](mailto:mary.sartwell@liquor.state.nh.us)]  
**Sent:** Wednesday, November 21, 2012 05:40 AM  
**To:** Lynn S Anderson (Exel US); Scott Lyons (EXEL CA)  
**Cc:** Craig W. Bulkley <[cbulkley@liquor.state.nh.us](mailto:cbulkley@liquor.state.nh.us)>; Stephen J. Judge <[stephen.j.judge@liquor.state.nh.us](mailto:stephen.j.judge@liquor.state.nh.us)>; John D. Bunnell <[jbunnell@liquor.state.nh.us](mailto:jbunnell@liquor.state.nh.us)>; Richard Gerrish <[rgerrish@liquor.state.nh.us](mailto:rgerrish@liquor.state.nh.us)>  
**Subject:** Warehouse Contract Award Press Release

Lynn & Scott, the press release and media fact sheet went out earlier this afternoon according to plan. Would you like me to share press coverage with you or do you have a service that does that for you? Thanks for your availability and quick turnaround on the announcement. I look forward to working with you in the future.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
E-mail: [mary.sartwell@liquor.state.nh.us](mailto:mary.sartwell@liquor.state.nh.us)  
Telephone: 603-230-7087  
Fax: 603-271-8540  
*LiquorandWineOutlets.com*  
*facebook.com/nhliquorwine*  
*twitter.com/nhliquorwine*



Please consider the environment before printing this e-mail.

**From:** [Mary K. Sartwell](#)  
**To:** ["Lynn S Anderson \(Exel US\)"; "Scott Lyons \(EXEL CA\)"](#)  
**Cc:** [Craig W. Bulkley](#); [Stephen J. Judge](#); [John D. Bunnell](#); [Richard Gerrish](#)  
**Subject:** Warehouse Contract Award Press Release  
**Date:** Tuesday, November 20, 2012 4:40:10 PM

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Lynn & Scott, the press release and media fact sheet went out earlier this afternoon according to plan. Would you like me to share press coverage with you or do you have a service that does that for you? Thanks for your availability and quick turnaround on the announcement. I look forward to working with you in the future.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
E-mail: [mary.sartwell@liquor.state.nh.us](mailto:mary.sartwell@liquor.state.nh.us)  
Telephone: 603-230-7087  
Fax: 603-271-8540  
*LiquorandWineOutlets.com*  
*facebook.com/nhliquorwine*  
*twitter.com/nhliquorwine*



Please consider the environment before printing this e-mail.

**From:** [Mary K. Sartwell](#)  
**To:** [Joseph W. Mollica](#)  
**Subject:** Exel Inc.  
**Date:** Tuesday, November 20, 2012 4:30:13 PM

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Chairman, Exel's website address is [www.exel.com](http://www.exel.com). If you click on *Who We Serve* and then *Consumer* [http://www.exel.com/exel/exel\\_consumer.jsp](http://www.exel.com/exel/exel_consumer.jsp) and/or *Retail* [http://www.exel.com/exel/exel\\_retail.jsp](http://www.exel.com/exel/exel_retail.jsp), there's a section about half way down the page on the right side that lists their clients under *Who We Work With*.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
E-mail: [mary.sartwell@liquor.state.nh.us](mailto:mary.sartwell@liquor.state.nh.us)  
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*facebook.com/nhliquorwine*  
*twitter.com/nhliquorwine*



Please consider the environment before printing this e-mail.

**From:** [Joseph W. Mollica](#)  
**To:** [Gordon Heins](#)  
**Subject:** RE: Warehouse Contract Award Press Release  
**Date:** Tuesday, November 20, 2012 4:09:55 PM

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Amen...Happy T Day to you and your family...Joe M

*Joseph W. Mollica*  
Chairman  
NH Liquor Commission  
603-230-7005

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**From:** Gordon Heins  
**Sent:** Tuesday, November 20, 2012 3:17 PM  
**To:** Joseph W. Mollica; Michael R. Milligan  
**Subject:** FW: Warehouse Contract Award Press Release

Congratulations ---that's quite a thing.

Things are looking up!

Gordon

---

**From:** Mary K. Sartwell  
**Sent:** Tuesday, November 20, 2012 1:21 PM  
**To:** HQ ALL; Enforcement\_All; All\_Stores; ALL\_Sups  
**Subject:** Warehouse Contract Award Press Release

Attached is a press release going out today that announces the award of our long-term warehouse contract.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
E-mail: [mary.sartwell@liquor.state.nh.us](mailto:mary.sartwell@liquor.state.nh.us)  
Telephone: 603-230-7087  
Fax: 603-271-8540  
*LiquorandWineOutlets.com*  
*facebook.com/nhliquorwine*  
*twitter.com/nhliquorwine*



Please consider the environment before printing this e-mail.

