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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

PODORI ENTERPRISES LTD. d/b/a
LUCKY MARKET

3729 E. COLLEGE WAY
MOUNT VERNON, WA 98273

LICENSEE

LICENSE NO. 403445
AVN NOS. 3C9212B, 3C9267A,
3C0051A, 3C0102A, 3C0102B, 3C0102C,
and 3C0104A

LCB NOS. 23,590
23,607
23,632
23,667

FINAL ORDER OF THE BOARD

[PROPOSED]

THIS MATTER having come before the Washington State Liquor Control Board (Board) and the Washington State Liquor Control Board Education and Enforcement Division (Enforcement) by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and BRIAN J. CONSIDINE, Assistant Attorney General, and PODORI ENTERPRISES LTD. d/b/a LUCKY MARKET (Licensee) of Mount Vernon, Washington, through its attorney, ROY HOWSON and the parties having voluntarily entered into a stipulated settlement agreement for Liquor Control Board (LCB) case numbers 23,590, 23,607, 23,632, and 23,667 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 Complaints for Case Numbers 23,607, 23,632, and 23,667 are sustained and Case Number 23,590 is dismissed.

1 IT IS FURTHER ORDERED that the penalty in LCB Case Numbers 23,607, 23,632,
2 and 23,667 is cancellation of the Licensee's liquor license, and the cancellation of the
3 Licensee's liquor license will be effective immediately. The assessment of any fees or
4 suspension associated with all the above-referenced violations is waived.

5
6 DATED this 22 day of June, 2010.

7 WASHINGTON STATE LIQUOR CONTROL BOARD

8 Sharon Foster

9
10 Ruthann Kuose

11
12 Linda D. Bremer

RECEIVED

JUN 18 2010

**LIQUOR CONTROL BOARD
BOARD ADMINISTRATION**

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**STATE OF WASHINGTON
LIQUOR CONTROL BOARD**

IN THE MATTER OF:

PODORI ENTERPRISES LTD. d/b/a
LUCKY MARKET

3729 E. COLLEGE WAY
MOUNT VERNON, WA 98273

LICENSEE

LICENSE NO. 403445
AVN NOS. 3C9212B, 3C9267A, 3C0051A,
3C0102A, 3C0102B, 3C0102C, and 3C0104A

LCB NOS. 23,590
23,607
23,632
23,667

STIPULATED SETTLEMENT
AGREEMENT

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) by and through its attorneys, ROBERT M. MCKENNA, Attorney General and BRIAN J. CONSIDINE, Assistant Attorney General, and PODORI ENTERPRISES LTD. d/b/a LUCKY MARKET (Licensee), through its attorney, ROY HOWSON, hereby enter into this stipulated settlement agreement for Liquor Control Board (LCB) case numbers 23,590, 23,607, 23,632, and 23,667, arising from Administrative Violation Notices (AVNs) 3C9212B, 3C9267A, 3C0051A, 3C0102A, 3C0102B, 3C0102C, and 3C0104A.

I. INTRODUCTION

1. In LCB No. 23,590, the Washington State Liquor Control Board, by Complaint, alleged that on or about July 31, 2009, the above-named Licensee, or an employee thereof, sold liquor to a person apparently under the influence of liquor, contrary to RCW 66.44.200 and/or WAC 314-16-150.

2. In LCB No. 23,607, the Washington State Liquor Control Board, by Complaint, alleged that on or about August 15, 2009, the above-named Licensee, or an employee thereof,

LUCKY MARKET, LCB NOS. 23,590,
23,607, 23,632, AND 23,667

STIPULATED SETTLEMENT
AGREEMENT

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

1 sold, gave and/or otherwise supplied liquor to a person(s) under the age of twenty-one (21),
2 contrary to RCW 66.44.270 and WAC 314-11-020(1).

3 3. In LCB No. 23,632, The Washington State Liquor Control Board, by
4 Complaint, alleged that on or about January 15, 2010, the above-named Licensee, or an
5 employee thereof, sold, liquor to a person apparently under the influence of liquor, contrary to
6 RCW 66.44..200 and/or WAC 314-16-150.

