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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

REM MARKET LLC d/b/a
EL MERCADO DE QUINCY

807 2ND AVE. SW
QUINCY, WA 9848-1307

LICENSEE

LICENSE NO. 350918
AVN NO. 4R3095C

OAH NO. 2013-LCB-0034
LCB NO. 24,752

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 W. FERGUSON, Attorney General, and MARISA E. BROGGEL, Assistant Attorney General, and REM MARKET LLC d/b/a EL MERCADO DE QUINCY (Licensee), by and through its representative, PHIL BLACKBURN, and the parties having voluntarily entered into a stipulated settlement agreement for Administrative Violation Notice (AVN) No. 4R3095C, Case No. 24,752, 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 allegation set forth in AVN No. 4R3095C, to wit: Licensee or employee(s) thereof gave, sold and/or otherwise supplied liquor to a person under

1 the age of twenty-one (21), in violation of RCW 66.44.270(1) and/or WAC 314-11-020(1), is
2 sustained.

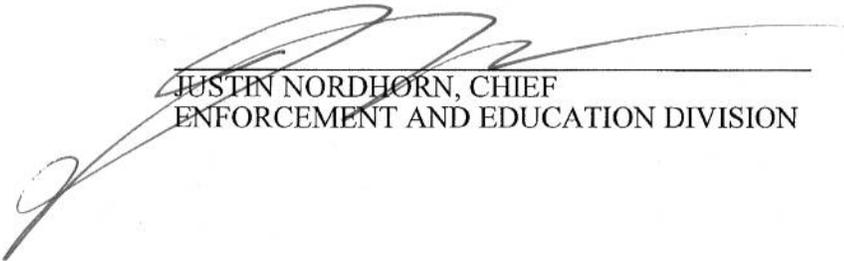
3 IT IS FURTHER ORDERED that the Licensee shall pay a monetary penalty of three
4 hundred dollars (\$300) within thirty (30) days of this order, no later than 4:00 p.m. on the
5 applicable date. Payment shall be sent to:

6 **Washington State Liquor Control Board**
7 **ATTN: Enforcement**
8 **P.O. Box 43085**
9 **Olympia, WA 98504-3085**

10 In the event the Licensee fails to make full and timely payment of the monetary
11 penalty, the Licensee shall serve a five (5) day suspension of its liquor license, the dates and
12 time of which shall be set by the Washington State Liquor Control Board.

13 DATED this 03 day of OCTOBER, 2013.

14 WASHINGTON STATE LIQUOR CONTROL BOARD

15 
16 JUSTIN NORDHORN, CHIEF
17 ENFORCEMENT AND EDUCATION DIVISION

OCT 01 2013

Liquor Control Board
Board Administration

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

REM MARKET, LLC d/b/a
EL MERCADO DE QUINCY

807 2ND AVE SW
QUINCY, WA 98848-1307

LICENSEE

LICENSE NO. 350918
AVN NO. 4R3095C

OAH No. 2013-LCB-0034
LCB NO. 24,752

STIPULATED SETTLEMENT
AGREEMENT

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by its attorneys ROBERT W. FERGUSON, Attorney General and MARISA E. BROGGEL, Assistant Attorney General, and the Licensee REM MARKET, LLC D/B/A EL MERCADO DE QUINCY hereby enter into this stipulated settlement agreement for Liquor Control Board Case No. 24,752.

I. INTRODUCTION

The Washington State Liquor Control Board (Board) charged the Licensee with the following alleged violation of Title 66 RCW and/or Title 314 WAC by its complaint dated May 20, 2013:

That on or around April 5, 2012, the above-named Licensee or an employee(s) thereof gave, sold and/or otherwise supplied liquor to a person under the age of twenty-one (21), contrary to RCW 66.44.270(1) and/or WAC 314-11-020(1).

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

1 **II. AGREEMENT OF THE PARTIES**

2 Enforcement and the Licensee agree to the following:

3 1. Enforcement and the Licensee enter into this agreement to avoid the time and
4 expense of further litigation. The Licensee explicitly waives the right of further administrative
5 review of all matters related to the above-referenced violation and AVN. The Licensee hereby
6 voluntarily withdraws its request for a hearing in this matter.

7 2. This agreement constitutes the final written expression of all the terms of this
8 agreement; supersedes any and all prior agreements; and is a complete and exclusive statement
9 of these terms.