**From:** [Colin Van Ostern](#)  
**To:** [Anne Bogart](#)  
**Cc:** [Michael R. Milligan](#); [Joseph W. Mollica](#)  
**Subject:** Re: Warehouse Contract Press Release  
**Date:** Tuesday, November 20, 2012 4:01:24 PM

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Thanks for the press release, Anne. And Joe, thank you for the voice mail message earlier today - I appreciate you making the effort to keep me in the loop on this. I've been tied up at work today, but I look forward to the opportunity to meet you and to work with you further on this issue.

Thanks again,  
Colin

On November 20, 2012 at 1:56 PM Anne Bogart <[abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us)> wrote:

> Good afternoon,  
>  
>  
>  
> Chairman Mollica and Commissioner Milligan would like to let you know  
> the Attorney General has approved the twenty-year warehouse services  
> contract. Attached is the Press Release that will be going out this  
> afternoon.  
>  
>  
>  
> Thank you,  
>  
> Anne Bogart  
>  
> Administrative Assistant  
>  
> Office of the Commissioners  
>  
> NH State Liquor Commission  
>  
> 50 Storrs St, PO Box 503  
>  
> Concord, NH 03302-0503  
>  
> [abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us) <<mailto:abogart@liquor.state.nh.us>>  
>  
> (603) 230-7005  
>  
> (603) 271-1107, fax  
>  
>  
>

**From:** [Colin Van Ostern](#)  
**To:** [Anne Bogart](#)  
**Cc:** [Michael R. Milligan](#); [Joseph W. Mollica](#)  
**Subject:** Re: Warehouse Contract Press Release  
**Date:** Tuesday, November 20, 2012 4:01:23 PM

---

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Thanks again,  
Colin

6 [REDACTED]

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> Administrative Assistant  
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> Office of the Commissioners  
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> NH State Liquor Commission  
>  
> 50 Storrs St, PO Box 503  
>  
> Concord, NH 03302-0503  
>  
> [abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us) <<mailto:abogart@liquor.state.nh.us>>  
>  
> (603) 230-7005  
>  
> (603) 271-1107, fax  
>  
>  
>

**From:** [Gordon Heins](#)  
**To:** [Joseph W. Mollica](#); [Michael R. Milligan](#)  
**Subject:** FW: Warehouse Contract Award Press Release  
**Date:** Tuesday, November 20, 2012 3:17:58 PM

---

Congratulations ---that's quite a thing.

Things are looking up!

Gordon

---

**From:** Mary K. Sartwell  
**Sent:** Tuesday, November 20, 2012 1:21 PM  
**To:** HQ ALL; Enforcement\_All; All\_Stores; ALL\_Sups  
**Subject:** Warehouse Contract Award Press Release

Attached is a press release going out today that announces the award of our long-term warehouse contract.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
E-mail: [mary.sartwell@liquor.state.nh.us](mailto:mary.sartwell@liquor.state.nh.us)  
Telephone: 603-230-7087  
Fax: 603-271-8540  
*LiquorandWineOutlets.com*  
*facebook.com/nhliquorwine*  
*twitter.com/nhliquorwine*



Please consider the environment before printing this e-mail.

**From:** [Anne Bogart](#)  
**To:** [Joseph W. Mollica](#); [Michael R. Milligan](#)  
**Subject:** FW: Warehouse Contract Press Release  
**Date:** Tuesday, November 20, 2012 1:57:21 PM

---

*Anne Bogart*

Administrative Assistant  
NH State Liquor Commission  
(603) 230-7005

---

**From:** Lynne Ober [<mailto:skibear@cheerful.com>]  
**Sent:** Tuesday, November 20, 2012 1:57 PM  
**To:** Anne Bogart  
**Subject:** RE: Warehouse Contract Press Release

