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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

JOSE A. OCAMPO d/b/a CIRCLE INN

310 Main Street
Granger, WA 98932

LICENSEE.

LICENSE No. 350880-4F
AVN Nos. 4K0149A, 4F0199A, 4F0199B,
and 4D0276A

LCB Nos. 23,739; 23,740; 23,741;
and 23,793

OAH Nos. 2011-LCB-0017; 2011-
LCB-0018; 2011-LCB-0022

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 the Licensee, JOSE A. OCAMPO d/b/a CIRCLE INN (Licensee) of Granger, Washington, represented by ADOLFO BANDA, attorney for Licensee, and the parties having voluntarily entered into a stipulated settlement agreement for Case Numbers 23,739; 23,740; 23,741; and 23,793, 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 issued in LCB Nos. 23,740; 23,741; and 23,793 are sustained.

1 IT IS FURTHER ORDERED that the Licensee shall serve a fifteen (15) day suspension
2 of the Licensee's liquor license in LCB No. 23,740. The suspension shall be effective
3 September 26, 2011, at 10:00 a.m. through October 11, 2011, at 10:00 a.m.

4 IT IS FURTHER ORDERED that the Licensee shall pay a two thousand dollar (\$2000)
5 monetary penalty monetary penalty in LCB No. 23,793. The Licensee shall pay the two
6 thousand dollar (\$2,000) monetary penalty in four (4) installments of: (1) five hundred dollars
7 (\$500) by September 30, 2011; (2) five hundred dollars (\$500) by October 31, 2011; (3) five
8 hundred dollars (\$500) by November 30, 2011; and (4) five hundred dollars (\$500) by
9 December 30, 2011. All payments must be sent to:

10 Washington State Liquor Control Board
11 P.O. Box 43085
Olympia, WA 98504-3085

12 In the event that the Licensee does not make full and timely payment of the monetary penalty,
13 the Licensee shall serve a seven (7) day suspension of its liquor license, the dates and time of
14 which shall be set by the Washington State Liquor Control Board.

15 IT IS FURTHER ORDERED that the penalty in LCB No. 23,741 is waived and the
16 Complaint in LCB No. 23,739 is dismissed.

17 DATED this 30 day of August, 2011.

18 WASHINGTON STATE LIQUOR CONTROL BOARD

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

4 IN THE MATTER OF:

5 JOSE A. OCAMPO d/b/a CIRCLE INN

6 310 Main Street
7 Granger, WA 98932

8 LICENSEE.

9 LICENSE No. 350880-4F
10 AVN Nos. 4K0149A, 4F0199A, 4F0199B,
and 4D0276A

LCB NO. 23,739; 23,740; 23,741;
and 23,793

STIPULATED SETTLEMENT
AGREEMENT

11 The Washington State Liquor Control Board (Board) Education and Enforcement
12 Division (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney
13 General, and BRIAN J. CONSIDINE, Assistant Attorney General, and the Licensee, JOSE A.
14 OCAMPO d/b/a CIRCLE INN (Licensee) of Granger, Washington, represented by ADOLFO
15 BANDA, attorney for Licensee, hereby enter into this stipulation and settlement agreement for
16 LCB Case Nos. 23,739; 23,740; 23,741; and 23,793.

17 **I. INTRODUCTION**

18 1. The Board issued a complaint in LCB No. 23,739 alleging that on or about May
19 29, 2010, the above-named Licensee or employee(s) thereof, allowed an apparently intoxicated
20 person to possess and/or consume liquor on the licensed premises, contrary WAC 314-16-150.

21 2. The Board issued a complaint in LCB No. 23,740 alleging that on or about July
22 18, 2010, the above-named Licensee, or employee thereof, allowed an apparently intoxicated
23 person to possess and/or consume liquor on the licensed premises, contrary WAC 314-16-150.

