

STATE OF INDIANA

BEFORE THE ALCOHOL AND TOBACCO COMMISSION

IN THE MATTER OF )  
THE PERMIT OF )  
Heartland Distillers LLC ) PERMIT NO. MM4930303  
Suite 1000, 9402 Uptown Drive ) VIOLATION NO. EX21011728  
Indianapolis, Indiana 46256 )  
 )  
Permittee. )

FINDINGS OF FACTS, CONCLUSIONS OF LAW, AND DEFAULT

JUDGMENT ORDER

I. Background of the Case

Heartland Distillers LLC, permit number MM4930303 (Permittee), is the holder of a manufacturing license issued by the Alcohol and Tobacco Commission (ATC). The ATC sent notice of a violation of Indiana state law and ATC rules and regulations to the Permittee scheduling a Prehearing Conference as authorized under 905 IAC 1-37-5. Permittee failed to appear for the Prehearing Conference. The hearing judge issued an Order to Show Cause scheduling the matter for a hearing. The Permittee failed to appear for the Order to Show Cause hearing.

II. FINDINGS OF FACTS

1. The ATC Prosecutor, Andrew Wignall, sent notice of violations to the Permittee at the address of record, scheduling a Pre-hearing Conference and Settlement Conference for November 22, 2021.
2. The violations were: IC 7.1-3-27-11 for blending liquor and IC 7.1-3-27-8 for not manufacturing any of their own spirits.
3. Permittee failed to appear for the Prehearing Conference scheduled for November 22, 2021.
4. On or about March 21, 2022, the Prosecutor prepared and sent to the address listed for the Permittee an Order to Show Cause notification setting the matter for hearing on April 19, 2022 at 11:30 AM in the ATC hearing room.

5. ATC received a notice from USPS Tracking that tracking number 7019228000155717155 was returned unclaimed and was returned to the sender- ATC.
6. Permittee failed to appear at the Order to Show Cause hearing on April 19, 2022.
7. The ATC Prosecutor was present for the Order to Show Cause hearing at which time evidence was presented through testimony and by exhibits and that he made a request for revocation of the permit under permit number MM4930303 issued to the Permittee.
8. Permittee has not been in contact with the ATC regarding the Violation of the Order to Show Cause.
9. The hearing judge took judicial notice of the Incident Report form filed by the Indiana Excise Police under EX-21-011728 and the ATC file of the Permittee.
10. State excise investigator Sgt. Brian Stewart, Ofc. Adam Crider, prosecutor Josh Harrison and Christopher Strouse conducted an inspection of Heartland Distillers at 9402 Upton Drive, Indianapolis, Indiana. The door was locked and after knocking on the door, someone came to the door. There was no tasting area and the location appeared to be closed to the public. It appeared the location was for a warehouse and production only. After inspecting the area, the individual who answered the door called the owner and the officer talked to Scott Templin who indicated he was the owner of Vodka Squeeze. He indicated that he was allowed to conduct business for his products at the distillery and he also indicated that the still there was used one time a couple of years ago. He indicated that that the still needed some parts and it was not "cost-effective" to produce their own alcohol. He indicated that Rob Suedhoff was the owner. On October 4, 2021, the officer talked with Rob Suedhoff on the phone who stated that at the location they make some vodka products and the Vodka Squeeze product. The officer indicated that the Permittee needed to be manufacturing 60% of the products that were being sold. He agreed that they were not manufacturing any products. He also indicated that he is just taking over full ownership of the company and was unaware of the limits of the permit. The officer indicated that the Permittee would be better suited to apply for a distiller permit. The officer indicated he would be filing a notice of violations and the officer was given an address to receive the mail.
11. Any Finding of Fact may be considered a Conclusion of Law if the context so warrants.

### III CONCLUSIONS OF LAW

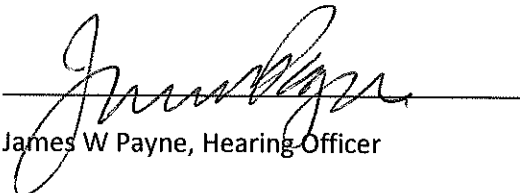
1. The Alcohol and Tobacco Commission has jurisdiction over this matter pursuant to Ind. Code Sec. 7.1-1-2-2 and Ind. Code Sec IC 6.1-2-3-4.
2. Notice of the violation was proper. 905 IAC 1-37-1 and 905 IAC 1-37-2.
3. A Prehearing conference was held pursuant to 905-IAC 1-37-6 and Permittee had an opportunity to participate in the Prehearing conference but failed to appear.
4. The hearing judge issued an Order to Show Cause to Permittee which ordered Permittee to appear. 905 IAC 1-37-9.
5. Permittee was sent notification of an Order to Show Cause and to appear at the ATC for a hearing at the address listed for Permittee but the notification was returned to the ATC for failure to sign.
6. Permittee failed to appear for the Order to Show Cause hearing.
7. A default judgment is appropriate to complete the disposition of the violations.905 IAC 1-37-9.
8. Any Conclusion of Law may be considered a Finding of Fact if the context so warrants.

### IV. DEFAULT JUDGMENT ORDER

Permittee failed to appear for the Prehearing Conference and the Order to Show Cause hearings in this matter. Judgment is entered for the Alcohol Tobacco Commission and the permit issued to Heartland Distillers LLC under permit number MM4930303 is hereby revoked.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the permittee, Heartland Distilleries LLC, is found in default for a violation of IC 7.1-3-27-11 and IC 7.1-3-27-8 and that the license, MM494930303 issued by the Alcohol Tobacco Commission is hereby REVOKED .

DATED: May 9, 2022

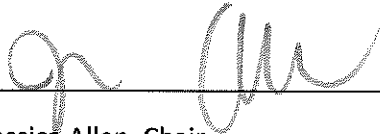
  
James W Payne, Hearing Officer

Distribution:

Andrew Wignall., ATC Prosecutor  
Heartland Distilleries LLC  
Suite 1000, 9402 Uptown Drive  
Indianapolis, Indiana 46256


Robert Suedhoff

Commission Adoption:

  
\_\_\_\_\_  
Jessica Allen, Chair

Date: 6/7/22

  
\_\_\_\_\_  
James Payne, Vice Chairman

  
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Marjorie Magnin, Commissioner

  
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Dale Grubb, Commissioner