7 4. In LCB No. 23,667, The Washington State Liquor Control Board, by
8 Complaint, alleged that:

9 a. On or about March 24, 2010, the above-named Licensee, or an employee
10 thereof, sold, gave and/or otherwise supplied liquor to a person under the age of
11 twenty-one (21), contrary to RCW 66.44.270 and WAC 314-11-020(1); and

12 b. On or about March 31, 2010, the above-named Licensee, or an employee
13 thereof, sold, gave and/or otherwise supplied liquor to a person under the age of
14 twenty-one (21), contrary to RCW 66.44.270 and WAC 314-11-020(1); and

15 c. On or about April 12, 2010, the above-named Licensee, or an employee
16 thereof, sold, gave and/or otherwise supplied liquor to a person under the age of
17 twenty-one (21), contrary to RCW 66.44.270 and WAC 314-11-020(1); and

18 d. On or about April 14, 2010, the above-named Licensee, or an employee
19 thereof, sold, gave and/or otherwise supplied liquor to a person under the age of
20 twenty-one (21), contrary to RCW 66.44.270 and WAC 314-11-020(1).

21 5. Enforcement and the Licensee wish to enter into a settlement agreement
22 concerning the above-referenced Complaints.

23 **II. AGREEMENT OF THE PARTIES**

24 Enforcement and the Licensee agree to the following:

25 1. The parties enter into this agreement to avoid the time and expense of further
26 litigation.

LUCKY MARKET, LCB NOS. 23,590,
23,607, 23,632, AND 23,667

STIPULATED SETTLEMENT
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Olympia, WA 98504-0100
(360) 664-9006

1 2. The Licensee explicitly waives the right of further administrative review of all
2 matters related to the above-referenced Complaints. Furthermore, the Licensee hereby
3 voluntarily withdraws its request for a hearing in these matters.

4 3. The Licensee admits to the violations set forth in LCB Case Nos. 23,607,
5 23,632, and 23,667. Specifically, it admits that:

6 a. On or about August 15, 2009, the above-named Licensee, or an
7 employee thereof, sold, gave and/or otherwise supplied liquor to a person(s) under the
8 age of twenty-one (21), contrary to RCW 66.44.270 and WAC 314-11-020(1).

9 b. On or about January 15, 2010, the above-named Licensee, or an
10 employee thereof, sold, liquor to a person apparently under the influence of liquor,
11 contrary to RCW 66.44.200 and/or WAC 314-16-150.

12 c. On or about March 24, 2010, the above-named Licensee, or an employee
13 thereof, sold, gave and/or otherwise supplied liquor to a person under the age of
14 twenty-one (21), contrary to RCW 66.44.270 and WAC 314-11-020(1); and

15 d. On or about March 31, 2010, the above-named Licensee, or an employee
16 thereof, sold, gave and/or otherwise supplied liquor to a person under the age of
17 twenty-one (21), contrary to RCW 66.44.270 and WAC 314-11-020(1); and

18 e. On or about April 12, 2010, the above-named Licensee, or an employee
19 thereof, sold, gave and/or otherwise supplied liquor to a person under the age of
20 twenty-one (21), contrary to RCW 66.44.270 and WAC 314-11-020(1); and

21 f. On or about April 14, 2010, the above-named Licensee, or an employee
22 thereof, sold, gave and/or otherwise supplied liquor to a person under the age of
23 twenty-one (21), contrary to RCW 66.44.270 and WAC 314-11-020(1).

24 4. The parties agree that the progressive penalty structure for sales to minors and
25 sales to apparently intoxicated persons, found in WAC 314-29-020, is applicable in all of the
26 above-reference cases.

LUCKY MARKET, LCB NOS. 23,590,
23,607, 23,632, AND 23,667

STIPULATED SETTLEMENT
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5. The Licensee agrees to have its liquor license cancelled pursuant to the progressive penalty structure in WAC 314-29-020.

6. In consideration of and for this stipulation, Enforcement agrees to the dismissal of LCB No. 23,590 and to have the Board waive the assessment of any fees or suspension associated with all the violations referenced in LCB Case Nos. 23,607, 23,632, and 23,667.

7. The parties acknowledge that the violations stipulated to in paragraph 3(a)-(f) will become a part of the Licensee's violation record.

8. The parties recognize that this Agreement is subject to approval by the Washington State Liquor Control Board and any cancellation of the Licensee's liquor license will not be effective until the Washington State Liquor Control Board issues a final order cancelling the Licensee's liquor license.

9. The undersigned parties declare that the terms of this Agreement are completely read, wholly understood, and voluntarily accepted for the purpose of making a full and final compromise and settlement of any and all violations or claims arising from any of the above-referenced Complaints.