24 3. The Board issued a complaint in LCB No. 23,741 alleging that on or about July
25 18, 2010, the above-named Licensee, or employee thereof, failed to serve at least four (4)
26 complete meals; and/or failed to make available a menu that listed, at a minimum, the required

1 complete meals; and/or failed to maintain kitchen equipment necessary to prepare the required
2 complete meals, contrary to RCW 66.44.175 and WAC 314-02-035.

3 4. The Board issued a complaint in LCB No. 23,793 alleging that on or about
4 October 3, 2010, the above-named Licensee, or an employee(s) thereof, allowed a person
5 under twenty-one (21) years of age to enter and remain in an area classified as off-limits to
6 persons under the age of twenty one (21), contrary to RCW 66.44.310 and
7 WAC 314-11-020(2).

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

10 II. AGREEMENT OF THE PARTIES

11 Enforcement and the Licensee agree to the following:

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

14 2. The Licensee explicitly waives the right of further administrative review of all
15 matters related to the above-referenced case and AVN. Furthermore, the Licensee hereby
16 voluntarily withdraws its request for a hearing in this matter.

17 3. The Licensee admits to the violations alleged in LCB Nos. 23,740; 23,741; and
18 23,793. Specifically, the Licensee admits to:

19 (a) allowing an apparently intoxicated person to possess and/or consume liquor on the
20 licensed premises on July 18, 2010, as detailed in AVN No. 4F0199A (LCB No.
21 23,740);

22 (b) failing to serve at least four (4) complete meals; and/or failed to make available a
23 menu that listed, at a minimum, the required complete meals; and/or failed to
24 maintain kitchen equipment necessary to prepare the required complete meals on July
25 18, 2010, as detailed in AVN No. 4F0199B (LCB No. 23,741); and
26

1 (c) allowing a person under twenty-one (21) years of age to enter and remain in an
2 area classified as off-limits to persons under the age of twenty one (21) on October 3,
3 2010, as detailed in AVN No. 4D0276A (LCB No. 23,793).

4 4. The parties also agree that:

5 (a) The violation in 23,740 is a third violation of its kind and it carries with it a thirty
6 (30) day suspension of the Licensee's liquor license with no option of a monetary
7 penalty;

8 (b) The violation in 23,741 is a first violation of its kind and the penalty is a five (5)
9 day suspension of the Licensee's liquor license or a two hundred and fifty dollar
10 (\$250) monetary penalty in lieu of the suspension; and

11 (c) The violation in 23,793 is a second violation on its kind and the penalty is a seven
12 (7) day suspension of the Licensee's liquor license with no option of a monetary
13 penalty.

14 5. Pursuant to this settlement, the parties agree to the imposition of:

15 (a) A fifteen (15) day suspension of the Licensee's liquor license in LCB No.
16 23,740. The suspension shall be effective ~~Sept 26~~, 2011, at 10:00 a.m. through
17 Oct 11, 2011, at 10:00 a.m.; and

18 (b) A two thousand dollar (\$2000) monetary penalty in LCB No.
19 23,793. The parties agree that the Licensee will pay the two thousand dollar (\$2,000)
20 monetary penalty in four (4) installments of: (1) five hundred dollars (\$500) by
21 September 30, 2011; (2) five hundred dollars (\$500) by October 31, 2011; (3) five
22 hundred dollars (\$500) by November 30, 2011; and (4) five hundred dollars (\$500)
23 by December 30, 2011. All payments must be sent to:

24 Washington State Liquor Control Board
25 P.O. Box 43085
26 Olympia, WA 98504-3085

1 6. In the event that the Licensee does not make full and timely payment of the
2 monetary penalty as required in Section II, Paragraph 5(b), then the Licensee shall serve a
3 seven (7) day suspension of its liquor license, the dates and time of which shall be set by the
4 Washington State Liquor Control Board.

