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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NOS. 22,733

ACME WINE COMPANY
2320 MILWAUKEE WAY
TACOMA, WA 98421

FINAL ORDER OF THE BOARD

LICENSEE

~~PROPOSED~~

LICENSE NO. 081655
AVN NO. 06-6A-006

THIS MATTER having come before the Washington State Liquor Control Board (Board) and the Washington State Liquor Control Board Education and Enforcement Division having been represented by its attorneys, ROBERT M. MCKENNA, Attorney General and RUTH AMMONS, Assistant Attorney General, and the Licensee, Acme Wine Company, having been represented by owner, SCOTT CARROLL, and the parties having voluntarily entered into a stipulated settlement agreement for Liquor Control Board case No. 22,733 (AVN No 06-6A-006), and the Board having considered the stipulated settlement agreement and Enforcement's Memorandum recommending acceptance of the stipulated settlement agreement, and the Board having had the opportunity to review the file materials maintained in this case, now therefore

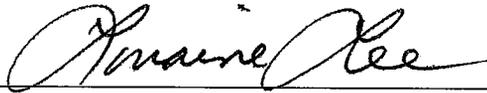
IT IS HEREBY ORDERED that the violation set forth in the Complaint dated April 5, 2007, based on AVN 06-6A-006, is sustained; except that the allegations in AVN No. 06-6A-006 regarding illegal purchases from Atherton Wine Imports, P-S Wines, USA Wine West and

1 Leroy are dismissed with prejudice and do not form any part of the factual basis for the
2 sustained violation.

3 IT IS FURTHER ORDERED that within 30 days of the date of this Order, the Licensee
4 shall pay a monetary penalty of three thousand six hundred dollars (\$3,600.00) to: Washington
5 State Liquor Control Board, 6240 Tacoma Mall Blvd., Suite 208, Tacoma, WA 98409. In the
6 event the Licensee fails to make full and timely payment of the monetary penalty, the Licensee
7 shall serve a (15) day suspension of its liquor license, the dates and time of which shall be set
8 by further order.

9 DATED this 8th day of July, 2008.

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11 WASHINGTON STATE LIQUOR CONTROL BOARD

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LCB NO. 22,733
ACME WINE COMPANY
FINAL ORDER OF THE BOARD

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**LIQUOR CONTROL BOARD
BOARD ADMINISTRATION**

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 22,733

ACME WINE COMPANY, LLC
ACME WINE COMPANY
2320 MILWAUKEE WAY
TACOMA, WA 98421

STIPULATED SETTLEMENT
AGREEMENT

LICENSEE

LICENSE NO. 081655
AVN No. 06-6A-006

The Washington State Liquor Control Board (LCB) Education and Enforcement Division (Enforcement) represented by its attorneys, ROBERT M. MCKENNA, Attorney General and RUTH AMMONS, Assistant Attorney General, and the Licensee, Acme Wine Company (Licensee), represented by owner SCOTT CARROLL, hereby enter into this stipulation and settlement agreement for LCB case No. 22,733 (AVN No. 06-6A-006).

I. INTRODUCTION

In LCB case No. 22,733, the Washington State Liquor Control Board by Complaint dated April 5, 2007, based on AVN No. 06-6A-006, alleged that the Licensee on one or more occasions: 1) illegally possessed liquor in violation of RCW 66.44.160; 2) illegally bought liquor in violation of RCW 66.44.150; 3) failed to pay taxes on shipments received in violation of WAC 314-19-015; 4) failed to report shipments and submit reports in violation of WAC 314-19-015 and 314-19-020; and 5) failed to post prices with the Board in violation of RCW

1 66.28.180. AVN No. 06-6A-006 alleges that all of the relevant acts occurred between May
2 2000 and March 2006.

3 **II. AGREEMENT OF THE PARTIES**

4 Enforcement and the Licensee agree to the following:

5 1. Enforcement and the Licensee enter into this agreement to avoid the time and
6 expense of further litigation.

7 2. The Licensee explicitly waives the right of further administrative review of all
8 matters related to the above-referenced Complaint. The Licensee hereby voluntarily withdraws
9 its request for a hearing on this matter.

10 3. The Licensee disputes the truth of the allegations contained in the Complaint.
11 However, in order to take advantage of Enforcement's offer of settlement, the Licensee agrees
12 that, were this matter to proceed to hearing, there is a substantial likelihood that Enforcement
13 would be able to prove that between May 2000 and March 2006, the Licensee on one or more
14 occasions: 1) illegally possessed liquor in violation of RCW 66.44.160; 2) illegally bought
15 liquor in violation of RCW 66.44.150; 3) failed to pay taxes on shipments received in violation
16 of WAC 314-19-015; 4) failed to report shipments and submit reports in violation of WAC
17 314-19-015 and 314-19-020; and 5) failed to post prices with the Board in violation of RCW
18 66.28.180. The parties agree that the Washington State Liquor Control Board will consider
19 that the violation set forth in the Complaint, as specified in this paragraph, has been sustained
20 and will become a part of the Licensee's violation record.

21 4. Enforcement agrees to withdraw the allegations in AVN No. 06-6A-006
22 regarding illegal purchases from Atherton Wine Imports, P-S Wines, USA Wine West and
23 Leroy.

24 5. Pursuant to this settlement, the parties agree to imposition of a monetary penalty
25 of three thousand six hundred dollars (\$3,600.00), which shall be paid by the Licensee no later
26 than thirty (30) days after the date of the Final Order of the Board. Payment shall be sent to:

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Washington State Liquor Control Board
6240 Tacoma Mall Blvd., Suite 208
Tacoma, WA 98409

6. In the event that the Licensee does not make full and timely payment of the monetary penalty as required in Section II, Paragraph 5, then the Licensee shall serve a fifteen (15) day suspension of its liquor license, the dates and time of which shall be set by the Washington State Liquor Control Board.

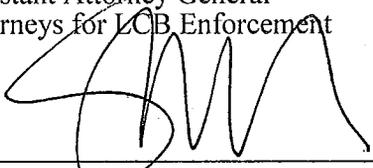
7. The parties recognize that this settlement agreement is subject to approval by the Washington State Liquor Control Board.

8. This agreement constitutes the final written expression of all the terms of this agreement and is a complete and exclusive statement of these terms.

ROBERT M. MCKENNA
Attorney General


RUTH AMMONS, WSBA #20879
Assistant Attorney General
Attorneys for LCB Enforcement

6-29-08
DATE


SCOTT CARROLL
Owner, Acme Wine Company

6/24/08
DATE