

1  
2  
3  
4  
5  
6 **BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

7 IN THE MATTER OF:

8 JOHN A. JACOBS d/b/a ALL-SEASONS  
9 GROCERY AND HARDWARE  
10 3942 HWY 292  
11 LOON LAKE, WA 99146

LICENSEE

12 UBI NO. 601 264 932

NO. T-562

FINAL ORDER OF THE BOARD

~~[PROPOSED]~~

13 THIS MATTER having come before the Washington State Liquor Control Board  
14 (Board) and the Washington State Liquor Control Board Education and Enforcement Division  
15 (Enforcement) by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and  
16 BRIAN CONSIDINE, Assistant Attorney General, and the Licensee, JOHN A. JACOBS d/b/a  
17 ALL-SEASONS GROCERY AND HARDWARE, and the parties having voluntarily entered  
18 into a stipulated settlement agreement for case number T-562, and the Board having considered  
19 the stipulated settlement agreement and Enforcement's Memorandum recommending  
20 acceptance of the stipulated settlement agreement, and the Board having had the opportunity to  
21 review the file materials maintained in this case, now therefore:

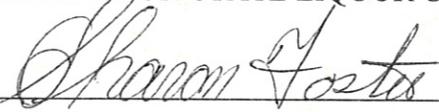
22 IT IS HEREBY ORDERED that the Complaint for Case Number T-562 is sustained  
23 and the Licensee shall pay a monetary penalty of two hundred dollars (\$200.00) no later than  
24 thirty (30) days after the date of the Final Order of the Board. **The Payment shall be sent to:**

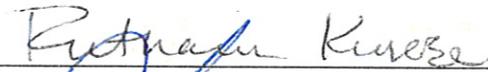
25 **Washington State Liquor Control Board**  
26 **P.O. Box 43085**  
**Olympia, WA 98504-3085**

1 In the event that the Licensee does not make a full and timely payment of the monetary  
2 penalty, then the Licensee shall pay the original standard penalty of three hundred dollars  
3 (\$300.00).

4 DATED this 24<sup>th</sup> day of July, 2012.

5  
6 WASHINGTON STATE LIQUOR CONTROL BOARD

7   
8 \_\_\_\_\_

9   
10 \_\_\_\_\_

11   
12 \_\_\_\_\_

RECEIVED

JUL 24 2012

LIQUOR CONTROL BOARD  
BOARD MEMBERS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

NO. T-562

JOHN ANTHONY JACOBS d/b/a  
ALL SEASON GROCERY & HARDWARE

STIPULATED SETTLEMENT  
AGREEMENT

3942 HIGHWAY 292  
LOON LAKE, WA 99148

LICENSEE

TVN NO. 31539  
UBI NO. 601 264 932

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 Licensee JOHN ANTHONY JACOBS d/b/a ALL SEASON GROCERY & HARDWARE, represented by JOHN JACOBS, owner, hereby enter into this stipulated settlement agreement for Liquor Control Board Case No. T-562.

**I. INTRODUCTION**

The Washington State Liquor Control Board, Enforcement and Education Division served the above-named Licensee, in Tobacco Violation Notice (TVN) No. 31539, alleging that: On or about February 24, 2012, the above-named Licensee, or employees thereof, sold/supplied tobacco to a person under the age of eighteen (18) contrary to RCW 26.28.080, and is subject to the penalties in RCW 70.155.100. The Tobacco Violation Notice reflects a

1 2nd violation within a two (2) year period, which reflects a three hundred dollar (\$300)  
2 penalty.

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

## 5 II. AGREEMENT OF THE PARTIES

6 Enforcement and the Licensee agree to the following:

7 1. Enforcement and the Licensee enter into this agreement to avoid the time and  
8 expense of further litigation. The Licensee explicitly waives the right of further administrative  
9 review of all matters related to the above-referenced violation and TVN. The Licensee hereby  
10 voluntarily withdraws its request for a hearing in this matter.

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

13 3. The Licensee stipulates to the violation set forth above and referenced in the  
14 TVN: On or about February 24, 2012, the above-named Licensee, or employees thereof,  
15 sold/supplied tobacco to a person under the age of eighteen (18) contrary to RCW 26.28.080,  
16 and is subject to the penalties in RCW 70.155.100.

17 4. The Licensee acknowledges this is the Licensee's second violation of this type  
18 within a twenty-four (24) month period, which carries a standard monetary penalty of three  
19 hundred dollars (\$300).

20 5. In consideration of and for this settlement agreement, the Licensee agrees to pay  
21 a total monetary penalty of two hundred dollars (\$200). The Licensee shall pay the monetary  
22 penalty no later than thirty (30) days after entry of the Final Order of the Board.

23 **Payments shall be made out to the Washington State Liquor Control Board no**  
24 **later than 4:00 p.m. on the applicable date and sent to:**

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

1           6.       The Licensee agrees to have all employees' complete training on the sale of  
 2 tobacco, to be provided at no cost by the Liquor Control Board within thirty (30) days after  
 3 entry of the Final Order of the Board, and within thirty (30) days after the hiring date for all  
 4 future employees. Training that has been completed prior to this agreement but after the date  
 5 of violation will satisfy the requirement of this paragraph.

6           7.       In the event that the Licensee does not fully and timely satisfy the penalties and  
 7 conditions set forth in Section II, Paragraph 5 and 6, then the standard penalty shall be imposed  
 8 as stated in Paragraph 4.

9           8.       The undersigned parties declare that the terms of this Settlement Agreement are  
 10 completely read, wholly understood, and voluntarily accepted for the purpose of making a full  
 11 and final compromise and settlement of any and all claims arising from the above referenced  
 12 TVN.

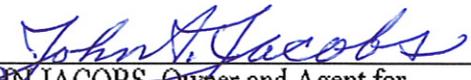
13           9.       The parties recognize that this settlement agreement is subject to approval by  
 14 the Washington State Liquor Control Board.

15                   STIPULATED AND AGREED TO by:

16 ROBERT M. MCKENNA  
 17 Attorney General

18   
 19 \_\_\_\_\_  
 20 TIMOTHY D. FORD, WSBA #29254  
 21 Assistant Attorney General  
 22 Attorneys for Washington State  
 23 Liquor Control Board Education  
 24 and Enforcement Division

7/24/2012  
 \_\_\_\_\_  
 Date

23   
 24 \_\_\_\_\_  
 25 JOHN JACOBS, Owner and Agent for  
 26 JOHN ANTHONY JACOBS d/b/a  
 ALL SEASONS GROCERY & HARDWARE,  
 Licensee

7/19/2012  
 \_\_\_\_\_  
 Date