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

3  
4 IN THE MATTER OF:

NO. T-478

5 DOUGLAS HAN  
6 4<sup>TH</sup> AVENUE DELI  
333 SW EVERETT MALL WAY  
EVERETT, WA 98204-2783

FINAL ORDER OF THE BOARD  
APPROVING STIPULATED  
SETTLEMENT AGREEMENT  
~~[PROPOSED]~~

7 LICENSEE

8 LICENSE NO. 072609

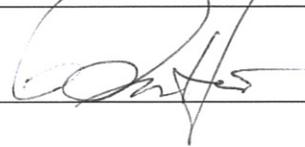
9 The above-titled matter having come before the Board upon a Stipulated Settlement  
10 Agreement between the Enforcement Division of the Washington State Liquor Control Board  
11 and the Licensee, and the Board having reviewed the Stipulated Settlement Agreement:

12 IT IS HEREBY ORDERED that the Stipulated Settlement Agreement for Case Number  
13 T-478 is approved.

14 DATED this 29<sup>th</sup> day of October, 2007.

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16 WASHINGTON STATE LIQUOR CONTROL BOARD

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**LIQUOR CONTROL BOARD  
BOARD ADMINISTRATION**

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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:  
  
DOUGLAS HAN  
4<sup>TH</sup> AVENUE DELI  
333 SW EVERETT MALL WAY  
EVERETT, WA 98204-2783  
  
LICENSEE  
  
LICENSE NO. 072609

LCB NO. T-478  
  
STIPULATED SETTLEMENT  
AGREEMENT

The Washington State Liquor Control Board Education and Enforcement Division (“Enforcement”) represented by its attorneys ROBERT M. MCKENNA, Attorney General and KATE REYNOLDS, Assistant Attorney General and the Licensee, 4th Avenue Deli (“Licensee”), represented by Leslie Clay Terry, III of Law Offices of Leslie Clay Terry, III, hereby enter into this stipulated settlement agreement for Liquor Control Board Case Number T-478.

**I. INTRODUCTION**

The Washington State Liquor Control Board charged the above-named Licensee in its Complaint dated June 28, 2007, with the following violation:

On or about May 1, 2007, the above named Licensee, or an employee(s) thereof, sold and/or allowed to be sold tobacco products to a person under the age of eighteen (18), in violation of RCW 26.28.080.

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. The Licensee explicitly waives the right of further administrative

1 review of all matters related to this violation. The Licensee hereby voluntarily withdraws its  
2 request for a hearing on the matter.

3 2. The Licensee admits to the violation set forth in the above-referenced Complaint.  
4 On May 1, 2007, the above named Licensee, or an employee(s) thereof, sold and/or allowed to be  
5 sold tobacco products to a person under the age of eighteen (18).

6 3. The parties agree that as a third violation for selling tobacco products to a person  
7 under the age of eighteen (18), the standard penalty is a monetary fine of \$1,000.00 (One Thousand  
8 Dollars and No/100) and a six (6) month suspension of the Licensee's tobacco license.

9 4. The Licensee has ceased all operation of its business.

10 5. The parties agree that the standard penalty shall be imposed against the Licensee.  
11 However, based on the cessation of the Licensee's business the standard penalty shall be suspended  
12 for a period of two (2) years from the date of the Final Order of the Board. Should the Licensee  
13 renew its tobacco license or apply for a new tobacco license within the two-year period, the  
14 Licensee shall pay the monetary penalty set forth above prior to issuance or renewal of the tobacco  
15 license and serve the suspension set forth above upon issuance or renewal of the tobacco license.

16 6. The parties recognize that this settlement agreement is subject to approval by the  
17 Washington State Liquor Control Board.

18 STIPULATED AND AGREED this 16<sup>th</sup> day of October 2007.

19 ROBERT M. MCKENNA  
20 Attorney General

21 *K. Reynolds*  
22 KATE REYNOLDS, WSBA #34498  
23 Assistant Attorney General  
24 Attorneys for Washington State Liquor  
25 Control Board  
26 Education and Enforcement Division

*Leslie Clay Terry, III*  
LESLIE CLAY TERRY, III, WSBA #8593  
Attorney for Licensee

*Douglas A. Han*  
DOUGLAS HAN  
Licensee/Owner of 4<sup>th</sup> Avenue Deli