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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. T-508

CHOL AN DECATO d/b/a
CANYON ROAD SHELL AND
CAR WASH

FINAL ORDER OF THE BOARD

~~PROPOSED~~

11304 CANYON ROAD
PUYALLUP, WA 98370

LICENSEE

UBI NO. 6020628400010001

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 CINDY EVANS, Assistant Attorney General, and the Licensee, CHOL AN DECATO, and the parties having voluntarily entered into a stipulated settlement agreement for case number T-508, and 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 complaint for Case Number T-508 is sustained and within thirty (30) days of this order the Licensee shall pay a monetary penalty of one hundred seventy-five dollars (\$175.00) to:

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

DATED this 22nd day of July, 2009.

WASHINGTON STATE LIQUOR CONTROL BOARD

William Keweenaw

[Signature]

CHOL AN DECATO d/b/a
CANYON ROAD SHELL AND CAR WASH
UBI NO. 6020628400010001
LCB NO. T-508 (AVN 1Q9025A)

RECEIVED

JUL 14 2009

**LIQUOR CONTROL BOARD
BOARD ADMINISTRATION**

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. T-508

CHOL AN DECATO d/b/a
CANYON ROAD SHELL AND
CAR WASH

STIPULATED SETTLEMENT
AGREEMENT

11304 CANYON ROAD
PUYALLUP, WA 98370

LICENSEE

UBI NO. 6020628400010001

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney General, and CINDY EVANS, Assistant Attorney General, and the Licensee, CHOL AN DECATO, d/b/a CANYON ROAD SHELL AND CAR WASH (Licensee) through its representative CHOL AN DECATO, hereby enter into this stipulated settlement agreement for Liquor Control Board Case T-508.

I. INTRODUCTION

1. The Washington State Liquor Control Board Education and Enforcement Division issued an Administrative Violation Notice No. 1Q9025A ("AVN") on January 25, 2009, to the above-named Licensee specifying the following violation of the Washington State Liquor Act:

On or about January 25, 2009, the above-named Licensee, and/or employee(s) thereof, sold, or permitted to be sold, a tobacco product to a person under the age of 18 years, contrary to RCW 26.28.080.

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

3 **II. AGREEMENT OF THE PARTIES**

4 Enforcement and the Licensee agree to the following:

5 1. Enforcement and the Licensee enter into this agreement to avoid the time and
6 expense of further litigation. The Licensee explicitly waives the right of further administrative
7 review of all matters related to this violation. The Licensee hereby voluntarily withdraws its
8 request for a hearing on this matter.

9 2. The Licensee admits to the violations in the above-referenced AVN, that is, on
10 or about January 25, 2009 the above-named Licensee, or an employee(s) thereof, sold, or
11 permitted to be sold, a tobacco product to a person under the age of 18 years, contrary to
12 RCW 26.28.080.

13 3. The parties agree that the standard penalty for a second violation within a two
14 year period for selling, giving, or otherwise supplying tobacco to a person under eighteen (18)
15 years of age is a three hundred dollar (\$300) monetary penalty, pursuant to RCW 70.155.100.

16 4. The parties agree that the penalty for the above-mentioned AVN shall be a one
17 hundred seventy-five dollar (\$175) monetary penalty.

18 5. The Licensee shall pay the monetary penalty of one hundred seventy-five
19 dollars (\$175) no later than thirty (30) days after the date of the Final Order of the Board.

20 Payment shall be sent to:

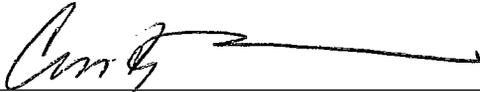
21 Washington State Liquor Control Board
22 P.O. Box 43085
23 Olympia, WA 98504-3085

24 6. If the Licensee subsequently fails to make a full and timely payment of the
25 penalty as required in Section II, Paragraph 4 then the standard penalty of a three hundred
26 dollar (\$300) penalty shall be imposed.

1 7. The parties recognize that this settlement agreement is subject to approval by
2 the Washington State Liquor Control Board.

3 8. This agreement constitutes the final written expression of all the terms of this
4 agreement and is a complete and exclusive statement of these terms.

5
6 ROBERT M. MCKENNA
Attorney General

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8 

Dated: 7/13/09

9 CINDY EVANS, WSBA#27309
Assistant Attorney General
Attorneys for LCB Enforcement

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12 
13 CHOL AN DECATO
d/b/a Canyon Road Shell and Car Wash

Dated: 6/29/09