BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF: JJC KOBE INC. d/b/a 2 A.M. 14603 NE 20TH ST, STE 4 BELLEVUE, WA 98007 LICENSEE LICENSE NO. 089087 AVN NO. 2H1302A	LCB NO. 23,917 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 MARISA E. BROGGEL, Assistant Attorney General, and JJC KOBE INC. d/b/a 2 A.M. (Licensee) represented by and through JIYON YOM, and the parties having voluntarily entered into a stipulated settlement agreement for Administrative Violation Notice (AVN) No. 2H1302A, Case No. 23,917, 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 allegations set forth in AVN No. 2H1302A and Enforcement's Complaint dated July 16, 2012, to wit:

1. That on or about October 29, 2011, the Licensee, or employee(s) thereof, gave, sold or otherwise supplied liquor to an apparently intoxicated person, in violation of RCW 66.44.200(1); and

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PO Box 40100
Olympia, WA 98504-0100
(360) 664-9006

2. That on or around October 29, 2011, the Licensee or employee(s) thereof sold, served or otherwise allowed the consumption of liquor on the licensed premises between the hours of 2:00 a.m. and 6:00 a.m., in violation of WAC 314-11-070;

are sustained.

IT IS FURTHER ORDERED that the allegation set forth in AVN No. 2H1302A and in Enforcement's Complaint dated July 16, 2012, specifically:

(T)hat on or around October 29, 2011, the Licensee or employee(s) thereof sold, served or otherwise supplied spirits by the bottle and not by the individual glass, in violation of WAC 314-02-015(a),

is hereby dismissed.

IT IS FURTHER ORDERED that the Licensee shall pay a monetary penalty of three hundred and fifty dollars ($350) for the two (2) violations that are sustained by this Order[1].

IT IS FURTHER ORDERED that the Licensee's cessation of business operations and voluntarily relinquishing of its liquor license, as well as the Licensee's payment of a monetary penalty of three hundred and fifty dollars ($350), shall act in lieu of the standard penalty for this violation, which is a monetary penalty of five hundred dollars ($500) for each violation or a five (5) day suspension of the liquor license for each violation.

DATED this 28 day of NOVEMBER, 2012.

WASHINGTON STATE LIQUOR CONTROL BOARD

JUSTIN NORDHORN, CHIEF
ENFORCEMENT AND EDUCATION DIVISION

[1] It is acknowledged that on or around April 12, 2012, the Board received from the Licensee a payment of three hundred and fifty dollars ($350) pursuant to a previous settlement agreement that was never finalized by the parties. This payment will constitute payment in full of the monetary penalty ordered herein.

RECEIVED

NOV 27 2012

Liquor Control Board
Board Administration

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF: JJC KOBE INC. d/b/a 2 A.M. 14603 NE 20TH ST, STE 4 BELLEVUE, WA 98007 LICENSEE LICENSE NO. 089087 AVN NO. 2H1302A	LCB NO. 23,917 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 MARISA E. BROGGEL, Assistant Attorney General, and JJC KOBE INC. d/b/a 2 A.M. (Licensee), represented by and through JIYON YOM, hereby enter into this stipulated settlement agreement for Washington State Liquor Control Board (Board) Case No. 23,917, arising from Administrative Violation Notice (AVN) No. 2H1302A.

I. INTRODUCTION

The Washington State Liquor Control Board Enforcement and Education Division (Enforcement) charged the Licensee with the following violations of Title 66 RCW and/or Title 314 WAC by its Complaint dated July 16, 2012:

1. That on or around October 29, 2011, the Licensee or employee(s) thereof, gave, sold or otherwise supplied liquor to an apparently intoxicated person, in violation of RCW 66.44.200(1);

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2. That on or around October 29, 2011, the Licensee or employee(s) thereof sold, served, or allowed the consumption of liquor on the licensed premises between the hours of 2:00 a.m. and 6:00 a.m., in violation of WAC 314-11-07;

3. That on or around October 29, 2011, the Licensee or employee(s) thereof sold, served or otherwise supplied spirits by the bottle and not by the individual glass, in violation of WAC 314-02-015(1)(a).

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

II. AGREEMENT OF THE PARTIES

Enforcement and the Licensee agree to the following:

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

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

3. This Agreement constitutes the final written expression of all the terms of this Agreement and is a complete and exclusive statement of these terms. This Agreement supersedes any and all prior settlement agreements.