5 7. In consideration for the Licensee's admissions and willingness to enter into this
6 agreement, Enforcement agrees that the Board can waive the penalty in LCB No. 23,741.
7 Additionally, Enforcement agrees the violation identified in LCB No. 23,739 should be
8 dismissed.

9 8. This settlement agreement constitutes the final written expression of all the
10 terms of this agreement and is a complete and exclusive statement of these terms, and shall be
11 effective when signed by all parties and/or their legal representatives.

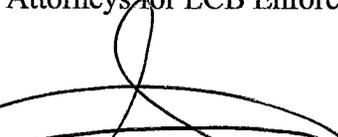
12 9. The parties recognize that this settlement agreement is subject to approval by
13 the Washington State Liquor Control Board.

14
15 ROBERT M. MCKENNA
16 Attorney General

17 
18 BRIAN J. CONSIDINE WSBA #39517
19 Assistant Attorney General
20 Attorneys for LCB Enforcement

8/23/11

DATE

21 
22 ADOLFO BANDA, WSBA #
23 Attorney for Licensee

8/19/11

DATE

24 
25 JOSE A. OCAMPO
26 Licensee

8/18/11

DATE



**Washington State
Liquor Control Board**

September 1, 2011

Jose A Ocampo, Licensee
d/b/a Circle Inn
PO Box 1115
Granger, WA 98932-1115

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

LICENSEE: Jose A Ocampo

TRADE NAME: Circle Inn

LOCATION: 310 Main Street, Granger, WA 98932

LICENSE NO. 350880-4K

ADMINISTRATIVE VIOLATION NOTICE NOS 4K0149A, 4F0199A, 4F0199B, 4D0276A

LCB HEARING NOS. 23,739, 23,740, 23,741, 23,793

UBI: 602 004 055 002 0002

Dear Parties:

Please find the enclosed Declaration of Service by Mail and a copy of the Final Order of the Board in the above-referenced matter along with a copy of the Stipulated Settlement Agreement.

If full and timely payment is not received for case 23,793 (4D0276A) in accordance with the settlement agreement and final order, then suspension will take place from 10:00 a.m. on January 20, 2012 until 10:00am on January 25, 2012.

The address for payments is WSLCB, P.O. Box 43085, Olympia, WA 98504-3085. Please label the check with your License Number and Administrative Violation Notice Number listed above. If you have any questions, please contact me at (360) 664-1602.

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (3)

cc: Spokane and Pasco Enforcement and Education Divisions, WSLCB
Teresa Young, WSLCB

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3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

5 JOSE A OCAMPO
6 CIRCLE INN
7 310 MAIN STREET
8 GRANGER, WA 98932

LCB NOS. 23,739
23,740
23,741
23,793

9 LICENSEE

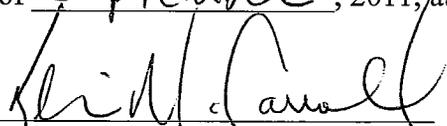
DECLARATION OF SERVICE BY
MAIL

10 LICENSE NO. 350880-4K
11 AVN NOS 4K0149A, 4F0199A, 4F0199B,
12 4D0276A

13 I certify that I caused a copy of the *FINAL ORDER OF THE BOARD* in the above-
14 referenced matter to be served on all parties or their counsel of record by US Mail Postage
15 Prepaid via Consolidated Mail Service for Licensees, by Campus Mail for the Office of
16 Attorney General, on the date below to:

18 JOSE A OCAMPO, LICENSEE 19 d/b/a CIRCLE INN 20 PO BOX 1115 21 GRANGER, WA 98932-1115	BRIAN CONSIDINE, ASSISTANT ATTORNEY GENERAL, GCE DIVISION OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100
22 JOSE A OCAMPO 23 d/b/a CIRCLE INN 24 310 MAIN STREET 25 GRANGER, WA 98932	

26 DATED this 1st day of September, 2011, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator

DECLARATION OF SERVICE BY
MAIL