

March 10, 1999

Thomas V. Casale, Esq.  
RESORTS USA, INC.  
Executive Offices  
P.O. Box 447  
Bushkill, PA 18324

Dear Mr. Casale:

**ISSUE:** In your letter dated February 12, 1999, you inquired on behalf of Resorts USA, Inc., a company that has several wholly-owned subsidiaries which hold eight retail licenses, as to whether a shareholder of a manufacturer licensee (License No. G-315) can simultaneously serve as an officer of Resorts USA, Inc.

**OPINION:** This office has reviewed the numerous conflict of interest provisions of the Liquor Code and determined that there is nothing which would prohibit a shareholder of a malt or brewed beverage manufacturer licensee from serving simultaneously as a corporate officer of a company that has several wholly-owned subsidiary corporations collectively holding eight retail licenses.

THIS OPINION APPLIES ONLY TO THE FACTUAL SITUATION DESCRIBED HEREIN AND DOES NOT INSULATE THE LICENSEE OR OTHERS FROM CONSEQUENCES OF CONDUCT OCCURRING PRIOR TO ITS ISSUANCE. THE PROPRIETY OF THE PROPOSED CONDUCT HAS BEEN ADDRESSED ONLY UNDER THE LIQUOR CODE AND REGULATIONS. THE LAWS AND POLICIES ON WHICH THIS OPINION IS BASED ARE SUBJECT TO CHANGE BY THE LEGISLATURE OR THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Very truly yours,

FAITH S. DIEHL  
CHIEF COUNSEL

cc: Bureau of Liquor Control Enforcement,  
Pennsylvania State Police  
D.C. Martin

Refer to: (717) 783-9454  
FAX: (717) 787-8820

LCB Advisory Opinion No. 99-080