

**STATE OF ILLINOIS
LIQUOR CONTROL COMMISSION**

In the Matter of:	)	No. 12 C 100220
	)	No. 12 C 100221
City Beverage – Markham, LLC)	
d/b/a/ City Beverage Markham	)	LIC: 12-2A-102035; 12-2B-69574
2064 W. 167 th St.	)	Exp: 9/30/2012
Markham, IL 60428	)	IBT: 5524-4025
In the Matter of:	)	No. 12 C 100222
	)	No. 12 C 100223
City Beverage – Markham, LLC)	
d/b/a/ City Beverage –Arlington Heights	)	LIC: 12-2A-102034; 12-2B-69575
1401 E. Algonquin Rd.	)	Exp: 9/30/2012
Arlington Heights, IL 60005	)	IBT: 3665-2202
In the Matter of:	)	No. 12 C 100218
	)	No. 12 C 100219
Chicago Distributing LLC)	
d/b/a/ City Beverage - Chicago	)	LIC: 12-2A-96603; 12-2B-64729
4841 S. California Ave.	)	Exp: 10/31/2012
Chicago, IL 60632	)	IBT: 5515-9060
In the Matter of:	)	No. 12 C 100216
	)	No. 12 C 100217
City Beverage LLC)	
d/b/a/ City Beverage	)	LIC: 12-2A-98399; 12-2B-61392
1105 E. Lafayette Ave.)	Exp: 3/31/2013
Bloomington, IL 61701)	IBT: 5509-8851

RESPONDENTS' MOTION FOR DISCOVERY

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Wholesaler Equity Development Corporation (“WEDCO”), CITY Beverage – Illinois L.L.C. (“CITY Beverage”), CITY Beverage L.L.C. d/b/a CITY Beverage – Bloomington (“CITY Bloomington”), Chicago Distributing L.L.C. d/b/a CITY Beverage – Chicago (“CITY Chicago”), and CITY Beverage – Markham L.L.C. d/b/a CITY Beverage – Arlington Heights (“CITY Markham”) (collectively, “Respondents”) respectfully request that the Illinois Liquor Control Commission (the “ILCC”) require the Legal Division to produce the documents requested in Respondents’ First Notice to Produce and Respondents’ First Set of Interrogatories. In support of this motion, Respondents submit herewith a supporting memorandum of law, and further state as follows:

1. Respondents’ discovery requests are narrowly tailored to obtain information relevant to their defenses in this proceeding consistent with their due process rights.

2. Specifically, Respondents are entitled to discover the statutory basis for the Citations and legal theories upon which the Legal Division is relying. This is particularly important because the Citations and Notices of Hearing fail to identify any provision of the Liquor Control Act that prohibits WEDCO from owning its minority stake and over the past two years the Legal Division’s theories and paraphrasing of the “law” have evolved, and thus it is not clear which version of the “law” it now contends Respondents are violating.

3. Moreover, given the ILCC’s sudden and significant departure from its consistent interpretation of the Liquor Control Act over decades, an interpretation upon which Respondents relied in making significant business decisions, Respondents are entitled to discover the reason for that change.

WHEREFORE, for the foregoing reasons, the ILCC should grant this motion for discovery.

Dated: July 18, 2012

/s/ Thomas J. Verticchio
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Counsel for WEDCO

Proof of Service

Now comes the undersigned, an attorney, and does hereby state that the above motion and memorandum in support thereof was served on July 18, 2012, and was served via e-mail and hand delivery on Stephen B. Schnorf, Michael V. Casey, and Richard Haymaker, Illinois Liquor Control Commission, at 100 W. Randolph St., Room 7-801, Chicago, IL 60601.

/s/ Edward M. Crane
Edward M. Crane