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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

IM INTERNATIONAL CORPORATION.
d/b/a BROADWAY SHELL

1500 Broadway
Seattle, WA 98122-3811

LICENSEE

UBI NO. 602091489

NO. T-568

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) represented by its attorneys, ROBERT W. FERGUSON, Attorney General, and ISAAC WILLIAMSON, Assistant Attorney General, and the Licensee, IM INTERNATIONAL CORPORATION d/b/a BROADWAY SHELL, 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 that the Stipulated Settlement Agreement in the above captioned case is adopted in its entirety; and the Complaint dated October 30, 2012, is sustained. The Licensee shall pay a total monetary penalty of one hundred dollars (\$100) for the violation within thirty (30) days of the date of the Final Order of the Board.

//

1 All payments shall be sent to:

2 Washington State Liquor Control Board
3 PO Box 43085
4 Olympia, WA 98504-3085

5 DATED this 05 day of FEBRUARY, 2013.

6 WASHINGTON STATE LIQUOR CONTROL BOARD

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9 JUSTIN NORDHORN, CHIEF
10 ENFORCEMENT AND EDUCATION DIVISION
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BROADWAY SHELL
UBI: 602091489

FINAL ORDER OF THE BOARD
[PROPOSED]

LCB NO. T-568

2

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

RECEIVED

JAN 31 2013

Liquor Control Board
Board Administration

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

NO. T-568

IM INTERNATIONAL CORPORATION.
d/b/a BROADWAY SHELL

STIPULATED SETTLEMENT
AGREEMENT

1500 Broadway
Seattle, WA 98122-3811

LICENSEE

UBI NO. 602091489

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) by and through its attorneys ROBERT M. MCKENNA, Attorney General, and ISAAC WILLIAMSON, Assistant Attorney General, and the Licensee, IM INTERNATIONAL CO. d/b/a BROADWAY SHELL, by and through its representative, CYRUS FIUZI, hereby enter into this stipulated settlement agreement for Liquor Control Board Case No. T-568.

I. INTRODUCTION

The Washington State Liquor Control Board, Enforcement and Education Division charged the above-named Licensee, with the following alleged violation of the Washington State Liquor Control Board rules and regulations, by its complaint dated October 30, 2012:

On or about July 11, 2012, the above-named Licensee, or employee(s) 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.

1 Enforcement and the Licensee wish to enter into a settlement agreement concerning the
2 above-referenced Complaint.

3 **II. AGREEMENT OF THE PARTIES**

4 Enforcement and the Licensee agree to the following:

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

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

11 3. The Licensee stipulates to the violation set forth above and referenced in the
12 Complaint: On or about July 11, 2012, the above-named Licensee, or employee(s) thereof,
13 sold/supplied tobacco to a person under the age of eighteen (18) contrary to RCW 26.28.080,
14 and is subject to the penalties in RCW 70.155.100.

15 4. The Licensee acknowledges this is the Licensee's first violation of this type
16 within a twenty-four (24) month period. The standard penalty is either a suspension or revocation
17 of the tobacco license, or a one hundred dollar (\$100) monetary penalty.

18 5. The Licensee agrees to pay a total monetary penalty of one hundred dollars
19 (\$100) for the above-referenced violation. This amount shall be paid within thirty (30) days of
20 the date of the final order of the Washington State Liquor Control Board. **Payment shall be**
21 **made no later than 4:00 p.m. on the applicable date and sent to:**

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

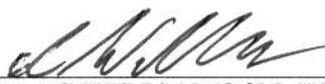
24 7. The undersigned parties declare that the terms of this Settlement Agreement are
25 completely read, wholly understood, and voluntarily accepted for the purpose of making a full
26

1 and final compromise and settlement of any and all claims arising from the above referenced
2 Complaint.

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

5
6 STIPULATED AND AGREED TO BY:

7
8 ROBERT M. MCKENNA
Attorney General

9
10 
11 _____
ISAAC WILLIAMSON, WSBA No. 43921
12 Assistant Attorney General
Attorney for Washington State
Liquor Control Board

11 11/29/13
12 _____
Date

13
14 
15 _____
CYRUS FIUZY
16 Representative for the Licensee,
IM International Co. d/b/a Broadway Shell

15 01.18.13
16 _____
Date

1
2
3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

LCB NO. T-568

5
6 IM INTERNATIONAL CORP
d/b/a BROADWAY SHELL
7 1500 BROADWAY
SEATTLE, WA 98122-3811

DECLARATION OF SERVICE BY
MAIL

8 LICENSEE

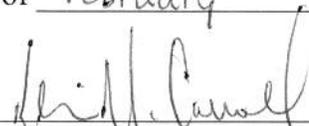
9
10 UBI NO. 6020914890010001
TVN NO. 34169-2Q2193A

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

16
17
18 CYRUS FIUZI
IM INTERNATIONAL CORP
19 D/B/A BROADWAY SHELL
20 1500 BROADWAY
SEATTLE, WA 98122-3811

OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100
GCE DIVISION
ISAAC WILLIAMSON, AAG

21
22 DATED this 7th day of February, 2013, at Olympia, Washington.

23
24 
Kevin McCarroll, Adjudicative Proceedings Coordinator

25
26
DECLARATION OF SERVICE BY
MAIL

1

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



Washington State
Liquor Control Board

February 7, 2013

Cyrus Fiuzi
IM International Corp
d/b/a Broadway Shell
1500 Broadway
Seattle, WA 98122-3811

Isaac Williamson, AAG
GCE Division, Office of Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100

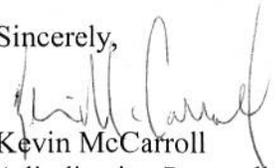
RE: FINAL ORDER OF THE BOARD
Licensee: IM International Corp
Trade Name: Broadway Shell
Location: 1500 Broadway, Seattle, WA 98122-3811
License No. (UBI): 6020914890010001
LCB Hearing No. T-568
Tobacco Violation No. 34169-2Q2193A

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 Monday, March 11, 2013. The address for payments is WSLCB, P.O. Box 43085, Olympia, WA 98504-3085. Please label the check with your License Number and Tobacco Violation Notice Number listed above. If you have any questions, please contact me at (360) 664-1602.

Sincerely,


Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (3)

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

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