Thank you

---

**From:** Anne Bogart [<mailto:abogart@liquor.state.nh.us>]  
**Sent:** Tuesday, November 20, 2012 1:26 PM  
**To:** [hrebs@leg.state.nh.us](mailto:hrebs@leg.state.nh.us); [senators@leg.state.nh.us](mailto:senators@leg.state.nh.us); [ray.burton@myfairpoint.net](mailto:ray.burton@myfairpoint.net);  
[ecdave@miracleacresfarm.net](mailto:ecdave@miracleacresfarm.net); [sthilairlaw@yahoo.com](mailto:sthilairlaw@yahoo.com); [cts@sununenterprises.com](mailto:cts@sununenterprises.com);  
[rwieczorek@nh.gov](mailto:rwieczorek@nh.gov); [jennifer.kuzma@nh.gov](mailto:jennifer.kuzma@nh.gov); [pamela.walsh@nh.gov](mailto:pamela.walsh@nh.gov)  
**Cc:** Joseph W. Mollica; Michael R. Milligan  
**Subject:** Warehouse Contract Press Release

Good afternoon,

Chairman Mollica and Commissioner Milligan would like to let you know the Attorney General has approved the twenty-year warehouse services contract. Attached is the Press Release that will be going out this afternoon.

Thank you.

*Anne Bogart*

Administrative Assistant  
Office of the Commissioners  
NH State Liquor Commission  
50 Storrs St, PO Box 503  
Concord, NH 03302-0503  
[abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us)  
(603) 230-7005  
(603) 271-1107, fax



**From:** [Anne Bogart](#)  
**To:** [Joseph W. Mollica](#); [Michael R. Milligan](#)  
**Subject:** FW: Warehouse Contract Press Release  
**Date:** Tuesday, November 20, 2012 1:57:21 PM

---

*Anne Bogart*

Administrative Assistant  
NH State Liquor Commission  
(603) 230-7005

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**From:** Lynne Ober [<mailto:skibear@cheerful.com>]  
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**To:** Anne Bogart  
**Subject:** RE: Warehouse Contract Press Release

Thank you

---

**From:** Anne Bogart [<mailto:abogart@liquor.state.nh.us>]  
**Sent:** Tuesday, November 20, 2012 1:26 PM  
**To:** [hrebs@leg.state.nh.us](mailto:hrebs@leg.state.nh.us); [senators@leg.state.nh.us](mailto:senators@leg.state.nh.us); [ray.burton@myfairpoint.net](mailto:ray.burton@myfairpoint.net);  
[ecdave@miracleacresfarm.net](mailto:ecdave@miracleacresfarm.net); [sthilairlaw@yahoo.com](mailto:sthilairlaw@yahoo.com); [cts@sununenterprises.com](mailto:cts@sununenterprises.com);  
[rwieczorek@nh.gov](mailto:rwieczorek@nh.gov); [jennifer.kuzma@nh.gov](mailto:jennifer.kuzma@nh.gov); [pamela.walsh@nh.gov](mailto:pamela.walsh@nh.gov)  
**Cc:** Joseph W. Mollica; Michael R. Milligan  
**Subject:** Warehouse Contract Press Release

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*Anne Bogart*

Administrative Assistant  
Office of the Commissioners  
NH State Liquor Commission  
50 Storrs St, PO Box 503  
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[abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us)  
(603) 230-7005  
(603) 271-1107, fax

**From:** [Anne Bogart](#)  
**To:** [Joseph W. Mollica](#); [Michael R. Milligan](#)  
**Subject:** FW: Warehouse Contract Press Release  
**Date:** Tuesday, November 20, 2012 1:57:04 PM

---

*Anne Bogart*

Administrative Assistant  
NH State Liquor Commission  
(603) 230-7005

---

**From:** Paul Mirski [mailto:[pmirski@mindspring.com](mailto:pmirski@mindspring.com)]  
**Sent:** Tuesday, November 20, 2012 1:56 PM  
**To:** Anne Bogart  
**Subject:** Re: Warehouse Contract Press Release

Twenty years?

Rep Paul Mirski

On 11/20/2012 1:26 PM, Anne Bogart wrote:

Good afternoon,

Chairman Mollica and Commissioner Milligan would like to let you know the Attorney General has approved the twenty-year warehouse services contract. Attached is the Press Release that will be going out this afternoon.

Thank you.

