

New York State Liquor Authority
Holding Corporation Stipulation-For Privately Traded Corporations Only

Serial Number: _____

Applicant Name: _____

The undersigned, with intent and knowledge that the New York State Liquor Authority will rely thereon, hereby represents and agrees as follows:

1. The names and addresses of all holding corporations directly or indirectly connected with the applicant, and of their principal officers, all directors and all stockholders (if ten or more, list only the name and addresses of all stockholders holding ten percent or more of the corporate stock) and the amount of their corporate stockholdings, as such data is recorded in the books of the applicant, the said holding corporations, the registrar of the corporate stock, or otherwise known to the undersigned are listed on the attached schedule.
2. Before any change in the aforementioned officers, directors, stockholdings or stockholders of the applicant-corporation or any of its holding corporations can be effectuated for the purposes of the Alcoholic Beverage Control Law, there shall be filed with the Authority an application for permission to make such corporate change and the appropriate fee paid; provided, however, that this requirement insofar as it relates to stockholdings and/or stockholders shall not be applicable where there are 10 or more stockholders and such change involves less than ten percent of the corporation stock and the stockholdings of any stockholder are not increased thereby to ten percent or more of the stock. Such application shall be filed within ten days of such corporate change.

If such application for corporate change is thereafter disapproved, in whole or in part, the applicant shall cause such officer, director or stockholder to divest himself of his office and/or interest in the aforementioned holding corporation within fifteen days after notice of such disapproval.

3. The undersigned knows the disqualifications and prohibited interests contained in the Alcoholic Beverage Control Law, and represents that the approval of this application, or the issuance of the license sought, will not conflict with or violate any of such provisions of law, particularly Sections 101, 126 and 128 relating to distillers and wholesalers; Sections 63.5, 79.2, 105.16, 105.17, 126 and 128 relating to off-premises retail licensees, and Sections 106.13, 106.14, 126 and 128 relating to on-premise licensees and this representation is made as to each of the aforementioned corporations, officers, directors and stockholders with the same force and effect as if each was the applicant herein.
4. If this application is granted, any breach or failure to comply with this agreement, or any of its representations, terms or conditions, by the licensee corporation or any of the holding corporations, their officers, directors, or stockholders, shall constitute good and sufficient cause for the revocations, cancellation, suspension or recall of any and all license held by the applicant as well as for the non-renewal thereof.
5. That all the representations and agreements herein contained are made to the best information, knowledge and belief of the undersigned and shall be deemed continuing during the current license period and all renewals of the license.
6. Each of the aforesaid holding corporations, their officers, directors and stockholders aforementioned, have been notified of the contents of this instrument.

Applicant Corporation: _____

Authorized Officer: _____

Date: _____

(Principal Officers are the President, Senior or Executive Vice President, Secretary and Treasurer.)