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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

MIYON, INC. d/b/a
JAX FOODS
3019 E MISSION AVE
SPOKANE, WA 99202

LICENSEE

License No. 351469
AVN NO. 4P1349B

LCB NO. 23,931

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 RUTH AMMONS, Assistant Attorney General, and MIYON, INC. d/b/a JAX FOODS (Licensee), by and through their attorney, RICHARD LEE, and the parties having voluntarily entered into a stipulated settlement agreement for case number 23,931, 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 Stipulated Settlement Agreement in the above captioned case is adopted in its entirety; and the AVN for Case No. 23,931, is sustained.

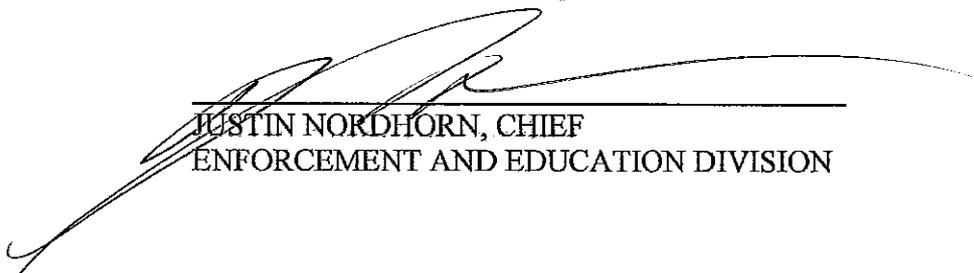
1 Licensee shall pay three hundred fifty dollars (\$350) no later than thirty (30) days after the date
2 of the Final Order of the Board. The payments shall be sent to:

3 Washington State Liquor Control Board
4 P.O. Box 43085
5 Olympia, WA 98504-3085

6 In the event that the Licensee fails to make full and timely payment of the three
7 hundred and fifty dollar (\$350) monetary penalty, a five (5) day suspension of the Licensee's
8 liquor license will go into effect, the dates and time of which shall be set by the Washington
9 State Liquor Control Board

10 DATED this 21 day of MARCH, 2012.

11 WASHINGTON STATE LIQUOR CONTROL BOARD

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13 _____
14 JUSTIN NORDHORN, CHIEF
15 ENFORCEMENT AND EDUCATION DIVISION
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RECEIVED

MAR 16 2012

Liquor Control Board
Board Administration

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**STATE OF WASHINGTON
LIQUOR CONTROL BOARD**

IN THE MATTER OF:

NO. 23,931

MIYON, INC. d/b/a
JAX FOODS
3019 E MISSION AVE
SPOKANE, WA 99202

STIPULATED
SETTLEMENT AGREEMENT

LICENSEE

License No. 351469
AVN NO. 4P1349B

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement), by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and RUTH AMMONS, Assistant Attorney General, and MIYON, INC. d/b/a JAX FOODS (Licensee), by and through their attorney, RICHARD LEE, hereby enter into this stipulated settlement agreement for Liquor Control Board (LCB) Case Number 23,931, arising from Administrative Violation Notice (AVN) No. 4P1349B.

I. INTRODUCTION

The Washington State Liquor Control Board Enforcement Division issued AVN No. 4P1349B to the Licensee, alleging that on or about December 15, 2011, the above-named Licensee or employee thereof, gave, sold, or otherwise supplied alcohol to a person under the age of 21, contrary to RCW 66.44.270.

1 II. AGREEMENT OF THE PARTIES

2 Prior to the filing of an administrative complaint, the parties have agreed to resolve
3 AVN No. 4P1349B via settlement. Enforcement and the Licensee agree to the following:

4 1. The parties enter into this Agreement to avoid the time and expense of further
5 litigation.

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

9 3. This Agreement constitutes the final written expression of all the terms of this
10 Agreement, and it is a complete and exclusive statement of these terms.

11 4. The Licensee admits to the violation set forth in AVN No. 4P1349B.
12 Specifically, on or about December 15, 2011, an employee of the above-named Licensee sold
13 alcohol to a person under the age of 21 in violation of RCW 66.44.270.

14 5. The Licensee acknowledges that the above referenced violation is the
15 Licensee's first violation of this type within a twenty-four (24) month period, for which the
16 standard penalty is suspension of the Licensee's liquor license for five (5) days or a monetary
17 penalty of five hundred dollars (\$500).

