BOARD of SUPERVISORS



City Hall 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco 94102-4689 Tel. No. 554-5184 Fax No. 554-5163 TDD/TTY No. 554-5227

MEMORANDUM

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

- TO: Supervisor Rafael Mandelman, Chair Public Safety and Neighborhood Services Committee
- FROM: John Carroll, Assistant Clerk
- DATE: December 11, 2020

SUBJECT: **COMMITTEE REPORT, BOARD MEETING** Tuesday, December 15, 2020

The following file should be presented as a COMMITTEE REPORT at the Board meeting, Tuesday, December 15, 2020. This item was acted upon at the regular Public Safety and Neighborhood Service Committee meeting on Thursday, December 10, 2020, at 10:00 ap.m., by the votes indicated.

Item No. 45 File No. 201204

Resolution determining that the issuance of a Type-42 on-sale beer and wine public premises liquor license to TVH Hospitality, LLC, doing business the San Francisco Wine Society, located at 408 Merchant Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco; and requesting that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license.

RECOMMENDED AS A COMMITTEE REPORT Vote: Supervisor Rafael Mandelman - Aye Supervisor Catherine Stefani - Aye Supervisor Shamman Walton - Aye

Cc: Board of Supervisors Angela Calvillo, Clerk of the Board Alisa Somera, Legislative Deputy Anne Pearson, Deputy City Attorney File No. 201204

Committee Item No. 2 Board Item No. 45

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Comm:Public Safety & Neighborhood ServicesDaBoard of Supervisors Meeting:Da

 Date:
 Dec. 10, 2020

 Date:
 De. 15, 2020

Cmte Board

		Motion
	\square	Resolution
	\square	Ordinance
П	Ē	Legislative Digest
H	H	Budget and Legislative Analyst Report
H	H	Youth Commission Report
H		•
Ц	Ц	Introduction Form
		Department/Agency Cover Letter and/or Report
		MOU
		Grant Information Form
		Grant Budget
		Subcontract Budget
		Contract/Agreement
		Form 126 – Ethics Commission
		Award Letter
		Application
Ē	Ē	Public Correspondence

OTHER

\bowtie	\boxtimes	Police Department Response – December 3, 2020
\bowtie	\bowtie	Planning Department Response – November 9, 2020
\bowtie	\boxtimes	Referral – October 27, 2020
\bowtie	\boxtimes	PC or N Request Letter – October 22, 2020

Prepared by:	John Carroll	Date:	Dec. 4, 2020
Prepared by:	John Carroll	Date:	De. 11, 2020

FILE NO. 201204

1	[Liquor License - 408 Merchant Street - San Francisco Wine Society]
2	
3	Resolution determining that the issuance of a Type-42 on-sale beer and wine
4	public premises liquor license to TVH Hospitality, LLC, doing business the San
5	Francisco Wine Society, located at 408 Merchant Street (District 3), will serve the
6	public convenience or necessity of the City and County of San Francisco; and
7	requesting that the California Department of Alcoholic Beverage Control impose
8	conditions on the issuance of the license.
9	
10	WHEREAS, TVH Hospitality, LLC, is seeking the issuance of a Type-42 on-sale
11	beer and wine public premises liquor license to do business as the San Francisco Wine
12	Society, located at 408 Merchant Street (District 3); and
13	WHEREAS, The Planning Department has verified that the area is properly
14	zoned and recommends approval; and
15	WHEREAS, The Police Department has filed zero protests and zero letters of
16	support with the Department of Alcoholic Beverage Control under California Business
17	and Professions Code, Section 24013, and recommends that the Department of
18	Alcoholic Beverage Control issue the liquor license with conditions; and
19	WHEREAS, The conditions recommended by the Police Department are the
20	following: 1) Petitioner(s) shall actively monitor the area under their control in an effort
21	to prevent the loitering of persons on any property adjacent to the licensed premises as
22	depicted on the most recently certified ABC-253; 2) The petitioner(s) shall be
23	responsible for maintaining free of litter the area adjacent to the premises over which
24	they have control, as depicted on the ABC-253; and 3) When the said outdoor patio
25	area of the premises is being utilized for the sales, service and consumption of alcoholic

