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MAY 11 2012

Liquor Control Board
Board Administration

Received
Enforcement Division

MAY 10 2012

Washington State
Liquor Control Board

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF: JOHN A. JACOBS d/b/a ALL-SEASONS GROCERY AND HARDWARE 3942 HWY 292 LOON LAKE, WA 99146 LICENSEE UBI NO. 601 264 932	NO. T-549 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 M. MCKENNA, Attorney General, and BRIAN CONSIDINE, Assistant Attorney General, and the Licensee, JOHN A. JACOBS d/b/a ALL-SEASONS GROCERY AND HARDWARE, and the parties having voluntarily entered into a stipulated settlement agreement for case number T-549, 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 Complaint for Case Number T-549 is sustained and the Licensee shall pay a monetary penalty of seventy-five dollars ($75.00) no later than thirty (30) days after the date of the Final Order of the Board. **The Payment shall be sent to:**

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

OFFICE OF THE ATTORNEY GENERAL
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
(360) 664-9006

In the event that the Licensee does not make a full and timely payment of the monetary penalty, then the Licensee shall pay the original standard penalty of one hundred dollars ($100.00).

DATED this 10 day of MAY, 2012.

WASHINGTON STATE LIQUOR CONTROL BOARD

JUSTIN NORDHORN, CHIEF
ENFORCEMENT AND EDUCATION DIVISION

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF: JOHN A. JACOBS d/b/a ALL-SEASONS GROCERY AND HARDWARE 3942 HWY 292 LOON LAKE, WA 99146 LICENSEE UBI No. 601 264 932	NO. T-549 STIPULATED SETTLEMENT AGREEMENT

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement), by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and BRIAN CONSIDINE , Assistant Attorney General, and JOHN A. JACOBS d/b/a ALL-SEASONS GROCERY AND HARDWARE, (Licensee) hereby enter into this stipulated settlement agreement for Liquor Control Board (LCB) case number T-549, arising from Tobacco Violation Notice (TVN) No. 4Q1202B.

I. INTRODUCTION

The Washington State Liquor Control Board Enforcement Division issued to the Licensee TVN No. 31595, License Case No. 4Q1202B, alleging that on or about April 6, 2011, the above-named Licensee or employee thereof, sold or permitted to be sold a tobacco product to a person under the age of 18, contrary to RCW 26.28.080.

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1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
(360) 664-9006

II. AGREEMENT OF THE PARTIES

Prior to the filing of an administrative complaint, the parties have agreed to resolve TVN No. 31595 via settlement. Enforcement and the Licensee agree to the following:

1. The parties enter into this Agreement to avoid the time and expense of further litigation.

2. The Licensee explicitly waives the right of further administrative review of all matters related to the above-referenced case and TVN. Furthermore, the Licensee hereby voluntarily withdraws its request for a hearing in this matter.

3. The Licensee stipulates to the violation set forth in TVN No. 31595. Specifically, on or about April 6, 2011, the above-named Licensee or employee thereof sold or permitted to be sold a tobacco product to a person under the age of 18, contrary to RCW 26.28.080.

4. The Licensee acknowledges that the standard penalty for a first sale of tobacco to a minor within a two-year period is a one hundred dollar ($100.00) monetary penalty.

5. The Licensee agrees to pay a monetary penalty of seventy-five dollars ($75.00) for the above-referenced violation.

6. The Licensee shall pay the monetary penalty of seventy-five dollars ($75.00) no later than thirty (30) days after the date of the Final Order of the Board. Payment shall be sent to:

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

7. In the event that the Licensee fails to make a full and timely payment of the monetary penalty as required in Section II, Paragraph 6, then the standard penalty of one hundred dollars ($100.00) shall be imposed.

8. This Agreement constitutes the final written expression of all the terms of this Agreement, and it is a complete and exclusive statement of these terms.

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1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
(360) 664-9006

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

STIPULATED AND AGREED TO by:

ROBERT M. MCKENNA
Attorney General

TIMOTHY D. FORD, WSBA #29254
Assistant Attorney General
Attorney for Washington State
Liquor Control Board Education and
Enforcement Division

5/2/12
DATE

JOHN A. JACOBS, Agent for
JOHN A. JACOBS d/b/a ALL-SEASONS
GROCERY AND HARDWARE, Licensee

5/1/12
DATE

OFFICE OF THE ATTORNEY GENERAL
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
(360) 664-9006

Washington State
Liquor Control Board

May 14, 2012

John Anthony Jacobs
d/b/a All-Seasons Grocery and Hardware
3942 Hwy 292
Loon Lake, WA 99148-9790

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***
Licensee: John Anthony Jacobs
Trade Name: All-Seasons Grocery and Hardware
Location: 3942 Hwy 292, Loon Lake, WA 99148-9790
License No. (UBI): 601264932002001
LCB Hearing No. T-549
Tobacco Violation No. 31595 / 4Q1202B

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 was received on 11/4/11. If you have any questions, please contact me at (360) 664–1602.

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (3)

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

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:	LCB NO. T-549
JOHN ANTHONY JACOBS d/b/a ALL-SEASONS GROCERY AND HARDWARE 3942 HWY 292 LOON LAKE, WA 99148-9790 LICENSEE UBI NO. 6012649320020001 AVN NO. 31595 / 4Q1202B	DECLARATION OF SERVICE BY MAIL

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

JOHN ANTHONY JACOBS D/B/A ALL-SEASONS GROCERY AND HARDWARE 3942 HWY 292 LOON LAKE, WA 99148-9790	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100 GCE DIVISION TIMOTHY D. FORD, AAG

DATED this 14th day of May, 2012, at Olympia, Washington.

Kevin McCarroll, Adjudicative Proceedings Coordinator

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