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September 22, 2009

Lt. Gene Anderson  
Texas Alcohol Beverage Commission  
6800 Manhattan Blvd, Suite 100  
Fort Worth, TX 76120

Re: John Graham

Dear Mr. Anderson,

I wanted to take a moment to express my appreciation for the excellent work Enforcement Agent John Graham has done. As you may know, I am the attorney representing Phillip Lara's family as a result of his death after being served alcohol while at Buffalo Wild Wings. Each time I get involved in one of these cases, I see the tragedy the family is enduring, and I cannot help but think about my own family, and my own son. I had the pleasure of talking to Mr. Graham and sharing with him my involvement with MADD and a legislative initiative I am working on to prevent bars from serving alcohol to persons who are on probation for alcohol related offenses.

As I told Mr. Graham, I am sure that there will come a time when he gets older that he will be faced with the temptation to try to purchase alcohol as so many minors are tempted. However, when minors are tempted, that is the time when the bar, the liquor store, or the restaurant that has been authorized to serve and to sell alcohol for a profit and has been granted a liquor license by the State of Texas that it has to meet the test, and to set the example for its employees. They need to have already put in place an environment where the ownership and management makes accepts no excuses for complying with the law because it is not okay to serve alcohol to a minor. The bars that do not meet this test deserve to be punished, and do not deserve a liquor license. For those bars such as Buffalo Wild Wings that have failed the test, we need and depend upon the Texas Alcohol Beverage Commission and its enforcement agents to step in to investigate these cases and to take action against these bars and servers that violate the law.

As you know, in this case John Graham has been handling the investigation concerning the death of Phillip Lara, a minor, who was served alcohol for a period of approximately 7 hours while at Texas Big Wings, Inc. d/b/a Buffalo Wild Wings located at 2315 Interstate 20, Grand Prairie, Texas. This case is such a tragedy for the Phillip Lara and his family who are still grieving from their loss. It is very difficult for the family to know that this Buffalo Wild Wings has had so many alcohol-related violations prior to this incident, and yet management did not put a stop to these problems, and that they continued to openly serve alcohol to minors.

However, it reassuring to see that The Texas Alcohol Beverage Commission and its enforcement agents such as Mr. Graham were able to quickly recognize that this case needed to be thoroughly investigated and that action needed to be taken not only against the server but also against Texas Big Wings, Inc. d/b/a/ Buffalo Wild Wings.

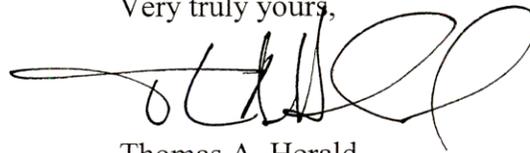
As you know, Mr. Graham's quick response enabled him to secure critical evidence. In addition, his quick action enabled him to secure and to preserve evidence that far too often is destroyed by the bar if it is not obtained immediately. Because these cases are so tragic, families such as Phillip Lara's family do not understand what evidence needs to be secured, and overcome with grief to the point tht they cannot focus on trying to investigate the incident. These families depend on the TABC's efforts to investigate these incidents, to take enforcement against against these bars and servers to punish them, and to make their presence known to serve as a deterrent to others who chose to disregard the law.

Mr. Graham's efforts have already led to the conviction of the server. This is no doubt in part because Mr. Graham promptly secured evidence such as the bar receipt, photographs and videotape and a signed affidavits from several people including Anthony Chavez, one of the servers who admitted to serving alcohol to Phillip Lara for a period of approximately 7 hours.

In addition, I also want to thank Mr. Graham for not just settling with a conviction against the server, and for realizing that considering the outrageous facts this incident, and the history of repeated violations at this bar, this is definitely a case where action needs to be taken against the bar itself because the bar encouraged violations of the Texas Alcohol Beverage Code.

Your office serves an important public function for our community in making and keeping our streets safe for all of our families. On behalf of my family and on behalf of all of my clients, thank you and Mr. Graham for the commitment and excellent work in this case.

Very truly yours,

A handwritten signature in black ink, appearing to read 'THA Herald', with a large, stylized flourish extending to the right.

Thomas A. Herald