

March 11, 1999

Joseph J. Lewczak
DAVIS & GILBERT LLP
1740 Broadway
New York, NY 10019

RE: Hennessey Vibe Live Sweepstakes

Dear Ms. Lewczak:

ISSUE: This is in response to your inquiry of February 25, 1999 to in which you request an opinion as to the legality of conducting certain activities in Pennsylvania as described in the enclosed correspondence.

OPINION: This office has reviewed the proposed promotion (and accompanying point-of-sale materials) and determined that it comports with applicable liquor laws and regulations, specifically section 493(24) of the Liquor Code. [47 P.S. §4-493(24)]. Therefore, it is permissible to conduct such event(s) in the Commonwealth on the areas checked below:

- retail licensed premises.
- distributor licensed premises.
- both retail and distributor licensed premises.
- wine & spirit shoppes, subject to approval of
Bureau of Logistics.
- other.

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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
 Fred Hamilton
 Al Connell
 Peg Kerwin
 Clint Rose

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

LCB Advisory Opinion No. 99-081