*Anne Bogart*

Administrative Assistant  
Office of the Commissioners  
NH State Liquor Commission  
50 Storrs St, PO Box 503  
Concord, NH 03302-0503  
[abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us)  
(603) 230-7005  
(603) 271-1107, fax

**From:** [Anne Bogart](#)  
**To:** "[Christopher C. Pappas \(christophercpappas@gmail.com\)](#)"; "[Colin Van Ostern \(colin@washstreet.com\)](#)"; "[Debora B. Pignatelli \(deb@pignatelli.com\)](#)"  
**Cc:** [Joseph W. Mollica](#); [Michael R. Milligan](#)  
**Subject:** Warehouse Contract Press Release  
**Date:** Tuesday, November 20, 2012 1:56:19 PM  
**Attachments:** [NHLC Warehouse Contract Award\\_release\\_11\\_20\\_12.pdf](#)

---

Good afternoon,

Chairman Mollica and Commissioner Milligan would like to let you know the Attorney General has approved the twenty-year warehouse services contract. Attached is the Press Release that will be going out this afternoon.

Thank you,

*Anne Bogart*

Administrative Assistant  
Office of the Commissioners  
NH State Liquor Commission  
50 Storrs St, PO Box 503  
Concord, NH 03302-0503  
[abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us)  
(603) 230-7005  
(603) 271-1107, fax

**From:** [Sweeney, Earl](#)  
**To:** [Joseph W. Mollica](#); [Michael R. Milligan](#)  
**Subject:** Channel 9 news last night  
**Date:** Tuesday, November 20, 2012 1:49:42 PM

---

You guys came of looking very knowledgeable and professional and I thing Channel 9 treated the thing very even-handedly. I don't think it hurt the agency much if at all. Congrats!

Earl M. Sweeney  
Assistant Commissioner  
Department of Safety  
33 Hazen Drive  
Concord, NH 03305  
Ph: (603) 223-3888  
Fax: (603) 271-3903  
[Earl.Sweeney@dos.nh.gov](mailto:Earl.Sweeney@dos.nh.gov)

This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. This communication may contain material protected by law. If you are not the intended recipient or the person responsible for delivering the e-mail to the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited and may be subject to criminal prosecution. If you have received this e-mail in error, please immediately notify me by telephone at 603-223-3888. You will be reimbursed for reasonable costs incurred in notifying us.

**From:** [Michael R. Milligan](#)  
**To:** "[dpignatelli@nh.gov](mailto:dpignatelli@nh.gov)"  
**Subject:** Hello  
**Date:** Tuesday, November 20, 2012 1:27:16 PM

---

Good afternoon Councilwomen-elect Pignatelli (Debora)

I left you a message on your home phone regarding some information. The Liquor Commission has issued a long term contract for warehouse services. I wanted to be sure you were briefed.

We wanted to contact all the sitting councilors and the incoming three as well. Of additional interest to you the current warehouse is in Nashua.

I will be forwarding you a news release with applicable information. If you have any questions please feel free to call on me at the office, 230-7005 or on [REDACTED]

I hope everyone is well and that you and your family have a great Thanksgiving holiday.

Best regards, and congratulations again,

Mike Milligan

**From:** [Anne Bogart](#)  
**To:** "[hrebs@leg.state.nh.us](mailto:hrebs@leg.state.nh.us)"; "[senators@leg.state.nh.us](mailto:senators@leg.state.nh.us)"; "[Councilor Raymon Burton \(ray.burton@myfairpoint.net\)](mailto:ray.burton@myfairpoint.net)"; "[David Wheeler \(ecdave@miracleacresfarm.net\)](mailto:ecdave@miracleacresfarm.net)"; "[Dan St. Hilaire \(sthilairerlaw@yahoo.com\)](mailto:sthilairerlaw@yahoo.com)"; "[Christopher Sununu \(cts@sununuentprises.com\)](mailto:cts@sununuentprises.com)"; "[Raymond J. Wieczorek \(rwieczorek@nh.gov\)](mailto:rwieczorek@nh.gov)"; "[Jennifer Kuzma \(jennifer.kuzma@nh.gov\)](mailto:jennifer.kuzma@nh.gov)"; "[pamela.walsh@nh.gov](mailto:pamela.walsh@nh.gov)"  
**Cc:** [Joseph W. Mollica](#); [Michael R. Milligan](#)  
**Subject:** Warehouse Contract Press Release  
**Date:** Tuesday, November 20, 2012 1:26:21 PM  
**Attachments:** [NHLC Warehouse Contract Award release 11 20 12.pdf](#)

---

Good afternoon,

Chairman Mollica and Commissioner Milligan would like to let you know the Attorney General has approved the twenty-year warehouse services contract. Attached is the Press Release that will be going out this afternoon.

Thank you.