1	beverages,	a premise	employee	shall be	in attendan	ce and	maintain	continuous
•								

- 2 supervision at all times of said area to ensure orderly conduct of patrons; now,
- 3 therefore, be it

4 RESOLVED, That in accordance with California Business and Professions Code, 5 Section 23958.4, the Board of Supervisors of the City and County of San Francisco 6 hereby determines that the issuance of a Type-42 on-sale beer and wine public 7 premises liquor license to TVH Hospitality, LLC, doing business the San Francisco Wine 8 Society, located at 408 Merchant Street, will serve the public convenience or necessity 9 of the City and County of San Francisco; and, be it 10 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby endorses and adopts the recommendations of the Police 11 12 Department listed above and recommends that the Department of Alcoholic Beverage 13 Control issue the license with those conditions. 14 15 16 17 18 19 20 21 22

- 23
- 24
- 25



San Francisco Police Department **ABC Liaison Unit**



Alcoholic Beverage License -*Public Convenience or Necessity Recommendation*

To: The San Francisco Board of Supervisors' Committee on Public Safety and Neighborhood Services

Supervisor Rafael Mandelman Supervisor Catherine Stefani Supervisor Shamman Walton OFC. JOEL SALMONSON #732

From: Lt. Georgia Sawyer #1565 Officer in Charge ALU/Permits Unit 415-553-9550

Date: December 3, 2020

Subject: P.C.N. Investigation Regarding:

THV Hospitality LLC DBA: San Francisco Wine Society 408 Merchant St San Francisco, CA. 94111-2900

San Francisco Wine Society has filed an application with the California Department of Alcoholic Beverage Control seeking a Type 42 (On-Sale Beer and Wine-Public Premise) license to be located at 408 Merchant St. (located Sansome St. and Battery St.)

Hours of Operation:

2:00 p.m. to 10:00 p.m. Sunday-Monday and 2:00 p.m. to 12:00 a.m. Tuesday-Saturday.

Digest:

San Francisco Wine Society would like to operate a Wine Bar to include Beer and Wine sales, located at 408 Merchant St. If approved, this license will allow them to sell On-Sale Beer and Wine.

Letters of Protest

0

Letters of Support

0

Police Calls for Service:

From September 2019 to September 2020

5 calls for service

Police Reports:

From September 2019 to September 2020

0 police reports

San Francisco Plot Information:

This premise is located in Plot: 152

A High Crime area is defined as 107 or more police reports in a plot for the year of 2019.

This plot had **190** police reports for **2019**, which is 83 **higher** than the **Citywide "High Crime"** average

State Census Tract Information:

This premise is located in Census Tract: **611.00** Population for this tract is: **4,307**

On-sale license authorized by census tract: **15** Active on-sale licenses: 91 with 0 pending

Off-sale licenses authorized by census tract: **3** Active off-sale licenses: 9 with 0 pending

Departmental Recommendation:

Points of consideration: 0

No opposition from Central Station.

Applicant premise is located in a "High Crime" area.

Applicant premise is located in a "High Concentration" area.

0 - Protest.

0 - Support

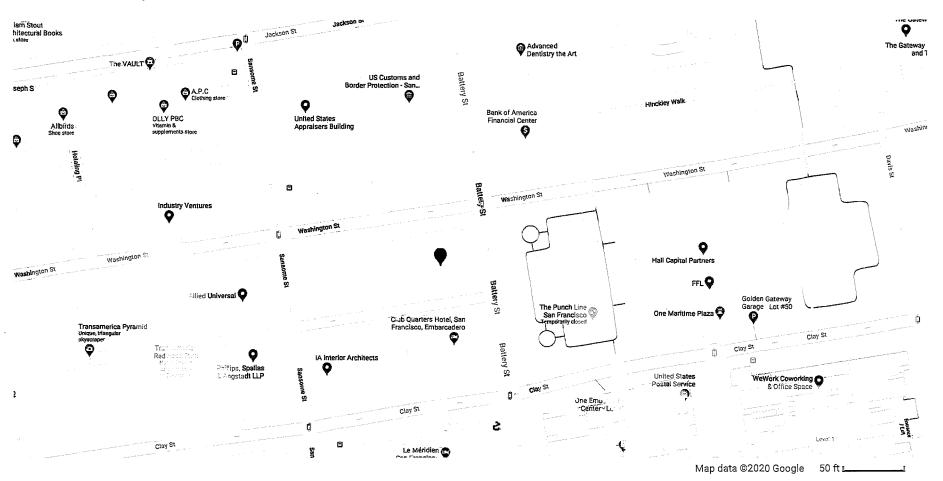
ALU Recommendation: Approval with following conditions:

