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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

NO. T-546

JOHN R. JOHNSON
2707 W GLASS AVE
SPOKANE, WA 99205-2341

FINAL ORDER OF THE BOARD

~~PROPOSED~~

INDIVIDUAL

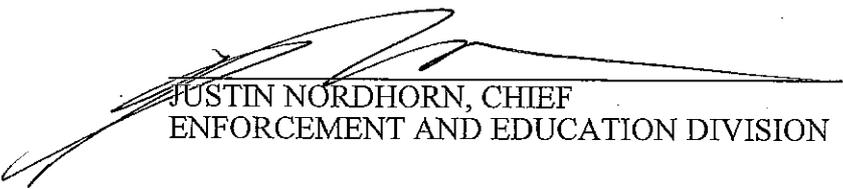
THIS MATTER having come before the Washington State Liquor Control Board (Board) and the Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by its attorneys, ROBERT M. MCKENNA, Attorney General, and TIMOTHY D. FORD, Assistant Attorney General, and the Individual, JOHN R. JOHNSON through his attorney, DAVID R. HEARREAN, and the Board having considered the Stipulated Settlement Agreement and Enforcement's memorandum recommending acceptance of the Settlement Agreement, and the Board having had the opportunity to review the file materials maintained in this case, now therefore:

IT IS HEREBY ORDERED the Board accepts, adopts, and incorporates herein by reference the Stipulated Settlement Agreement between Enforcement and the Individual in the above-captioned matter and further that the violation set forth in the Complaint dated December 22, 2011 is sustained. The Individual John Johnson shall attend training sponsored by the Washington State Liquor Control Board within thirty (30) days of this final order for the

1 violation. In the event the individual fails to comply with this order and attend the training, the
2 Individual shall pay a fifty dollar (\$50) monetary penalty.

3 DATED this 27 day of MARCH, 2012.

4
5 WASHINGTON STATE LIQUOR CONTROL BOARD

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7 JUSTIN NORDHORN, CHIEF
8 ENFORCEMENT AND EDUCATION DIVISION
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MAR 26 2012

Liquor Control Board
Board Administration

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

NO. T-546

JOHN R. JOHNSON
2707 W GLASS AVE
SPOKANE, WA 99205-2341

STIPULATED SETTLEMENT
AGREEMENT

INDIVIDUAL

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney General, and TIMOTHY D. FORD, Assistant Attorney General, and the Individual, JOHN R. JOHNSON, through his attorney, DAVID R. HEARREAN, hereby enter into this stipulated settlement agreement for Liquor Control Board Case No. T-546.

I. INTRODUCTION

The Washington State Liquor Control Board, Enforcement and Education Division charged the above-named Individual, in Tobacco Violation Notice (TVN) No. 31536, and Complaint dated December 22, 2011, with the following alleged violation of the Washington State Liquor Control Board rules and regulations:

On or about June 13, 2011, the above-named Individual, sold/supplied tobacco to a person under the age of eighteen (18) contrary to RCW 26.28.080 and is subject to the penalties set out in RCW 70.155.100(3) & (4).

Enforcement and the Individual wish to enter into a settlement agreement concerning the above-referenced TVN.

1 **II. AGREEMENT OF THE PARTIES**

2 Enforcement and the Individual agree to the following:

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

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

9 3. The Individual stipulates to the violation set forth above and referenced in the
10 Complaint: on or about June 13, 2011, the above-named Individual, sold/supplied tobacco to a
11 person under the age of eighteen (18) contrary to RCW 26.28.080 and is subject to the
12 penalties set out in RCW 70.155.100(3) & (4).

13 4. The Individual acknowledges this is the Individual's first violation of this type
14 within a twenty-four (24) month period. The standard penalty is either a fifty dollar (\$50)
15 monetary penalty or the attendance of training class sponsored by the Washington State Liquor
16 Control Board.

17 5. The Individual agrees to attend the training class sponsored by the Washington
18 State Liquor Control Board which may be scheduled by calling 509-625-5513 to register. The
19 Individual agrees that the class will be completed within thirty (30) days of the date of the final
20 order of the Washington State Liquor Control Board.

21 6. In the event that the Individual does not complete the class as required pursuant
22 to paragraph 5, the Individual will be assessed a fifty dollar (\$50) monetary penalty.

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

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

3
4 STIPULATED AND AGREED TO by:

5
6 ROBERT M. MCKENNA
Attorney General

7 

8 Timothy D. Ford, WSBA No. 29254
9 Assistant Attorney General
Attorney for Washington State
10 Liquor Control Board

3/8/12
Date

11 
12 JOHN JOHNSON, Individual

2-21-12
Date

13 LAW OFFICE OF DAVID R. HEARREAN, P.S.

14 

15 DAVID R. HEARREAN, WSBA No. 17864
16 Attorney for John Johnson, Individual

2-29-12
Date



Washington State
Liquor Control Board

March 27, 2012

David R. Hearrean, Attorney for Individual
901 N Monroe St Ste 356
Spokane, WA 99201-2158

John R. Johnson, Individual
2707 W Glass Ave
Spokane, WA 99205-2341

Timothy D. Ford, AAG
GCE Division, Office of Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100

RE: *Final Order of the Board*
Individual: John R. Johnson
LCB No. T-546
Tobacco Violation Notice No. 31536/4Q1203C

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 26, 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,

A handwritten signature in black ink, appearing to read "Kevin McCarroll".

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (3)

cc: Spokane Enforcement and Education Division, WSLCB
Teresa Young, Tobacco Violations Coordinator, WSLCB

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3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

5 JOHN R. JOHNSON
6 2707 W GLASS AVE
7 SPOKANE, WA 99205-2341

8 INDIVIDUAL

9 TVN NO. 31536/4Q1203C

LCB NO. T-546

DECLARATION OF SERVICE BY
MAIL

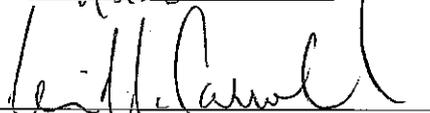
10 I certify that I caused a copy of the FINAL ORDER OF THE BOARD in the above-
11 referenced matter to be served on all parties or their counsel of record by US Mail Postage
12 Prepaid via Consolidated Mail Service for Licensees; by Campus Mail for the Office of
13 Attorney General, on the date below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

15 DAVID R. HEARREAN,
16 ATTORNEY FOR INDIVIDUAL
17 901 N MONROE ST STE 356
18 SPOKANE, WA 99201-2158

OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100
TIMOTHY FORD, ASSISTANT ATTORNEY
GENERAL, GCE DIVISION

18 JOHN R. JOHNSON, INDIVIDUAL
19 2707 W GLASS AVE
20 SPOKANE, WA 99205-2341

21 DATED this 27th day of March, 2012, at Olympia, Washington.

22
23 
24 Kevin McCarroll, Adjudicative Proceedings Coordinator
25
26

DECLARATION OF SERVICE BY
MAIL