

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

In The Matter Of:

KNOCK OUT, INC.
d/b/a STAR MART
2517 NE ANDRESEN RD
VACOUVER, WA 98661-7313

LICENSEE

LICENSE NO. (UBI) 6017338680010002

OAH NO. 2009-LCB-0022

LCB NO. T-507

FINAL ORDER OF THE BOARD

The above entitled matter coming on regularly before the Board, and it appearing that:

1. A hearing was scheduled to be held on November 3, 2009 at the licensee's timely request regarding an Administrative Violation Notice.
2. On May 28, 2009 the Board issued a Complaint alleging that on December 17, 2008 the Licensee, or employee 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 and RCW 70.155.100.
3. The Washington State Liquor Control Board was represented by Assistant Attorney General Cindy Evans. The Licensee, Knock Out, Inc d/b/a Star Mart, did not appear.
4. On November 3, 2009 Administrative Law Judge Julie K. Emmal entered her Order of Default, dismissing the hearing and sustaining the Complaint.
5. The entire record in this proceeding having been reviewed by the Board, and the Board having fully considered said record and being fully advised in the premises; NOW THEREFORE,

IT IS HEREBY ORDERED that the Administrative Law Judge's Order of Default entered in this matter is AFFIRMED and adopted as the Final Order of the Board, and, therefore, the Board's Complaint is sustained. The licensee shall pay the monetary penalty of \$300.00 within 30 day of this order. Failure to comply with the terms of this order will subject the Licensee to further disciplinary action.

Payment should be sent to:

Washington State Liquor Control Board

Attention: Monika Taylor

PO Box 43085

Olympia, WA 98504-3085

DATED at Olympia, Washington this 3 day of December, 2009.

WASHINGTON STATE LIQUOR CONTROL BOARD

Sharon Foster

Ruthann Kuose

Reconsideration. Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this Order to file a petition for reconsideration stating the specific grounds on which relief is requested. A petition for reconsideration, together with any argument in support thereof, should be filed by mailing or delivering it directly to the Washington State Liquor Control Board, Attn: Kevin McCarroll, 3000 Pacific Avenue Southeast, PO Box 43076, Olympia, WA 98504-3076, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Board's office. RCW 34.05.010(6). A copy shall also be sent to Mary M.

Tennyson, Senior Assistant Attorney General, 1125 Washington St. SE, P.O. Box 40110, Olympia, WA 98504-0110. A timely petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on the petition. An order denying reconsideration is not subject to judicial review. RCW 34.05.470(5). The filing of a petition for reconsideration is not a prerequisite for filing a petition for judicial review.

Stay of Effectiveness. The filing of a petition for reconsideration does not stay the effectiveness of this Order. The Board has determined not to consider a petition to stay the effectiveness of this Order. Any such request should be made in connection with a petition for judicial review under chapter 34.05 RCW and RCW 34.05.550.

Judicial Review. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. The petition for judicial review of this Order shall be filed with the appropriate court and served on the Board, the Office of the Attorney General, and all parties within thirty days after service of the final order, as provided in RCW 34.05.542.

Service. This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).



Washington State
Liquor Control Board

December 4, 2009

Knock Out, Inc.
d/b/a Star Mart
1520 SE 87th Ct
Vancouver, WA 98664-2871

Cindy Evans, 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: Knock Out, Inc.
Trade Name: Star Mart
Location: 2517 NE Andresen Rd, Vancouver, WA 98661-7313
LCB No. T-507
OAH No. 2009-LCB-0022
Administrative Violation Notice No. 1K8352B/21181
License No. (UBI): 6017338680010002

Dear Parties:

Enclosed please find a Declaration of Service by Mail and a copy of the Final Order of the Board in the above referenced matter.

The monetary penalty is due by 5:00 pm on January 4, 2010. Please send payment to the mailing address in the Final Order and 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 (2)

cc: Tacoma and Vancouver Enforcement and Education Divisions, WSLCB
Monika Taylor, Tobacco Violations Coordinator, WSLCB

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

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7 **WASHINGTON STATE LIQUOR CONTROL BOARD**

8 IN THE MATTER OF:

9 KNOCK OUT, INC
10 d/b/a STAR MART
11 2517 NE ANDRESEN RD
12 VANCOUVER, WA 98661-7313

13 LICNESEE

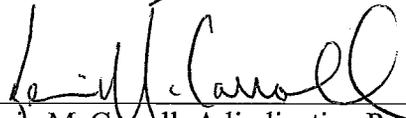
14 LICENSE NO (UBI): 6017338680010002

LCB NO. T-507
OAH NO. 2009-LCB-0022

DECLARATION OF SERVICE BY
MAIL

15 I declare under penalty of perjury under the laws of the state of Washington that on
16 December 4, 2009, I served a true and correct copy of the FINAL ORDER OF THE BOARD in
17 the above-referenced matter, by placing a copy of said documents in the U.S. mail, postage
18 prepaid, to all parties or their counsel of record.

19 DATED this 4th day of December, 2009, at Olympia, Washington.

20 
21 Kevin McCarroll, Adjudicative Proceedings Coordinator

22 KNOCK OUT, INC.
23 d/b/a STAR MART
24 1520 SE 87TH CT
25 VANCOUVER, WA 98664-2871

CINDY EVANS,
ASSISTANT ATTORNEY GENERAL
GCE DIVISION, OFFICE OF THE
ATTORNEY GENERAL
1125 WASHINGTON STREET SE
PO BOX 40100
OLYMPIA, WA 98504-0100

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DECLARATION OF SERVICE BY
MAIL

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