

# ALBA

ARIZONA LICENSED BEVERAGE ASSOCIATION

Dear Alba members,

Possibly the biggest dram shop court decision is on the horizon that will affect liquor law cases in the state of AZ forever moving forward.

As all liquor licensees will be affected by this decision ALBA has retained the premier liquor attorney Peter Schelstraete to prepare an amicus brief ("friend of the court" one who assists the court by furnishing information or advice regarding questions of law or fact) as this case goes before the AZ Supreme Court on May 8<sup>th</sup>.

We are in this position because of a lower court's ruling in the dram shop case of Torres v. JAI case in which a decision from the court of Appeals affirmed the Arizona legislative power to limit our liability in dram shop cases to serving obviously intoxicated persons or to serving underage individuals.

This will mean that those suing licensees will face a tougher time in court which should mean fewer cases being brought and settled, which ultimately will mean lower of insurance premiums.

As a reminder Alba was successfully represented by Pete Schelstraete during the Court of Appeals decision affirming a lower threshold for liability in dram shop cases.

As we predicted the Arizona Supreme Court granted the petition to review the Court of Appeals decision.

Amicus briefs are due May 8<sup>th</sup> and a decision could be up to 6 months away.

Our attorney and Alba Board members believe that the court of Appeals decision will be upheld by The Arizona Supreme court.

As President of ALBA I believe these are the issues that are most important to our membership. ALBA is one of only a few associations that hired an attorney specially devoted to this case.

These are your dues protecting your license, your business and your employees. Spread the word of all ALBA is doing to protect your ability to make a living!

**NOW IS THE TIME!!**

**NO ONE OF US IS AS STRONG AS ALL OF US WORKING TOGETHER!**

***Thank you for your continued support.***

Sincerely,

Dave Delos  
President  
Arizona Licensed Beverage Association  
[ddelos@albainc.org](mailto:ddelos@albainc.org)  
office (602) 285-1092

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