10 3. The Licensee stipulates to the violation set forth above and referenced in the
11 Complaint: that is, that on or about April 5, 2013, the above-named Licensee or employee(s)
12 thereof allowed the sale or service of alcohol to person(s) under the age of twenty-one years in
13 violation of RCW 66.44.270(1) and WAC 314-29-020.

14 4. The Licensee acknowledges this is the Licensee’s first violation of this type
15 within a twenty-four (24) month period, which carries a standard monetary penalty of five
16 hundred (\$500) dollars or a five (5) day suspension of the license.

17 5. In consideration for the stipulation to the violation as charged in the AVN and
18 also in consideration that Licensee has obtained responsible vendor training for his employees
19 and will continue to obtain further training from the Liquor Control Board, and also in
20 consideration that the Licensee has acquired and installed software for the cash registers which
21 requires entry of date of birth information prior to sale of liquor, the monetary penalty shall be
22 reduced to three hundred dollars (\$300) for this violation.

23 6. The Licensee shall pay three hundred dollars (\$300) no later than thirty (30)
24 days after the date of the Final Order of the Board. Payment shall be sent to:

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

1 7. In the event that the Licensee fails to make a full and timely payment of the
2 monetary penalty as required in Section II, Paragraph 6, then the standard penalty in Section II,
3 Paragraph 4 shall be imposed.

4 8. The undersigned parties declare that the terms of this Settlement Agreement are
5 completely read, wholly understood, and voluntarily accepted for the purpose of making a full
6 and final compromise and settlement of any and all claims arising from the above referenced
7 Complaint.

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

10 STIPULATED AND AGREED TO by:

11 ROBERT W. FERGUSON
12 Attorney General

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14 
15 MARISA E. BROGGEL, WSBA #41767
16 Assistant Attorney General
17 Attorneys for Washington State
18 Liquor Control Board Education
19 and Enforcement Division

September 23, 2013
Date

18
19 
20 PHILLIP BLACKBURN, Representative for
21 REM MARKET, LLC D/B/A
22 EL MERCADO DE QUINCY
23 Licensee

September 18, 2013
Date



Washington State
Liquor Control Board

October 4, 2013

Phillip Blackburn
Rem Market LLC
d/b/a El Mercado De Quincy (Quincy Market)
130 Titchenal Rd
Cashmere, WA 98815-1167

Marisa 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: Rem Market LLC

TRADE NAME: El Mercado De Quincy (Now: Quincy Market)

LOCATION: 807 2nd Ave SW, Quincy, WA 99948-1307 (Now: 807 1st Ave SW, Quincy)

LICENSE NO. 350918

ADMINISTRATIVE VIOLATION NOTICE NO. 4R3095C

LCB HEARING NO. 24,752

OAH NO. 2013-LCB-0034

UBI: 602-038-541-001-0001

Dear Parties:

Please find the enclosed Final Order of the Board and Declaration of Service by Mail in the above-referenced matter, as well as a copy of the Stipulated Settlement Agreement. **The applicable monetary penalty is due by November 4, 2013. If payment is not received timely, then suspension will take place from 5:00 p.m. on Wednesday, November 20, 2013 until 5:00 p.m. on Monday, November 25, 2013.** If you have any questions, please contact me at (360) 664-1602.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kevin McCarroll".

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures

cc: Spokane Enforcement and Education Division, WSLCB
Jamie Marshall, WSLCB

1 **WASHINGTON STATE LIQUOR CONTROL BOARD**

2 IN THE MATTER OF:

3 REM MARKET LLC
4 d/b/a EL MERCADO DE QUINCY
5 807 1st AVE SW
6 QUINCY, WA 99948-1307

7 LICENSEE

8 LICENSE NO. 350918
9 AVN NO. 4R3095C

LCB NO. 24,752
OAH NO. 2013-LCB-0034

DECLARATION OF SERVICE BY
MAIL

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

14
15 PHILLIP BLACKBURN
16 REM MARKET LLC
17 d/b/a EL MERCADO DE QUINCY
18 (Quincy Market)
19 807 1st AVE SW
20 QUINCY, WA 99948-1303

OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100, GCE DIVISION
MARISA BROGGEL,
ASSISTANT ATTORNEY GENERAL

21 PHILLIP BLACKBURN
22 REM MARKET LLC
23 d/b/a EL MERCADO DE QUINCY
24 130 TITCHENAL RD
25 CASHMERE, WA 98815-1167

26 DATED this 4th day of October, 2013, 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