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LUCKY MARKET, LCB NOS. 23,590,
23,607, 23,632, AND 23,667

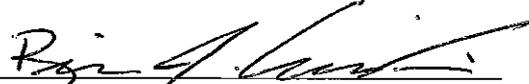
STIPULATED SETTLEMENT
AGREEMENT

OFFICE OF THE ATTORNEY GENERAL
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10. This Agreement constitutes the final written expression of all the terms of this agreement and is a complete and exclusive statement of these terms, and shall be effective when signed by all parties and/or their legal representatives.

ROBERT M. MCKENNA
Attorney General



BRIAN J. CONSIDINE, WSBA #39517
Assistant Attorney General
Attorneys for LCB Enforcement

6/11/10
DATE



ROY HOWSON, WSBA #3058
Attorney for the Licensee

6/9/10
DATE



JUM KYU LEE
Representative for Licensee

6/9/10
DATE

LUCKY MARKET, LCB NOS. 23,590,
23,607, 23,632, AND 23,667

STIPULATED SETTLEMENT
AGREEMENT

OFFICE OF THE ATTORNEY GENERAL
1125 Washington Street SE
PO Box 40100
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(360) 664-9006



**Washington State
Liquor Control Board**

June 24, 2010

Roy Howson, Attorney for Licensee
415 Pine St
Mount Vernon, WA 98273-3853

Jum Kyu Lee
Podori Enterprises LTD
d/b/a Lucky Market
3729 E College Way #B
Mount Vernon, WA 98273-9166

Brian Considine, AAG
GCE Division, Office of Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100

**RE: FINAL ORDER OF THE BOARD
ADMINISTRATIVE VIOLATION NOTICE NOS. 3C9212B, 3C9267A, 3C0015A, 3C0102A,
3C0102B, 3C0102C, and 3C0104A
LICENSEE: Podori Enterprises LTD
TRADE NAME: Lucky Market
LOCATION: 3729 E College Way #B, Mount Vernon, WA 98273-9166
LICENSE NO. 403445-3C
LCB HEARING NOS. 23,590, 23,607, 23,632, and 23,667
UBI: 602 335 086 001 0003**

Dear Parties:

Enclosed please find a Declaration of Service by Mail and a copy of the Final Order in the above referenced matter, as well as a copy of the Stipulated Settlement Agreement.

If you have any questions, please contact me at (360) 664-1602.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin McCarroll".

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (3)

cc: Bellingham Enforcement and Education Division, WSLCB
Alan Rathbun, Licensing and Regulation Director
Amber Harris, WSLCB

1
2
3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

5 PODORI ENTERPRISES LTD
6 d/b/a LUCKY MARKET
7 3729 E COLLEGE WAY #B
8 MOUNT VERNON, WA 98273-9166

LCB NOS. 23,590
23,607
23,632
23,667

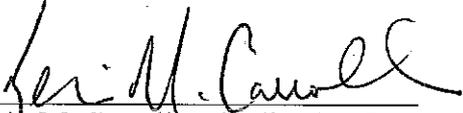
9 LICENSEE

10 LICENSE NO. 403445

DECLARATION OF SERVICE BY
MAIL

11 I declare under penalty of perjury under the laws of the state of Washington that on
12 June 24, 2010, I served a true and correct copy of the FINAL ORDER OF THE BOARD in the
13 above-referenced matter, by placing a copy of said documents in the U.S. mail, postage
14 prepaid, to all parties or their counsel of record.

15 DATED this 24th day of June, 2010, at Olympia, Washington.

16
17 
18 Kevin McCarroll, Adjudicative Proceedings Coordinator

19 ROY HOWSON, ATTORNEY FOR LICENSEE
20 415 PINE ST
21 MOUNT VERNON, WA 98273-3853

BRIAN CONSIDINE, ASSISTANT
ATTORNEY GENERAL, GCE DIVISION
OFFICE OF THE ATTORNEY GENERAL
1125 WASHINGTON STREET SE
PO BOX 40100
OLYMPIA, WA 98504-0100

23 JUM KYU LEE
24 PODORI ENTERPRISES LTD
25 d/b/a LUCKY MARKET
26 3729 E COLLEGE WAY #B
MOUNT VERNON, WA 98273-9166

DECLARATION OF SERVICE BY
MAIL