

**MEMORANDUM**

TO: Dublin City Council  
Marsha Grigsby, City Manager  
Anne Clarke, Clerk of Council

FROM: Stephen J. Smith  
Jennifer Readler  
Chris W. Michael

DATE: October 18, 2012

RE: Sonesta International Hotels Corp. DBA "Sonesto ES Suites Dublin"  
Applications for D5A and D6 Liquor Permits

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**I. INTRODUCTION:**

The City of Dublin recently received two Notices to Legislative Authority ("Notices") from the Ohio Division of Liquor Control concerning Sonesta International Hotels Corp.'s ("Sonesta") transfer application for a class D5A and D6 liquor permit, and Sonesta's application for a new D5A liquor permit. Dublin has received these Notices pursuant to R.C. 4303.26 because Sonesta's proposed location for the permits will be located within the corporate limits of Dublin. As such, Dublin may request a hearing regarding the advisability of the issuance, transfer of ownership, or transfer of location of the permits.

**II. BACKGROUND:**

Sonesta is a Maryland corporation for profit that is actively registered with the Ohio Secretary of State to conduct business in Ohio, and is doing business as ("DBA") Sonesto ES Suites Dublin. The address designated for the permits premises is 435 Metro Place South, Dublin, Ohio 43017, which is located just west of Frantz Road. Sonesta is seeking to obtain a D5A and D6 liquor permit from Residence Inn by Marriott LLC ("Residence Inn"), a Delaware corporation for profit that is actively registered with the Ohio Secretary of State to conduct business in Ohio, and DBA Residence Inn Columbus Dublin, which presently holds the permits at the same location designated by Sonesta. Sonesta has also applied for a new D5A liquor permit for the same premises. While Sonesta has filed multiple applications, the Ohio Division of Liquor Control ("Division") will only issue one D5A permit for a particular location and will cancel the other. These applications are currently pending before the Division.

Class D5A permits are exempt from the Division's quota system and are available only to hotel or motel operators that have 50 rooms or more. According to the Division's records, Sonesta is in good standing and does not have any history of violating liquor permit laws. If approved, Sonesta will either inherit the same D5A and D6 liquor permits that are currently held by Residence Inn at the same location, or be issued a new D5A liquor permit along with the transferred D6 permit.

**III. RECOMMENDATION:**

It would appear that it is unnecessary to request a hearing in this matter. The permits will simply transfer from one hotel business to another hotel business located at the exact same location, or the Division will issue a new D5A permit in lieu of transferring the existing D5A permit. Regardless of whether Dublin desires to request a hearing, each Notice must be signed and returned to the Ohio Division of Liquor Control by November 5, 2012.

NOTICE TO LEGISLATIVE  
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

83748550005 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	SONESTA INTERNATIONAL HOTELS CORP DBA SONESTA ES SUITES DUBLIN 435 METRO PL S DUBLIN OH 43017	
ISSUE DATE				
10 01 2012				
FILING DATE				
D5A <small>PERMIT CLASSES</small>				
25	066	B	Z90796	
<small>TAX DISTRICT</small>			<small>RECEIPT NO.</small>	

FROM 10/04/2012

<small>PERMIT NUMBER</small>		<small>TYPE</small>		
ISSUE DATE				
FILING DATE				
<small>PERMIT CLASSES</small>				
<small>TAX DISTRICT</small>			<small>RECEIPT NO.</small>	



MAILED 10/04/2012

RESPONSES MUST BE POSTMARKED NO LATER THAN. 11/05/2012

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.  
REFER TO THIS NUMBER IN ALL INQUIRIES

**B NEW 8374855-0005**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF DUBLIN CITY COUNCIL  
5200 EMERALD PARKWAY  
DUBLIN OHIO 43017

**FOR OFFICE USE ONLY**  
 NEW TRANSFER  
 PERMIT # 8374855-0005

OHIO DEPARTMENT OF COMMERCE  
 DIVISION OF LIQUOR CONTROL  
 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005  
 Telephone: (614) 644-2431 http://www.com.ohio.gov



**OFFICER/ SHAREHOLDERS DISCLOSURE FORM**

**SECTION A.** (This form must accompany all applications of a corporate business entity)

Name of Corporation <b>Sonesta International Hotels Corporation</b>	DBA Name	
Permit Premises Address <b>435 Metro Place South</b>	City, State <b>Dublin, OH</b>	Zip Code <b>43017</b>
Township, if in Unincorporated Area <b>Dublin</b>	Tax Identification No. (TIN) <b>45-3784316</b>	

**SECTION B.**

1. Is stock publicly traded?  YES  NO  
 If "YES", indicate exchange \_\_\_\_\_ & Do NOT complete SECTION D.

2. Does any stockholder own 5% or more shares? If YES, complete SECTION D.  YES  NO

3. Total Number of shares issued 200

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement enforcement action, or collect taxes.

**SECTION C.** List the top five (5) officers of the captioned corporation. If an office is NOT held please indicate by writing NONE.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BC&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO <b>William J. Sheehan</b>		<b>7/2/1944</b>
2) President <b>Stephanie Sonnabend</b>		<b>2/10/1953</b>
3) Vice-President <b>Richard Pearl</b>		<b>12/26/1972</b>
4) Secretary <b>Jennifer Clark</b>		<b>6/1/1961</b>
5) Treasurer <b>Richard Pearl</b>		<b>12/26/1972</b>

**SECTION D.** Stockholders holding 5% or more outstanding shares. Note: If you answered Question 1 YES, do not complete this section

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BC&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191. If none, please indicate by writing "NONE".

1) Stockholder's Name	Social Security No. (if Ind)	NUMBER OF SHARES HELD (NOT PERCENTAGE)
<b>Barry Portnoy</b>		<b>90</b>
Residence Address <b>P.O. Box 150, Crystal Lake Road</b>	Tax Identification No. (if applicable)	
City and State <b>Eaton, NH</b>	Zip Code <b>03832</b>	
Telephone No. <b>617-928-1300</b>	Date of Birth <b>9/10/1945</b>	
2) Stockholder's Name <b>Adam Portnoy</b>	Social Security No. (if Ind)	<b>110</b>
Residence Address <b>232 Commonwealth Ave., Unit 3</b>	Tax Identification No. (if applicable)	
City and State <b>Boston, MA</b>	Zip Code <b>02116</b>	
Telephone No. <b>617-796-8242</b>	Date of Birth <b>6/20/1970</b>	

Massachusetts (PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE TO LIST STOCKHOLDERS)  
 STATE OF ~~MASS~~ COUNTYss

I, Richard Pearl being first duly sworn, according to law, deposes and says that he/she is (Title) VP, Treasurer & CFO  
 of the Sonesta International Hotels Corporation, a corporation duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) Richard E. Pearl (Print Name and Corporate Title) Richard E. Pearl, VP, Treasurer & CFO  
 Sworn to and subscribed in my presence this 13<sup>th</sup> day of September 2012

DLC4030 EOE/ADA SERVICE PROVIDED BY THE STATE OF OHIO

(Notary Public) **JILL M. BORKMAN** Notary Public Massachusetts Commission Expires Jun 17, 2016 (Notary Expiration)

1-800-750-0750 Rev. 4/2012