Conditions for Type 42- On-Sale Beer and Wine Public Premise

- 1. Petitioner(s) shall actively monitor the area under their control in an effort to prevent the loitering of persons on any property adjacent to the licensed premises as depicted on the most recently certified ABC-253.
- 2. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on the ABC-253.
- 3. When the said outdoor patio area of the premises is being utilized for the sales, service and consumption of alcoholic beverages, a premise employee shall be in attendance and maintain continuous supervision at all times of said area to ensure orderly conduct of patrons.

It should be noted that as of November 19, 2020 the applicant had agreed to the above listed recommended conditions.





Go gle Maps 408 Merchant St



Image capture: Apr 2019 © 2020 Google

San Francisco, California

Google

Street View

https://www.google.com/maps/place/408+Merchant+St,+San+Francisco,+CA+94111/@37.7954015,-122.4008227,3a,85.6y,5.42... 11/19/20

LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL

- TO: Planning Department Phone No. (415) 558-6371
- **TO:** Police Department Inspector Georgia Sawyer Phone No. (415) 553-9550

DATE: October 27, 2020 AP Block/Lot Nos.: 0206/002 Zoning: C-3-O, 200S Quad: NE Planning Team Record No.:

Please submit your response within three weeks; the Public Safety and Neighborhood Services Committee will tentatively schedule the PC or N hearing for a regular meeting in December of 2020.

PLEASE EMAIL YOUR RESPONSE BY: November 13, 2020, to John Carroll, Public Safety and Neighborhood Services Committee Clerk. john.carroll@sfgov.org - Phone No: 554-4445

Applicant name:	TVH Hospitality LLC
Business name:	San Francisco Wine Society
Application address:	408 Merchant Street San Francisco, CA 94111
Applicant contact info:	Danielle Kuzinich Danielle@SanFranciscoWineSociety.com (925)565-5603
PLANNING REVIE	N: 🔳 Approval 🗌 Denial
Planning Staff Contact:	Michelle Langlie michelle.langlie@sfgov.org
Please print re	eview comments on a trailing page.
POLICE REVIEW:	🗌 Approval 🔄 Denial
Please print re	eview comments in a trailing report.

From:	Langlie, Michelle (CPC)
To:	Carroll, John (BOS)
Cc:	Botn, Kurt (CPC)
Subject:	RE: Liquor License - 408 Merchant Street - San Francisco Wine Society
Date:	Monday, November 9, 2020 4:52:05 PM
Attachments:	<u>LIQUOR LICENSE PUBLIC CONVENIENCE OR NECESSITY REFERRAL</u> San Francisco Wine Society 408 Merchant Street.pdf image001.png

Hi John,

Please see the attached referral. Planning is recommending approval. Per the ABC License referral dated 10/15/20, Planning recommended approval as follows:

ABC referral - Type 42. Recommend approval retail sales and service use permitted in the C-3-0 per PC Section 210.2.

Please let me know if you require any additional information.

Best, Michelle

Michelle M. Langlie (she/her/hers) Senior Preservation Planner | PIC Specialist Northeast Team | Current Planning San Francisco Planning 49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103 Direct: 628.652.7410 | General Inquiries: pic@sfgov.org | www.sfplanning.org San Francisco Property Information Map

Due to COVID-19, San Francisco Planning is not providing any in-person services, but we are operating remotely. Our staff are <u>available by e-mail</u>, and the Planning and Historic Preservation Commissions are convening remotely. The public is <u>encouraged to participate</u>. Find more information on our services <u>here</u>.

Limited in-person OTC permit services are provided at the 49 SVN Permit Center from 7:30 a.m. to 3:30 p.m. Monday through Friday by appointment only (OTC plans permits) and first-come, first-served (OTC no plans permits). See <u>https://sfdbi.org/limitedservices</u> for more information.