18 6. The Licensee agrees to pay a monetary penalty of three hundred and fifty
19 dollars (\$350.00) for the above-referenced violation.

20 7. The Licensee shall pay the monetary penalty of three hundred and fifty dollars
21 (\$350.00) no later than thirty (30) days after the date of the Final Order of the Board. Payment
22 shall be sent to:

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

1 8. In the event that the Licensee fails to make full and timely payment of the
2 monetary penalty as required in Section II, Paragraph 6, the Licensee shall serve the standard
3 penalty of a five (5) day suspension of its liquor license, the dates and times of which shall be
4 set by the Washington State Liquor Control Board

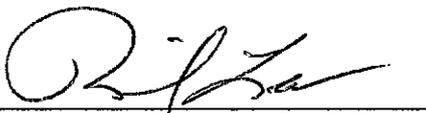
5 9. The Licensee further agrees that he and all of his employees will participate in a
6 responsible liquor and tobacco sales class provided by Enforcement no later than 90 days after
7 the date of the Final Order of the Board. The Licensee is responsible for coordinating the date,
8 time, and location of the training class through its assigned Liquor Enforcement Officer.

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

11 ROBERT M. MCKENNA
12 Attorney General

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14 
15 RUTH AMMONS, WSBA #20879
16 Assistant Attorney General
Attorneys for LCB Enforcement

3-9-12
DATE

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19 RICHARD LEE, WSBA #32329
20 Attorney for Licensee

3/7/12
DATE

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22 
23 JASON M YON,
24 Representative for Licensee MIYON, INC.

3/7/12
DATE



Washington State
Liquor Control Board

March 21, 2012

Richard Lee, Attorney for Licensee
PO Box 7550
Spokane, WA 99207-0410

Jason M. Yon, Representative for Licensee
Miyon Inc. Licensee
d/b/a Jax Foods
3019 E Mission Ave
Spokane, WA 99202-3626

Ruth Ammons, 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: Miyon Inc

TRADE NAME: Jax Foods

LOCATION: 3019 E Mission Ave, Spokane, WA 99202-3626

LICENSE NO. 351469-4P

ADMINISTRATIVE VIOLATION NOTICE NO. 4P1349B

LCB HEARING NO. 23,931

UBI: 602 542 719 001 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.

The applicable monetary penalty is due by April 20, 2012. If payment is not received timely then suspension will take place from 11:00 a.m. on May 10, 2012 until 11:00 a.m. on May 15, 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

cc: Spokane Enforcement and Education Division, WSLCB
Teresa Young, WSLCB

PO Box 43076, 3000 Pacific Ave. SE, Olympia WA 98504-3076, (360) 664-1602 www.liq.wa.gov

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3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

LCB NO. 23,931

5 MIYON INC
6 d/b/a JAX FOODS
7 3019 E MISSION AVE
8 SPOKANE, WA 99202-3626

DECLARATION OF SERVICE BY MAIL

LICENSEE

9 LICENSE NO. 351469
10 AVN NO. 4P1349B

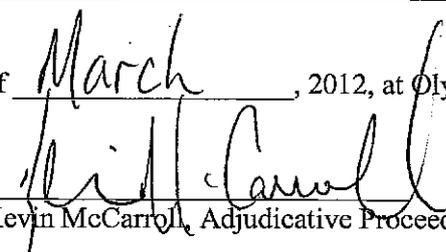
11 I certify that I caused a copy of the FINAL ORDER OF THE BOARD in the above-referenced
12 matter to be served on all parties or their counsel of record by US Mail Postage Prepaid via
13 Consolidated Mail Service for Licensees, by Campus Mail for the Office of Attorney General, on the
14 date below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

15
16 RICHARD LEE, ATTORNEY FOR
17 LICENSEE
18 PO BOX 7550
19 SPOKANE, WA 99207-0410

OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100, GCE DIVISION
RUTH AMMONS, ASSISTANT ATTORNEY
GENERAL

20 JASON M. YON, REPRESENTATIVE FOR
21 LICENSEE
22 MIYON INC. LICENSEE
23 d/b/a JAX FOODS
24 3019 E MISSION AVE
25 SPOKANE, WA 99202-3626

26 DATED this 21st day of March, 2012, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator

DECLARATION OF SERVICE BY
MAIL

1

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