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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

SMOKE IT, INC. d/b/a
SMOKE IT

15033 HWY 99 STE. B
LYNNWOOD, WA 98087

LICENSEE

UBI NO. 602 832 839 001 0001
TVN NO. 2Q2257C

LCB NO. T-576

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 W. FERGUSON, Attorney General, and MARISA E. BROGGEL, Assistant Attorney General, and SMOKE IT, INC. d/b/a SMOKE IT (Licensee), represented by Chung H. Kim, and the parties having voluntarily entered into a stipulated settlement agreement for Tobacco Violation Notice (TVN) No. 2Q2257C, Case No. T-576, 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 allegation set forth in TVN No. 2 Q2257C, to wit: that on or around September 13, 2012, the above-named Licensee or an employee(s) thereof

1 sold, and/or permitted to be sold, a tobacco product to a person under the age of eighteen (18)
2 years, contrary to RCW 26.28.080, is sustained.

3 IT IS FURTHER ORDERED that the Licensee shall pay a monetary penalty of two
4 hundred dollars (\$200), within thirty (30) days of this final order, and no later than 4:00 p.m.
5 on the applicable date. Payment shall be sent to:

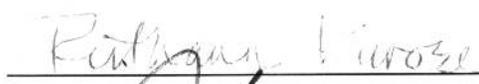
6 **Washington State Liquor Control Board**
7 **P.O. Box 43085**
8 **Olympia, WA 98504-3085**

9 In the event the Licensee fails to make full and timely payment of the monetary penalty
10 of two hundred dollars (\$200), the Licensee shall be subject to the standard penalty of a three-
11 hundred dollar (\$300) monetary penalty, pursuant to RCW 70.155.100.

12 DATED this 15 day of October, 2013.

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14 WASHINGTON STATE LIQUOR CONTROL BOARD

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RECEIVED
OSS
2013 SEP 12 A 8:15
ATTORNEY GENERAL
OF
WASHINGTON

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

SMOKE IT, INC. d/b/a
SMOKE IT

15033 HWY 99 STE. B
LYNNWOOD, WA 98087

LICENSEE

UBI NO. 602 832 839 001 0001
TVN NO. 2Q2257C

LCB NO. T-576

STIPULATED SETTLEMENT
AGREEMENT

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) by and through its attorneys ROBERT W. FERGUSON, Attorney General, and MARISA E. BROGGEL, Assistant Attorney General, and the Licensee, SMOKE IT, INC. d/b/a SMOKE IT (Licensee) represented by CHUNG H. KIM, hereby enter into this stipulated settlement agreement for Liquor Control Board (Board) case No. T-576.

I. INTRODUCTION

1. The Liquor Control Board (Board) charged the Licensee with the following violation of the Washington State Liquor Act and/or related laws and regulations of the Board, by its complaint dated May 1, 2013:

That on or about September 13, 2012, the above-named Licensee or employee(s) thereof sold, gave, and/or permitted to be sold and/or given, 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.

STIPULATED SETTLEMENT
AGREEMENT
SMOKE IT, INC. d/b/a
SMOKE IT
T-576

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

1 2. Prior to a formal administrative hearing, Enforcement and the Licensee have
2 agreed to enter into a settlement agreement concerning the 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 to further administrative
7 review of all matters related to this violation; and the Licensee hereby voluntarily withdraws its
8 request for a hearing on this matter.
9

10 2. The Licensee stipulates to the violation in the above-referenced AVN; that is,
11 that on or about September 13, 2012, the above-named Licensee or employee(s) thereof sold
12 tobacco to a person under the age of eighteen (18) contrary to RCW 26.28.080.
13

14 4. The Licensee stipulates that the above-referenced AVN is the Licensee's
15 second violation within a two-year period for selling, giving, or permitting to be sold or given,
16 a tobacco product to a person under eighteen (18) years of age; further, the Licensee stipulates
17 that the standard penalty for a second violation within a two-year period for selling, giving, or
18 permitting to be sold or given, a tobacco product to a person under eighteen (18) years of age,
19 is a three hundred dollar (\$300) monetary penalty, pursuant to RCW 70.155.100.
20

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

25 ///

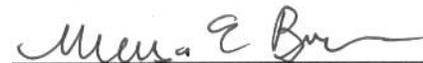
Washington State Liquor Control Board
P.O. Box 43085
Olympia, WA 98504-3085

6. The Licensees stipulates that failure to make a full and timely payment of the penalty as required in Section II, Paragraph 5, will result in imposition of the standard penalty of three hundred dollars (\$300).

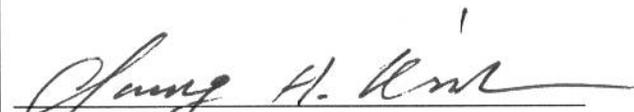
7. The parties recognize that this settlement agreement is subject to approval by the Board.

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

ROBERT W. FERGUSON
Attorney General


MARISA E. BROGGEL, WSBA #41767
Assistant Attorney General
Attorneys for Washington State
Liquor Control Board Education
and Enforcement Division

Dated: Sept. 13, 2013


CHUNG H. KIM
For SMOKE IT, INC. d/b/a SMOKE IT, Licensee

Dated: 9/9/2013



Washington State
Liquor Control Board

October 17, 2013

Chung H. Kim
Smoke It, Inc.
d/b/a Smoke It
15033 Hwy 99 Ste B
Lynnwood, WA 98087-2363

Marisa Broggel, 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: Smoke It, Inc.

Trade Name: Smoke It

Location: 15033 Hwy 99 Ste B, Lynnwood, WA 98087-2363

License No. (UBI): 602-832-839-001-0001

LCB Hearing No. T-576

Tobacco Violation No. 2Q2257C

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.

Payment for the stipulated amount of \$200 was received on October 9, 2013. If you have any questions, please contact me at (360) 664-1602.

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (3)

cc: Federal Way Enforcement and Education Division, WSLCB
Jamie Marshall, Tobacco Violations Coordinator, WSLCB

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3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

5 SMOKE IT, INC.
6 d/b/a SMOKE IT
7 15033 HWY 99 STE B
8 LYNNWOOD, WA 98087-2363

9 LICENSEE

10 UBI NO. 602 832 839 001 0001
11 TVN NO. 2Q2257C

LCB NO. T-576

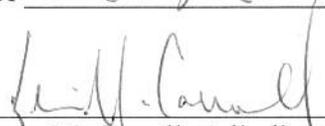
DECLARATION OF SERVICE BY
MAIL

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 CHUNG H. KIM
17 SMOKE IT, INC.
18 d/b/a SMOKE IT
19 15033 HWY 99 STE B
20 LYNNWOOD, WA 98087-2363

OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100
GCE DIVISION
MARISA BROGGEL, AAG

21 DATED this 17th day of October, 2013, at Olympia, Washington.

22 
23 Kevin McCarroll, Adjudicative Proceedings Coordinator

24
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