From: Carroll, John (BOS) <john.carroll@sfgov.org>

Sent: Tuesday, October 27, 2020 2:25 PM

To: CPC.Referrals <<u>CPC.Referrals@sfgov.org</u>>; Sawyer, Georgia (POL) <<u>Georgia.Sawyer@sfgov.org</u>>
Cc: <u>Danielle@SanFranciscoWineSociety.com</u>; Mundy, Erin (BOS) <<u>erin.mundy@sfgov.org</u>>; Angulo,
Sunny (BOS) <<u>sunny.angulo@sfgov.org</u>>; Hepner, Lee (BOS) <<u>lee.hepner@sfgov.org</u>>; Yan, Calvin
(BOS) <<u>calvin.yan@sfgov.org</u>>; Alabanza, Analyn@ABC <<u>Analyn.Alabanza@abc.ca.gov</u>>;
Rose.Meyer@ABC.ca.gov; Macchi, Patrick (POL) <<u>patrick.macchi@sfgov.org</u>>; Salmonson, Joel (POL)

<<u>Joel.R.Salmonson@sfgov.org</u>>; Wong, Joanne (POL) <<u>joanne.k.wong@sfgov.org</u>>; Sainez, Maricela (POL) <<u>Maricela.Sainez@sfgov.org</u>>; Botn, Kurt (CPC) <<u>kurt.botn@sfgov.org</u>>

Subject: Liquor License - 408 Merchant Street - San Francisco Wine Society

Greetings,

The office of the Clerk of the Board has received a letter requesting public convenience or necessity

findings for a liquor license. This matter is being referred to you for response via the following linked document:

Referral Letter - Planning and Police Departments - October 27, 2020

You may review the entire matter on our <u>Legislative Research Center</u> by following the link below:

Board of Supervisors File No. 201204

After receiving review from the Planning and Police Departments, the Public Safety and Neighborhood Services Committee may hear and consider public convenience or necessity findings for the application, to be forwarded to the California Department of Alcoholic Beverage Control for consideration in the license matter.

The Public Safety and Neighborhood Services Committee may tentatively schedule this hearing for a regular remote meeting in December of 2020.

I request the Planning Department's response before November 13, 2020. Please confirm receipt of this message.

You may review the fact sheet for public convenience or necessity requests from the San Francisco Board of Supervisors via the following link:

Liquor License Public Convenience or Necessity Request

Thanks for the review.

John Carroll Assistant Clerk Board of Supervisors San Francisco City Hall, Room 244 San Francisco, CA 94102 (415) 554-4445

(VIRTUAL APPOINTMENTS) To schedule a virtual meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.

K Click <u>here</u> to complete a Board of Supervisors Customer Service Satisfaction form.

The <u>Legislative Research Center</u> provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information

To: San Francisco Board of Supervisors

RECEIVED BOARD OF SUPERVISORS SAN FRANCISCO

BY______th

2020 OCT 22 PM 3: 54

From: THV Hospitality, LLC dba San Francisco Wine Society 408 Merchant Street San Francisco, CA 94111

Re: Letter of Public Convenience & Necessity

October 16th, 2020

To whom it may concern,

I, Danielle Kuzinich, am writing on behalf of San Francisco Wine Society - a wine bar located at 408 Merchant Street, San Francisco, CA 94111. I applied for a type 42 on sale beer and wine license through the San Francisco ABC office on September 18th, 2020. This license will replace the type 42 license that was previously issued here and had been in operation without ABC violation since October of 2011.

I posted required signage at the premises on September 30th, 2020, which will remain up for the required 30-day posting period. Required mailers were sent out on October 14th, 2020 to all residences within a 500' radius.

San Francisco Wine Society is an elegant wine bar with an emphasis on service and hospitality. Society to us is about inclusion, community, diversity and participation. We value the importance of human interactions, so there will be no TVs or screens. With table service of approximately 71 seated guests, our wine bar will operate from 2:00 PM to 10:00 PM Sunday – Monday and will be open from 2:00 PM to 12:00 AM Tuesday – Saturday as demand requires and for special engagements. The wine bar will undergo some slight cosmetic improvements but will operate much like it has since 2011 with a private dining room, patio seating, outdoor bocce ball court, and bar seating.

