

**DEPARTMENT OF THE TREASURY
ALCOHOL AND TOBACCO TAX AND TRADE BUREAU
ABSTRACT AND STATEMENT**

NOT IN SUIT

For briefing offers in compromise of liabilities and/or violations incurred under sections 4181 and 4182 and Chapters 51 and 52 of the Internal Revenue Code and/or liabilities and/or violations incurred under the Federal Alcohol Administration Act.

1. OFFER SUBMITTED BY (Name and address) Levecke Corporation 10810 Inland Ave. Mira Loma, CA 91752	OFFER IN COMPROMISE	
	2. ORIGINATING OFFICE TAD	3. AMOUNT OF OFFER \$28,578,944.69
	4. PERMIT, LICENSE, OR REGISTRY NO. (if applicable) [REDACTED]	
	5. CASE NUMBER	
	6. DOLLAR AMOUNT OF LIABILITY BEING COMPROMISED (if applicable) \$ 40,256,061.96	
	7. TAXPAYER IDENTIFICATION NUMBER [REDACTED]	

8. CHARGE

VIOLATIONS:
[REDACTED]:
Miscalculation of 5010 flavor credits in violation of 26 U.S.C. 5010, 26 U.S.C. 5041(b), 27 C.F.R. 19.245 and 27 C.F.R. 19.246
Unexplained Inventory Shortages in violation of 26 U.S.C. 5008(a)(1)(C), 26 U.S.C. 5370, 27 C.F.R. 19.461(b)(3), and 27 C.F.R. 24.266(c)
Failure to Timely File Excise Tax Returns and Failure to Pay and/or Timely Pay Excise Tax –26 U.S.C. 5061, 26 U.S.C. 6651, and 27 C.F.R. 19.236
[REDACTED]
Improper use of CBMA credit within a control group in violation of 26 U.S.C. 5001(c)
Unexplained Inventory Shortages in violation of 26 U.S.C. 5008(a)(1)(C), 26 U.S.C. 5370, 27 CFR 19.461(b)(3) and 27 C.F.R. 24.266(c)
Insufficient documentary proof of export in violation of 26 U.S.C. 5214, 26 U.S.C. 5207(b); 27 CFR 28.250, 27 C.F.R. 28.92, and 27 C.F.R. 19.571
Failure to Timely File Tax Returns and Failure to Pay and/or Timely Pay Excise Tax –26 U.S.C. 5061, 6651 27 CFR 19.236
[REDACTED]
Unexplained Inventory Shortages in violation of 26 U.S.C. 5008(a)(1)(C), 26 U.S.C. 5370 27 C.F.R. 19.461(b)(3), and 27 C.F.R. 24.266(c)
Failure to Timely File Tax Returns and Failure to Pay and/or Timely Pay Excise Tax –26 U.S.C. 5041, 26 U.S.C. 6651 27 C.F.R. 19.236

BUSINESS IN WHICH ENGAGED:
The proponent is registered as a:
[REDACTED] Distilled spirit plant operator
[REDACTED] Distilled spirit plant operator
[REDACTED] Bonded winery operator

DATE OR PERIOD AND LOCATION OF VIOLATIONS:
The alleged violations occurred for the following periods at the proponent's premises located at:
August 16, 2017 through November 15, 2020, 2020, at 10810 Inland Ave., Mira Loma, CA 91752 ([REDACTED] facility)
October 1, 2017 through January 15, 2021, at Haliimaile Base Yard Bldg, #20, Makawao, HI 96768 ([REDACTED] facility)
January 1, 2018 through November 15, 2020, at 10810 Inland Ave., Mira Loma, CA 91752 ([REDACTED] Bonded Wine Cellar)

AMOUNT AND TERMS OF OFFER:
The proponent offered \$28,578,944.69 with a \$3,675,212.17 down payment in compromise of the tax liabilities based on doubt as to collectibility for any and all unpaid delinquencies/liabilities identified in notices & demand, proposed assessments, and any amendments thereto on or before May 5, 2021. The down payment was broken down as follows: approved return to bond claim \$368,545.51, good faith payments received totaling \$666,666.66 and additional down payment of \$2,640,000.00. The balance of \$24,903,732.52 to be paid in monthly installments of \$350,000.00 for 6 years, in addition to two lump sum payments of \$1,000,000.00 each to be made in December 2021 and December 2022.

RECOMMENDATIONS:
The Director, Tax Services Division, recommends acceptance of the offer. Financial documents reveal that the Proponent has limited resources to meet its business obligations.

9. I have considered the proposition to compromise the liability as charged herein, and, for the reasons embodied in the above abstract and statement, am of the opinion that it will be for the best interest of the United States to ACCEPT REJECT the terms proposed.

10. SIGNATURE AND TITLE [REDACTED] [REDACTED] DAAPT, Business Operations	11. DATE 5/6/2021
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