*Anne Bogart*

Administrative Assistant  
Office of the Commissioners  
NH State Liquor Commission  
50 Storrs St, PO Box 503  
Concord, NH 03302-0503  
[abogart@liquor.state.nh.us](mailto:abogart@liquor.state.nh.us)  
(603) 230-7005  
(603) 271-1107, fax

**From:** [Mary K. Sartwell](#)  
**To:** [HQ ALL](#); [Enforcement All](#); [All Stores](#); [ALL Sups](#)  
**Subject:** Warehouse Contract Award Press Release  
**Date:** Tuesday, November 20, 2012 1:20:35 PM  
**Attachments:** [NHLC Warehouse Contract Award release 11 20 12.pdf](#)

---

Attached is a press release going out today that announces the award of our long-term warehouse contract.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
E-mail: [mary.sartwell@liquor.state.nh.us](mailto:mary.sartwell@liquor.state.nh.us)  
Telephone: 603-230-7087  
Fax: 603-271-8540  
*LiquorandWineOutlets.com*  
*facebook.com/nhliquorwine*  
*twitter.com/nhliquorwine*



Please consider the environment before printing this e-mail.

**From:** [Mary K. Sartwell](#)  
**To:** [HQ ALL](#); [Enforcement All](#); [All Stores](#); [ALL Sups](#)  
**Subject:** Warehouse Contract Award Press Release  
**Date:** Tuesday, November 20, 2012 1:20:35 PM  
**Attachments:** [NHLC Warehouse Contract Award release 11 20 12.pdf](#)

---

Attached is a press release going out today that announces the award of our long-term warehouse contract.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
E-mail: [mary.sartwell@liquor.state.nh.us](mailto:mary.sartwell@liquor.state.nh.us)  
Telephone: 603-230-7087  
Fax: 603-271-8540  
*LiquorandWineOutlets.com*  
*facebook.com/nhliquorwine*  
*twitter.com/nhliquorwine*



Please consider the environment before printing this e-mail.



**From:** [Jeff Eisenberg](#)  
**To:** [Mary K. Sartwell](#)  
**Cc:** [Kristin Hagerman](#)  
**Subject:** RE: Media Fact Sheet  
**Date:** Tuesday, November 20, 2012 1:14:44 PM

---

Got it.

OK to make last changes to press release?

---

**From:** Mary K. Sartwell [mailto:[mary.sartwell@liquor.state.nh.us](mailto:mary.sartwell@liquor.state.nh.us)]  
**Sent:** Tuesday, November 20, 2012 1:13 PM  
**To:** Jeff Eisenberg; Kristin Hagerman  
**Subject:** FW: Media Fact Sheet

Jeff & Kristin, would you please make this change. Thanks.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
[LiquorandWineOutlets.com](http://LiquorandWineOutlets.com)  
[facebook.com/nhliquorwine](https://www.facebook.com/nhliquorwine)  
[twitter.com/nhliquorwine](https://twitter.com/nhliquorwine)

 Please consider the environment before printing this e-mail.

---

**From:** Scott Lyons (EXEL CA) [mailto:[Scott.Lyons@exel.com](mailto:Scott.Lyons@exel.com)]  
**Sent:** Tuesday, November 20, 2012 12:17 PM  
**To:** Mary K. Sartwell; Craig W. Bulkley  
**Cc:** Fred Takavitz (Exel US); Lynn S Anderson (Exel US); Greg Foreman (EXEL US); Stephen J. Judge; John D. Bunnell; Richard Gerrish  
**Subject:** RE: Media Fact Sheet

Not sure if you are looking for our approval for the change, in case you are – please go ahead - it looks fine from our perspective.

I would double check the font in the second last paragraph as it appears to be slightly smaller.

Thanks,  
Scott Lyons

Telephone: 905 366-7691  


**From:** [Mary K. Sartwell](#)  
**To:** "[Jeff Eisenberg \(jeffe@evradvertising.com\)](#)"; "[Kristin Hagerman](#)"  
**Subject:** FW: Media Fact Sheet  
**Date:** Tuesday, November 20, 2012 1:13:11 PM

---

Jeff & Kristin, would you please make this change. Thanks.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
[LiquorandWineOutlets.com](http://LiquorandWineOutlets.com)  
[facebook.com/nhliquorwine](https://facebook.com/nhliquorwine)  
[twitter.com/nhliquorwine](https://twitter.com/nhliquorwine)



Please consider the environment before printing this e-mail.