Our menu will consist of sharable plates encouraging a relaxed dining experience in an upscale environment. We will source quality, seasonal ingredients from local farms and artisan producers. We will feature a different wine region each month allowing us to guide our guests on a journey of time and place. Through education and empowerment, we will create a culture that is attractive to locals and tourists.

For our community, we will be donating 100% of the proceeds of a specialized wine by the glass to sponsor lunch and music programs for Bay Area elementary students. We hope to donate upwards of \$80,000 to those programs by the end of 2021.

We expect that approximately 55% of revenue to come from wine, 35% from food, and 10% from non-alcohol beverage sales.

The staff of San Francisco Wine Society will be well trained for food safety and beverage service. On average we expect that 3 floor staff, 2 kitchen staff, and 1 manager will be present during operating hours. Management and beverage staff will have TIPS Alcohol Certifications. We plan to support our staff by offering them scholarships to those who want to further their education with the Court of Master Sommeliers and Masters of Wine programs.

We are committed to continue providing quality food and beverages for locals and tourists alike in a safe and relaxed environment. San Francisco Wine Society will employ 8-10 new hires providing jobs, tax revenues and charitable donations to the local community.

I have spent the last fifteen years managing restaurants in San Francisco and spent the last nine years managing The Hidden Vine until it closed in January. I now have the opportunity to continue managing and operating the same location as its owner. With so many iconic restaurants and bars in San Francisco not reopening due to the hardships of COVID, I would love the chance to revive one of San Francisco most revered wine bars.

Thank you for your consideration of our application to provide alcohol sales to the guests of San Francisco Wine Society.

Sincerely,

Danielle Kuzinich, Email: <u>Danielle@SanFranciscoWineSociety.com</u> Cell Phone: (925)565-5603

THV Hospitality LLC, dba San Francisco Wine Society 408 Merchant Street San Francisco, CA 94111

Mailing Address: Danielle Kuzinich 719 Willard Street Houston, TX 77006

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

Instructions This form is to be used for all applications for original issuance or premises to premises transfer of facetises.

· Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file of applicants district file. Para 2 is to be completed by the applicant, and returned to ABC. Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC PART 1 - TO BE COMPLETED BY ABC THU Hospitality LLC Merchant IT, San transisco, CA 9411 APPLEANTSNAM LOANCIN 42 · · · · Proved Cast Fue Service Restaurant Cocidal Lourge Hofera J Caletonia Deli de Specially Plesta rant Nicht Child Veneraris Oko Correct Carb Cale/Coffee Shop Tarrent Beer Freedow Out Both Path Eed & Break ant Mercere Beer & Wine Winks Tasting Rooms Thinking Wate certy 4 Swap Meet Field Market Summariet Methoenship Store Service Station Drive in Deiry Liquor Store Department Store Conversionce Market Orug Variety Store Port Off State Convenience Market w Gasoline Other describe & TOTA NAMES OF ICCASES AND AT 833,869 n Saje Ce Sale TH Sale Con Takin NO OF LICENZE CREETING ALCONES + CENCIN THA 9 NO OF LICENSES ALLOWED IN CENSIO, FRACT 01.11.00 Λ^r Von Saaa Off Sale CH SNO SALANAT CENSIS THAT CONSCIMULTING ANTHOCOMESTIC SH View the number of existing identises exceeds the number allowed No, the number of electing licenses is lower than the number allowed 2 CONTRACTOR ALL ALL ALL MANTAN COME STATISTICS No (Go to item #20) res (Colto tem #15) 16 10TAL NUMBER OF REPORTING OR THE TO 2 (Same rented UNPROMINACION DISTRUCTS 654 55,022 100 OF A CRASH MARTIN OF /N 8 . . The size passe with a market stress the INCOME AND REPORT NO. CONTINUES. status of the local are principles if against View, the sets mander of offenses in the reporting district equals of exceeds the social number in term \$17 No. the same number of offenses in the recording district is ower than the total number in sev. #17 2. OF THE NOR OF A SPACE PROPERTY AND A a. If 'Ng' is checked in both item #11 and item #19. Section 2006 4 85P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ASC when filing the application b. #"Yes" is checked in either item #11 gritem #19, and the applicant in applying for a non-retail icense, a retail bons fice public eating place icense, a retail icense issued for a hotel, more or other lodging establishment as defined in Section 25500 16(b) B&P, or a retail icense issued in conjuction with a beer manufacture's scense or wneytwer's scense advise the diperant to competer Section 2 and bring the companed form to ABC when filing the performance as soon as possible thereares

