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7 **BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

8 IN THE MATTER OF:

9 JALAPENOS, INC.  
10 JALAPENOS FAMILY MEXICAN  
RESTAURANT  
11 501 W. HOLLY STREET  
BELLINGHAM, WA 98225-3921

LCB NO. 22,734

FINAL ORDER OF THE BOARD

12 LICENSEE

13 LICENSE NO. 361013

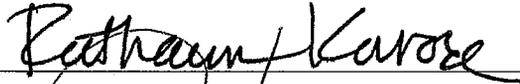
14 THIS MATTER having come before the Washington State Liquor Control Board  
15 (“Board”) and the Washington State Liquor Control Board Education and Enforcement  
16 Division (“Enforcement”) having been represented by its attorneys, ROBERT M. MCKENNA,  
17 Attorney General, and KATE REYNOLDS, Assistant Attorney General, and Jalapenos Family  
18 Mexican Restaurant (“Licensee”) having been represented by owner Jesse Cantu, and the  
19 parties having voluntarily entered into a stipulated settlement agreement for LCB No. 22,734,  
20 and the Board having considered the stipulated settlement agreement and Enforcement’s  
21 Memorandum recommending acceptance of the stipulated settlement agreement, and the Board  
22 having had the opportunity to review the file materials maintained in this case, now therefore:

23 IT IS HEREBY ORDERED that the Stipulated Settlement Agreement in LCB  
24 No. 22,734 is approved and within 30 days of the date of this Order, the Licensee shall pay a  
25 monetary penalty of three hundred fifty dollars (\$350.00) to: Washington State Liquor Control  
26 Board, 1720 Ellis Street, Suite 210, Bellingham, WA 98225-4647. In the event the Licensee

1 fails to make full and timely payment of the monetary penalty, the Licensee shall serve a five  
2 (5) day suspension of its liquor license, the dates and time of which shall be set by the  
3 Washington State Liquor Control Board.

4 DATED this 20<sup>th</sup> day of August, 2008.

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6 WASHINGTON STATE LIQUOR CONTROL BOARD

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25 JALAPENOS, INC  
26 JALAPENOS FAMILY MEXICAN RESTAURANT  
LICENSE NO. 361013  
LCB NO. 22,734

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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:  
  
JALAPENOS, INC.  
JALAPENOS FAMILY MEXICAN  
RESTAURANT  
501 W. HOLLY STREET  
BELLINGHAM, WA 98225-3921  
  
LICENSEE  
  
LICENSE NO. 361013

LCB NO. 22,734  
  
STIPULATED SETTLEMENT  
AGREEMENT

The Washington State Liquor Control Board Education and Enforcement Division (“Enforcement”) represented by its attorneys ROBERT M. MCKENNA, Attorney General, and KATE REYNOLDS, Assistant Attorney General, and the Licensee, Jesse Cantu, owner of Jalapenos Family Mexican Restaurant (“Licensee”), hereby enter into this stipulated settlement agreement for LCB Case Number 22,734.

**I. INTRODUCTION**

The Washington State Liquor Control Board charged the above-named Licensee in its amended complaint dated April 12, 2007, with the following violation of the Washington State Liquor Act:

On or about January 5, 2007, the Licensee and/or employee(s) thereof permitted one or more persons who were apparently under the influence of liquor to physically possess liquor on the licensed premise in violation of WAC 314-16-150.

1 Enforcement and the Licensee wish to enter into a settlement agreement concerning the  
2 above-referenced complaint.

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

9 2. The Licensee admits to the above-referenced complaint. On January 5, 2007,  
10 the Licensee and/or employee(s) thereof permitted one or more persons who were apparently  
11 under the influence of liquor to physically possess liquor on the licensed premise.

12 3. The Licensee agrees to pay a monetary penalty of three hundred and fifty  
13 dollars (\$350); this amount shall be paid within thirty (30) days of the date of the final order of  
14 the Washington State Liquor Control Board. Payment shall be made to the Washington State  
15 Liquor Control Board no later than 4:00 p.m. on the applicable date. Payment shall be sent to:

16 Washington State Liquor Control Board  
17 1720 Ellis Street, Suite 210  
18 Bellingham, WA 98225-4647

19 4. In the event that the Licensee does not make a timely payment, then and in that  
20 event, the Licensee shall serve a five (5) day suspension of its liquor license, the dates and time  
21 of which shall be set by the Washington State Liquor Control Board.

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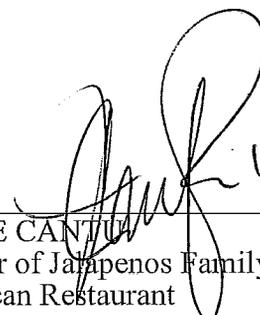
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1           5.       The parties recognize that this settlement agreement is subject to approval by  
2 the Washington State Liquor Control Board.

3           STIPULATED AND AGREED this 31 day of July, 2008.

4 ROBERT M. MCKENNA  
5 Attorney General

6   
7 KATE REYNOLDS, WSBA #34498  
8 Assistant Attorney General  
9 Attorneys for Washington State Liquor  
Control Board Education and Enforcement  
Division

  
JESSE CANTILLO  
Owner of Japapenos Family  
Mexican Restaurant