---

**From:** Scott Lyons (EXEL CA) [mailto:Scott.Lyons@exel.com]  
**Sent:** Tuesday, November 20, 2012 12:17 PM  
**To:** Mary K. Sartwell; Craig W. Bulkley  
**Cc:** Fred Takavitz (Exel US); Lynn S Anderson (Exel US); Greg Foreman (EXEL US); Stephen J. Judge; John D. Bunnell; Richard Gerrish  
**Subject:** RE: Media Fact Sheet

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Thanks,  
Scott Lyons

Telephone: 905 366-7691  


**From:** [Scott Lyons \(EXEL CA\)](#)  
**To:** [Mary K. Sartwell](#); [Craig W. Bulkley](#)  
**Cc:** [Fred Takavitz \(Exel US\)](#); [Lynn S Anderson \(Exel US\)](#); [Greg Foreman \(EXEL US\)](#); [Stephen J. Judge](#); [John D. Bunnell](#); [Richard Gerrish](#)  
**Subject:** RE: Media Fact Sheet  
**Date:** Tuesday, November 20, 2012 12:16:47 PM

---

Not sure if you are looking for our approval for the change, in case you are – please go ahead - it looks fine from our perspective.

I would double check the font in the second last paragraph as it appears to be slightly smaller.

Thanks,  
Scott Lyons

Telephone: 905 366-7691  


---

**From:** Mary K. Sartwell [mailto:mary.sartwell@liquor.state.nh.us]  
**Sent:** Tuesday, November 20, 2012 11:07 AM  
**To:** Scott Lyons (EXEL CA); Craig W. Bulkley  
**Cc:** Fred Takavitz (Exel US); Lynn S Anderson (Exel US); Greg Foreman (EXEL US); Stephen J. Judge; John D. Bunnell; Richard Gerrish  
**Subject:** RE: Media Fact Sheet

Scott, attached is the final Media Fact Sheet.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
[LiquorandWineOutlets.com](http://LiquorandWineOutlets.com)  
[facebook.com/nhliquorwine](https://facebook.com/nhliquorwine)  
[twitter.com/nhliquorwine](https://twitter.com/nhliquorwine)

 Please consider the environment before printing this e-mail.

---

**From:** Scott Lyons (EXEL CA) [mailto:Scott.Lyons@exel.com]  
**Sent:** Tuesday, November 20, 2012 10:08 AM  
**To:** Mary K. Sartwell; Craig W. Bulkley  
**Cc:** Fred Takavitz (Exel US); Lynn S Anderson (Exel US); Greg Foreman (EXEL US); Stephen J. Judge; John D. Bunnell; Richard Gerrish  
**Subject:** RE: Media Fact Sheet

The media fact sheet we reviewed stated that “most” would be residents of New Hampshire. Our rationale for removing the statement all together was to not make an issue where none exists.

Craig could answer the question if asked. If you believe that it is better to proactively list this fact, we would be fine if it said “all”. We will leave it with you to determine how best to handle it.

We would prefer to not have our customers listed in a media release. We would be comfortable

with the following statement "Exel's customers include 50% of the Forbes top 500 companies" . In terms of follow-on questions regarding a listing of some of our customer please have Craig forward them to Lynn for an answer.

Thanks,  
Scott Lyons

Telephone: 905 366-7691  


---

**From:** Mary K. Sartwell [mailto:mary.sartwell@liquor.state.nh.us]  
**Sent:** Tuesday, November 20, 2012 8:29 AM  
**To:** Scott Lyons (EXEL CA); Craig W. Bulkley  
**Cc:** Fred Takavitz (Exel US); Lynn S Anderson (Exel US); Greg Foreman (EXEL US); Stephen J. Judge; John D. Bunnell; Richard Gerrish  
**Subject:** RE: Media Fact Sheet

Scott, thanks for your feedback. The Evaluation Committee would like to know why you wouldn't want to include in the media fact sheet that all 50 staff will be New Hampshire residents. Likewise, you previously deleted specific client names and referenced "some of the largest and most successful retail and consumer goods companies." Our thinking is that both of these questions will be asked. Would you consider including these details in the media fact sheet? If not, can Craig offer up the answers if the media asks? Or should those questions be deferred to Exel? Thanks.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
[LiquorandWineOutlets.com](http://LiquorandWineOutlets.com)  
[facebook.com/nhliquorwine](https://facebook.com/nhliquorwine)  
[twitter.com/nhliquorwine](https://twitter.com/nhliquorwine)



Please consider the environment before printing this e-mail.