c. If "Yey" is checked in effort item #11 or tem #10, and the applicant is applying for an off sale beer and whe Scense, an off-sale general Icense, an onsale beer iscense, an on-sale beer and whe (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form in the social governing body, or its described a upportante officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Board of Supervisors

Governing Goty/Designated Subordinate Name

FOR DEPARTMENT USE ONLY

ABC 245 Cer 01-111

PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documention, if desired. Do not proceed to Part 3.

	n se		
math recontles		ZE DATE SCARD	
\rightarrow			
AT A JTO BE COMPLETED.	BY LOCAL OFFICIALS (II box #20c is c		
FLI PLALE OWANENCE OF MICES	STITE TANKS IN ASJANCE OF THIS MICE OF		
Ym	()No	See Attached (i.e., letter, resolution, etc.)	
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		See Attached (i.e., letter, resolution, etc.)	
Yes			

To: San Francisco Board of Supervisors

From: THV Hospitality, LLC dba San Francisco Wine Society 408 Merchant Street San Francisco, CA 94111

Re: Letter of Public Convenience & Necessity

October 16th, 2020

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Thank you for your consideration of our application to provide alcohol sales to the guests of San Francisco Wine Society.

Sincerely,

Danielle Kuzinich, Email: <u>Danielle@SanFranciscoWineSociety.com</u> Cell Phone: (925)565-5603

THV Hospitality LLC, dba San Francisco Wine Society 408 Merchant Street San Francisco, CA 94111

Mailing Address: Danielle Kuzinich 719 Willard Street Houston, TX 77006 October 17th 2020

To whom it may concern,

Yesterday I mailed a copy of my PCN letter and forgot to include the ABC-245 form. Please disregard the first letter mailed. Included in this letter is both the PCN and ABC-245 form.

Thank you for your time.

Sincerely,

Danielle Kuzinich THV Hospitality LLC, dba San Francisco Wine Society

2 PM 3: ch

APPLICATION FOR ALC BC 211 (6/99)	COHOL	IC BEVERAGE I	LICENSE(S)	State of California
TO:Department of Alcoholic 33 NEW MONTGOMER STE 1230 SAN FRANCISCO, CA (415) 356-6500	RY STRĒ	e Control EET	U 1	
DISTRICT SERVING LOCA	TION:	SAN FRANCISCO		œ
First Owner:		CALIFORNIOS R	ESTAURANT	GROUP LLC
Name of Business:		CALIFORNIOS		
Location of Business:		355 11TH ST SAN FRANCISCO	, CA 94103-4	343
County:		SAN FRANCISCO		-
Is Premises inside city limits?) -	Yes		Census Tract: 0178.02
Mailing Address:(If different from premises address)		780 DARTMOUTH SAN FRANCISCO		
Type of license(s):		41		Dropping Partner: Yes No
Transferor's license/name:				
License Type 41 - On-Sale Beer And Wine - Eating F		tion Type	<u>Master</u> Y	Secondary LT And Count
License Type	Transac	tion Description	Fee Code	Dup Date Fee
Application Fee		MARY LICENSE TYPE	NA	0 10/16/20 \$905.00
41 - On-Sale Beer And Wine - Eat	ANNUAL	, FEE	NA	0 10/16/20 \$455.00
				Total \$1,360.00
Have you ever been convicted Have you ever violated any p Department pertaining to the	rovision	•	verage Contro	Act, or regulations of the
STATE OF CALIFORNIA	Count	y of SAN FRANCIS	SCO	Date: October 16, 2020
Applicant Name(s)				
rippmeant righte(b)				
CALIFORNIOS RESTAURAN	IT GROU	P LLC		
	IT GROU			
	JT GROU			

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