

ADMINISTRATIVE POLICY & PROCESS DIVISION

January 13, 2009

VIOLATION CASES TO BE RATIFIED BY COMMISSION

1. RJ's Pub, Inc.
Randy Kleinsmith, Pres/Sec/Treas/Stkhldr
RJ'S WICHITA PUB (F-COM)
8125 SW Nyberg Road
Tualatin OR 97062
(34-03423-FCOM)

ORS 471.315(1)(c) – Licensee has a history of serious and persistent problems involving disturbances, unlawful activities, or noise either in the premises or involving patrons of the establishment in the immediate vicinity of the premises.

From January 26, 2007 to February 1, 2008, there were 13 incidents at the premises, seven of which were serious. Disturbances at the premises have included physical and verbal altercations, which left patrons and premises staff with sustained injuries, including cuts, bruises, concussions, and gunshot wounds. There was one incident involving the discharge of a firearm inside the premises. There have been five incidents of visibly intoxicated patrons passing out, and five incidents of visibly intoxicated patrons fighting and causing injury. Premises employees have not adequately responded to the incidents at the premises.

(First, Category I)

LETTER OF REPRIMAND

Note: Licensee originally requested a hearing and withdrew that request on December 10, 2008. Because Licensee surrendered its liquor license effective December 18, 2008 and therefore no longer holds a liquor license, the Public Safety Program recommends the Commission issue Licensee a Letter of Reprimand. This reprimand will become a permanent part of the Licensee's Commission file and would be considered in any future application for a liquor license by the Licensee.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

2. Grampy's, Inc.
Chris Somers,
Pres/VP/Sec/Treas/Dir/Stkhldr
GRAMPY'S DELI & PUB (L)
1918 Main Street
Forest Grove OR 97116
(34-36648-L)

ORS 471.360(1)(b) – Licensee permitted James Knight to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit issued by the Commission (from about June 2007 to about August 12, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated October 14, 2008. The proposed sanction, considering aggravation, was a 12-day suspension or a \$1,980 civil penalty. Licensee originally requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

Employee James Knight did not have a valid service permit for over six months.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice of Proposed License Suspension/Civil Penalty. This was Licensee's first Category III violation within two years. Any subsequent violation of this type within the same two-year period will be charged at the second level.
2. The Public Safety Program originally proposed the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty and added two days for aggravation because Employee James Knight did not have a valid service permit for over six months, for a total of a 12-day suspension or a \$1,980.00 civil penalty.
3. The Commission will reduce the sanction by three days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will pay a \$1,485.00 civil penalty before 5:00 PM on January 23, 2009 or serve a nine-day suspension beginning at 7:00 AM on January 28, 2009 and ending at 7:00 AM on February 6, 2009.
5. Licensee withdraws the request for a hearing.
6. If Licensee's interest in the license expires before the Commission issues a final order on this allegation, Licensee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the Licensee's Commission file and may be considered in any future application for a liquor license by the Licensee.
7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2009 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearings rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

3. Great China, Inc.
Lung-Chi Chen, Pres/Director/Stockholder
Chun-Shain Chen, Sec/Dir/Stockholder
GREAT CHINA RESTAURANT (F-COM)
8220 SW Hall Boulevard
Beaverton OR 97005
(34-15951-FCOM)

ORS 471.360(1)(b) – Licensee permitted Corporate Principal Chun-Shain Chen to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit (from about August 31, 2007 to about September 24, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated October 22, 2008. The proposed sanction, considering aggravation, was a 14-day suspension or a \$2,310 civil penalty. Licensee originally requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

1. Corporate Principal Chun-Shain Chen personally committed this violation.
2. Corporate Principal Chun-Shain Chen did not have a valid service permit for more than six months.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice of Proposed License Suspension/Civil Penalty. This was Licensee's first Category III violation within two years. Any subsequent violation of this type within the same two-year period will be charged at the second level.
2. The Public Safety Program originally proposed the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty and added four days for aggravation because Corporate Principal Chun-Shain Chen personally committed this violation and Corporate Principal Chun-Shain Chen did not have a valid service permit for over six months, for a total of a 14-day suspension or a \$2,310.00 civil penalty.
3. The Commission will reduce the sanction by three days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will pay a \$1,815.00 civil penalty before 5:00 PM on January 23, 2009 **or** serve an 11-day suspension beginning at 7:00 AM on January 28, 2009 and ending at 7:00 AM on February 8, 2009.
5. Licensee withdraws the request for a hearing.
6. If Licensee's interest in the license expires before the Commission issues a final order on this allegation, Licensee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the Licensee's Commission file and may be considered in any future application for a liquor license by the Licensee.
7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2009 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearings rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

4. TMTQ, LLC
John Janulis, Member
Clyde Wooten, Member
Liam Duffy, Member
BYE AND BYE (F-COM)
1011 NE Alberta
Portland OR 97211
(26-42278-FCOM)

OAR 845-006-0347(5)(a) – Licensee permitted patrons to drink alcohol in the parking lot that Licensee controls that is associated with Bye and Bye (August 28, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Amended Notice dated December 5, 2008. The proposed sanction, considering aggravation, was a 16-day suspension or a \$2,640 civil penalty. Licensee originally requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