---

**From:** Scott Lyons (EXEL CA) [mailto:Scott.Lyons@exel.com]  
**Sent:** Monday, November 19, 2012 6:16 PM  
**To:** Mary K. Sartwell; Craig W. Bulkley  
**Cc:** Fred Takavitz (Exel US); Lynn S Anderson (Exel US); Greg Foreman (EXEL US)  
**Subject:** Media Fact Sheet

Thank-you for providing the fact sheet. It looks good.

We have one suggestion. The last line refers to how many people we will employ and the fact they will mostly be New Hampshire residents.

In fact, all 50 staff will be New Hampshire residents, i.e. up to the General Manager. The only non-residents will be our senior management team and subject matter experts who have responsibility for businesses across a wider geography. Rather than drawing attention to this issue we would suggest deleting the last section of this sentence. Please see the attached redline.

Cheers,  
Scott Lyons

Exel  
90 Matheson Blvd. West, Suite 111  
Mississauga, Ontario  
L5R 3R3  
Canada

Telephone: 905 366-7691



[www.exel.com](http://www.exel.com)

**From:** [John D. Bunnell](mailto:John.D.Bunnell)  
**To:** [Mary K. Sartwell](mailto:Mary.K.Sartwell)  
**Subject:** FW: Media Fact Sheet  
**Date:** Tuesday, November 20, 2012 11:29:03 AM

---

OK –This explains my questions

---

**From:** Scott Lyons (EXEL CA) [mailto:Scott.Lyons@exel.com]  
**Sent:** Tuesday, November 20, 2012 10:08 AM  
**To:** Mary K. Sartwell; Craig W. Bulkley  
**Cc:** Fred Takavitz (Exel US); Lynn S Anderson (Exel US); Greg Foreman (EXEL US); Stephen J. Judge; John D. Bunnell; Richard Gerrish  
**Subject:** RE: Media Fact Sheet

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Thanks,  
Scott Lyons

Telephone: 905 366-7691

---

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Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
[LiquorandWineOutlets.com](http://LiquorandWineOutlets.com)

[facebook.com/nhliquorwine](https://facebook.com/nhliquorwine)

[twitter.com/nhliquorwine](https://twitter.com/nhliquorwine)



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**Sent:** Monday, November 19, 2012 6:16 PM  
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**Cc:** Fred Takavitz (Exel US); Lynn S Anderson (Exel US); Greg Foreman (EXEL US)  
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Cheers,  
Scott Lyons

Exel  
90 Matheson Blvd. West, Suite 111  
Mississauga, Ontario  
L5R 3R3  
Canada

Telephone: 905 366-7691

[www.exel.com](http://www.exel.com)

**From:** [Mary K. Sartwell](#)  
**To:** [Stephen J. Judge](#)  
**Subject:** FW: Emailing: warehouse contract award\_release\_11 19 12\_nhlc v5.docx  
**Date:** Tuesday, November 20, 2012 11:22:16 AM  
**Attachments:** [warehouse contract award\\_release\\_11 19 12\\_nhlc v5.docx](#)

---

Too late, I think?

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
LiquorandWineOutlets.com  
facebook.com/nhliquorwine  
twitter.com/nhliquorwine

P Please consider the environment before printing this e-mail.

-----Original Message-----

From: Jeff Eisenberg [<mailto:JeffE@evradvertising.com>]  
Sent: Tuesday, November 20, 2012 11:21 AM  
To: Mary K. Sartwell  
Subject: Emailing: warehouse contract award\_release\_11 19 12\_nhlc v5.docx

Slight changes recommended for final version.



**From:** [Mary K. Sartwell](#)  
**To:** "[Jeff Eisenberg \(jeffe@evradvertising.com\)](#)"; "[Kristin Hagerman](#)"  
**Subject:** Final Media Fact Sheet  
**Date:** Tuesday, November 20, 2012 11:11:20 AM  
**Attachments:** [NHLC Warehouse Contract Award Fact Sheet 11 20 12.doc](#)

---

Jeff & Kristin, here's the final Media Fact Sheet. We are waiting for a call from the AG's office. Then calls will be made to vendors and state officials. We are going to send internally and have a warehouse staff meeting before you send the release and fact sheet to the media. I will call you when it is time for media distribution. Then we will post it to our website and send to legislators and brokers.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
E-mail: [mary.sartwell@liquor.state.nh.us](mailto:mary.sartwell@liquor.state.nh.us)  
Telephone: 603-230-7087  
Fax: 603-271-8540  
*LiquorandWineOutlets.com*  
*facebook.com/nhliquorwine*  
*twitter.com/nhliquorwine*



Please consider the environment before printing this e-mail.