4. The Licensee stipulates to the following violations of Title 66 RCW and/or Title 314 WAC:

a. Licensee admits that on or around October 29, 2011, the Licensee or employee(s) thereof gave, sold, or otherwise supplied liquor to an apparently intoxicated person in violation of RCW 66.44.200(1).

b. Licensee admits that on or around October 29, 2011, the Licensee or employee(s) thereof sold, served, or allowed the consumption of liquor on the

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licensed premises between the hours of 2:00 a.m. and 6:00 a.m., in violation of WAC 314-11-070.

5. The parties agree and stipulate to the dismissal of the alleged violation set forth in section (2) in the above-referenced complaint. That is, the parties agree and stipulate that the violation alleging that on or around October 29, 2011, the Licensee or employee(s) thereof sold, served or otherwise supplied spirits by the bottle and not by the individual glass, in violation of WAC 314-02-015(1)(a), should be dismissed.

6. The Licensee admits that the two violations to which it stipulates are the Licensee's first violations of this type within a twenty-four (24) month period, for which the standard penalty is suspension of the Licensee's liquor license for five (5) days or a monetary penalty of five hundred dollars ($500) for each violation.

7. The Licensee agrees to pay a monetary penalty of three hundred and fifty dollars ($350) for the violations stipulated to in Section II, Paragraph 4.

8. The parties agree and stipulate that on or around April 12, 2012, the Board received from the Licensee check No. 0058 in the amount of three hundred and fifty dollars ($350)[1].

9. The parties agree that the check payment referenced in Section II, Paragraph 8, will serve as payment in full of the monetary penalty referenced in Section II, Paragraph 7.

10. The Licensee stipulates that it ceased business operations on or around May 25, 2012, and voluntarily relinquished its liquor license with no further interest remaining in the license.

11. The parties recognize that this Agreement is subject to approval by the Board.

12. 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

[1] Pursuant to an earlier stipulated settlement agreement which was never finalized by the parties.

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compromise and settlement of any and all violations arising from the above-referenced Complaint.

ROBERT M. MCKENNA
Attorney General

MARISA E. BROGGEL, WSBA #41767
Assistant Attorney General
Attorneys for Washington State
Liquor Control Board Education and
Enforcement Division

DATE 10/23/2012

JIYON YOM
For JJC KOBE INC. d/b/a 2 A.M.,
Licensee

DATE 10/12/12

ATTORNEY GENERAL OF WASHINGTON
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Olympia, WA 98504-0100
(360) 664-9006

Washington State
Liquor Control Board

November 29, 2012

Jiyon Yom
JJC Kobe, Inc.
d/b/a 2 A.M.
2340 130th Ave NE #D110
Bellevue, WA 98005-1700

Marisa E. Broggel, 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: JJC Kobe, Inc.
TRADE NAME: 2 A.M.
LOCATION: 14603 NE 20th St Ste 4, Bellevue, WA 98007-3712
LICENSE NO. 089087-3K
ADMINISTRATIVE VIOLATION NOTICE NO. 2H1302A
LCB HEARING NO. 23,917
UBI: 602 949 069 001 0001

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, as well as a copy of the Stipulated Settlement Agreement.

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

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures
cc: Mt. Vernon Enforcement and Education Division, WSLCB
Teresa Young, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF: JJC KOBE, INC. d/b/a 2 A.M. 14603 NE 20TH ST STE 4 BELLEVUE, WA 98007-3712 LICENSEE LICENSE NO. 089087 AVN NO. 2H1302A	LCB NO. 23,917 DECLARATION OF SERVICE BY MAIL

I certify that I caused a copy of the FINAL ORDER OF THE BOARD in the above-referenced matter to be served on all parties or their counsel of record by US Mail Postage Prepaid via Consolidated Mail Service for applicants and licensees, by campus mail for state offices, on the date below to:

JIYON YOM JJC Kobe, Inc. d/b/a 2 A.M. 2340 130th Ave NE #D110 Bellevue, WA 98005-1700	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION MARISA E. BROGGEL, ASSISTANT ATTORNEY GENERAL
JIYON YOM JJC KOBE, INC. d/b/a 2 A.M. 14603 NE 20TH ST STE 4 BELLEVUE, WA 98007-3712	

DATED this 29th day of November, 2012, at Olympia, Washington.

Kevin McCarroll, Adjudicative Proceedings Coordinator

Washington State Liquor Control Board
3000 Pacific Avenue SE
PO Box 43076
Olympia, WA 98504-3076
(360) 664-1602