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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 22,817

CHOLU PAK AND JINSOON PAK, INC.
McCABE'S AMERICAN MUSIC CAFÉ
2611 PACIFIC AVENUE
TACOMA, WA 98402

FINAL ORDER OF THE
BOARD

LICENSEE

~~PROPOSED~~

LICENSE NO. 358302

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 GORDON KARG, Assistant Attorney General, and the Licensee, Cholu Pak and Jinsoon Pak Inc. d/b/a McCabe's American Music Cafe, having been represented by counsel, MICHAEL McALEENAN, attorney at law. The parties having voluntarily entered into a stipulated settlement agreement for Liquor Control Board Case No. 22,817, and the Board having reviewed and considered the stipulated settlement agreement and Enforcement's Memorandum recommending acceptance of the stipulated settlement agreement, now therefore:

IT IS HEREBY ORDERED that the Stipulated Settlement Agreement for Liquor Control Board Case Number 22,817 is approved.

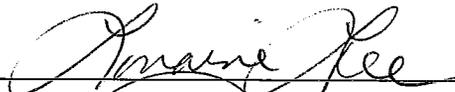
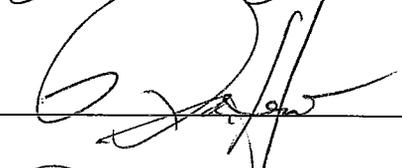
IT IS FURTHER ORDERED that within 30 days of the date of this Order, the Licensee shall pay a monetary penalty of three hundred dollars (\$300.00) to:

Washington State Liquor Control Board
Enforcement and Education Division
3000 Pacific Avenue SE
P.O. Box 43094
Olympia, WA 98504-3094

In the event the Licensee fails to make full and timely payment of the monetary penalty, the Licensee shall serve a (5) day suspension of its liquor license, the dates and time of which shall be set by further order.

DATED this 27th day of May, 2009.

WASHINGTON STATE LIQUOR CONTROL BOARD


CHOLU PAK AND JINSOON PAK, INC.
McCABE'S AMERICAN MUSIC CAFE
LICENSE NO. 358302
LCB NO. 22,817

FINAL ORDER OF THE BOARD
~~PROPOSED~~

ATTORNEY GENERAL OF WASHINGTON
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
(360) 664-9006

RECEIVED

MAR 26 2009

**LIQUOR CONTROL BOARD
BOARD ADMINISTRATION**

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 22,817

CHOLU PAK AND JINSOON PAK, INC.
McCABE'S AMERICAN MUSIC CAFE
2611 PACIFIC AVENUE
TACOMA, WA 98402

STIPULATED SETTLEMENT
AGREEMENT

LICENSEE

LICENSE NO. 358302

The Washington State Liquor Control Board (LCB) Education and Enforcement Division (Enforcement) represented by its attorneys, ROBERT M. MCKENNA, Attorney General and GORDON KARG, Assistant Attorney General, and the Licensee, Cholu Pak and Jinsoon Pak, Inc. d/b/a McCabe's American Music Café (Licensee), represented by counsel MICHAEL McALEENAN, Attorney at Law, hereby enter into this stipulation and settlement agreement for LCB Case No. 22,817.

I. INTRODUCTION

The Washington State Liquor Control Board charged the above-named Licensee in its Complaint dated July 7, 2008, with the following violation of the Washington State Liquor Act: On or about November 30, 2007, the Licensee and/or employee(s) thereof sold, gave and/or otherwise supplied liquor to a person under the age of twenty one in violation of RCW 66.44.270(1).

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 disputes the truth of the allegations contained in the Complaint.
10 However, the Licensee agrees that, were this matter to proceed to hearing, there is a substantial
11 likelihood that Enforcement would be able to prove that on or about November 30, 2007, the
12 Licensee and/or employee(s) thereof sold, gave and/or otherwise supplied liquor to a person
13 under the age of twenty one in violation of RCW 66.44.270(1). Therefore, the Licensee agrees
14 to stipulate to the violation set forth in the above-referenced Complaint, solely to take
15 advantage of Enforcement's offer of settlement.

16 3. The parties agree that the Washington State Liquor Control Board will consider
17 that the violation set forth in the Complaint, as specified in this paragraph, has been sustained
18 and will become a part of the Licensee's violation record and will have the full force and affect
19 in law as any other violation of a liquor law or regulation.

20 4. Pursuant to this settlement, the parties agree to imposition of a monetary penalty
21 of three hundred dollars (\$300.00), which shall be paid by the Licensee no later than thirty (30)
22 days after the date of the Final Order of the Board. Payment shall be sent to:

23 Washington State Liquor Control Board
24 Enforcement and Education Division
25 3000 Pacific Avenue SE
26 P.O. Box 43094
Olympia, WA 98504-3094

RECEIVED

MAY 22 2008

**LIQUOR CONTROL BOARD
BOARD ADMINISTRATION**

ATTACHMENT A

XZ

ATTORNEY GENERAL OF WASHINGTON
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
(360) 664-9006

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5. In the event that the Licensee does not make full and timely payment of the monetary penalty as required in Section II, Paragraph 4, then the Licensee shall serve a five (5) day suspension of its liquor license, the dates and time of which shall be set by the Washington State Liquor Control Board.

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

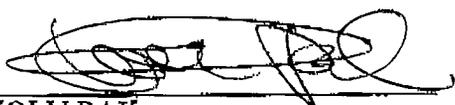
7. This agreement constitutes the final written expression of all the terms of this agreement and is a complete and exclusive statement of these terms.

DATED this 20th day of March 2009.

ROBERT M. MCKENNA
Attorney General

GORDON KARG, WSBA #37178
Assistant Attorney General
Attorneys for Washington State Liquor Control Board
Education and Enforcement Division


MICHAEL McALEENAN, WSBA #29426
Attorney for Licensee


CHOLU PAK
Officer of Cholu Pak and Jinsoon Pak Inc.
d/b/a McCabe's American Music Cafe