**From:** [Mary K. Sartwell](#)  
**To:** ["Scott Lyons \(EXEL CA\)"; Craig W. Bulkley](#)  
**Cc:** ["Fred Takavitz \(Exel US\)"; "Lynn S Anderson \(Exel US\)"; "Greg Foreman \(EXEL US\)"; Stephen J. Judge; John D. Bunnell; Richard Gerrish](#)  
**Subject:** RE: Media Fact Sheet  
**Date:** Tuesday, November 20, 2012 11:06:55 AM  
**Attachments:** [NHLC Warehouse Contract Award Fact Sheet 11 20 12.doc](#)

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Scott, attached is the final Media Fact Sheet.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
Telephone: 603-230-7087  
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**From:** Scott Lyons (EXEL CA) [mailto:Scott.Lyons@exel.com]  
**Sent:** Tuesday, November 20, 2012 10:08 AM  
**To:** Mary K. Sartwell; Craig W. Bulkley  
**Cc:** Fred Takavitz (Exel US); Lynn S Anderson (Exel US); Greg Foreman (EXEL US); Stephen J. Judge; John D. Bunnell; Richard Gerrish  
**Subject:** RE: Media Fact Sheet

The media fact sheet we reviewed stated that "most" would be residents of New Hampshire. Our rationale for removing the statement all together was to not make an issue where none exists. Craig could answer the question if asked. If you believe that it is better to proactively list this fact, we would be fine if it said "all". We will leave it with you to determine how best to handle it.

We would prefer to not have our customers listed in a media release. We would be comfortable with the following statement "Exel's customers include 50% of the Forbes top 500 companies". In terms of follow-on questions regarding a listing of some of our customer please have Craig forward them to Lynn for an answer.

Thanks,  
Scott Lyons

Telephone: 905 366-7691  


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**From:** Mary K. Sartwell [mailto:mary.sartwell@liquor.state.nh.us]  
**Sent:** Tuesday, November 20, 2012 8:29 AM  
**To:** Scott Lyons (EXEL CA); Craig W. Bulkley  
**Cc:** Fred Takavitz (Exel US); Lynn S Anderson (Exel US); Greg Foreman (EXEL US); Stephen J. Judge; John D. Bunnell; Richard Gerrish  
**Subject:** RE: Media Fact Sheet

Scott, thanks for your feedback. The Evaluation Committee would like to know why you wouldn't want to include in the media fact sheet that all 50 staff will be New Hampshire residents. Likewise, you previously deleted specific client names and referenced "some of the largest and most successful retail and consumer goods companies." Our thinking is that both of these questions will be asked. Would you consider including these details in the media fact sheet? If not, can Craig offer up the answers if the media asks? Or should those questions be deferred to Exel? Thanks.

Mary K. Sartwell  
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**From:** Scott Lyons (EXEL CA) [mailto:Scott.Lyons@exel.com]  
**Sent:** Monday, November 19, 2012 6:16 PM  
**To:** Mary K. Sartwell; Craig W. Bulkley  
**Cc:** Fred Takavitz (Exel US); Lynn S Anderson (Exel US); Greg Foreman (EXEL US)  
**Subject:** Media Fact Sheet

Thank-you for providing the fact sheet. It looks good.

We have one suggestion. The last line refers to how many people we will employ and the fact they will mostly be New Hampshire residents.

In fact, all 50 staff will be New Hampshire residents, i.e. up to the General Manager. The only non-residents will be our senior management team and subject matter experts who have responsibility for businesses across a wider geography. Rather than drawing attention to this issue we would suggest deleting the last section of this sentence. Please see the attached redline.

Cheers,  
Scott Lyons

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**From:** [Mary K. Sartwell](#)  
**To:** "[Jeff Eisenberg \(jeffe@evradvertising.com\)](#)"; "[Kristin Hagerman](#)"  
**Subject:** Final Press Release  
**Date:** Tuesday, November 20, 2012 8:44:51 AM  
**Attachments:** [warehouse contract award release 11 19 12 nhlc v4.doc](#)

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Attached is the final press release to be sent out as soon as we're told around noon time today. The media fact sheet is nearly complete. We asked Exel a couple of questions about their edits this morning. Thanks.

Mary K. Sartwell  
Director of Advertising  
New Hampshire Liquor Commission  
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