Corporate Principal Liam Duffy, multiple employees, and multiple patrons were involved in Violation Number One.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Amended Notice of Proposed License Suspension/Civil Penalty. This was Licensee's first Category III violation within two years. Any subsequent violation of this type within two years will be charged at the second level.
2. The Public Safety Program originally proposed the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty and added six days of aggravation because Corporate Principal Liam Duffy, multiple employees, and multiple patrons were involved in Violation Number One, for a total of a 16-day suspension or a \$2,640.00 civil penalty.
3. The Commission will reduce the sanction by three days. This is equivalent to a 30% reduction of the standard sanction.
4. The Commission will mitigate the sanction two days because of Licensee's efforts to prevent further violations.
5. Licensee will pay a \$1,815.00 civil penalty before 5:00 PM on January 23, 2009 **or** serve an 11-day suspension beginning at 7:00 AM on January 28, 2009 and ending at 7:00 AM on February 8, 2009.
6. Licensee withdraws the request for a hearing.
7. If Licensee's interest in the license expires before the Commission issues a final order on these allegations, Licensee agrees to accept a Letter of Reprimand for these violations. This reprimand will become a permanent part of Licensee's Commission file and may be considered in any future application for a liquor license by Licensee.
8. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2009 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearing rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

5. Thompson Green, Inc.
Joseph Thompson, President/Dir/Stkhdr
EASTSIDE MARKET (O)
582 E Main Street
Hermiston OR 97838
(30-06457-O)

OAR 845-006-0335(1)(a)(b)(c) –
Licensee's employee Sherry Stephens
failed to verify the age of an OLCC minor
decoy before allowing her to buy or be
served an alcoholic beverage when she
reasonably appeared to be under 26
years of age (September 18, 2008).

(Second, Category III)

Note: Licensee was a member of the
Responsible Vendor Program at
the time of this violation.
Because an aggravating
circumstance was involved at
the time of the violation, Licensee
is required to be removed from
the Program and is therefore no
longer eligible for reduced
sanctions based on Category
III(a).

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by
Notice dated November 17, 2008. The proposed
sanction, considering aggravation, was a 32-day
suspension or a \$4,950 civil penalty in lieu of 30
days of the suspension with the remaining two
days mandatory. Licensee originally requested a
hearing and now wishes to withdraw that request
to enter into this Settlement Agreement.

AGGRAVATION

Licensee has previously been allowed to purchase age
verification equipment as an offset to a penalty for a
previous failure to verify the age of a minor. The age
verification equipment was not used to prevent the current
violation.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice of Removal from Responsible Vendor Program and Proposed License Suspension/Civil Penalty. This was Licensee's second Category III violation within two years. Any subsequent violation of this type within the same two-year period will be charged at the third level.
2. Licensee will be removed from the Responsible Vendor Program. Licensee may reapply for the program one year after this violation is ratified.
3. The Public Safety Program originally proposed the standard sanction of a 30-day suspension or a \$4,950.00 civil penalty and added two days for aggravation because Licensee has previously been allowed to purchase age verification equipment as an offset to a penalty for a previous failure to verify the age of a minor and the age verification equipment was not used to prevent the current violation, for a total of a 32-day suspension or a civil penalty of \$4,950.00 in lieu of 30 days with the remaining two days of the suspension mandatory.
4. The Commission will reduce the sanction by nine days. This is equivalent to a 30% reduction of the standard sanction.
5. Licensee will pay a \$3,795.00 civil penalty before 5:00 PM on January 23, 2009 or serve a 23-day suspension beginning at 7:00 AM on January 28, 2009 and ending at 7:00 AM on February 20, 2009.

6. Licensee withdraws the request for a hearing.
7. If Licensee's interest in the license expires before the Commission issues a final order on this allegation, Licensee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the Licensee's Commission file and may be considered in any future application for a liquor license by the Licensee.
8. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2009 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearing rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

6. Laurel's Cannon Beach Wine Shop, Inc.
Laurel Hood, President/Director/Stkhldr
Michael Madden, VP/Secretary/Dir/Stkhldr
Jane Madden, Treasurer/Director
**LAUREL'S CANNON BEACH WINE
SHOP (O)**
263 North Hemlock
Cannon Beach OR 97110
(04-12264-O)

OAR 845-006-0335(1)(a)(b)(c) –
Corporate Principal Laurel Hood failed to
verify the age of an OLCC minor decoy
before allowing him to buy or be served
an alcoholic beverage when he
reasonably appeared to be under 26
years of age (March 28, 2008).

(Second, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by
Notice dated May 28, 2008. The proposed
sanction, considering aggravation, was a 32-day
suspension or a \$4,950 civil penalty in lieu of 30
days of the suspension with the remaining two
days mandatory. Licensee originally requested a
hearing and now wishes to withdraw that request
to enter into this Settlement Agreement.

AGGRAVATION

Corporate Principal Laurel Hood personally committed
this violation.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice of proposed License Suspension/Civil Penalty. This violation was Licensee's second Category III violation within two years. Any subsequent violation of this type within the same two-year period will be charged at the third level.
2. The Public Safety Program originally proposed the standard sanction of a 30-day suspension or a \$4,950.00 civil penalty and added two days for aggravation because Corporate Principal Laurel Hood personally committed this violation, for a total sanction of a 32-day suspension or a \$4,950.00 civil penalty in lieu of 30 days with the remaining two days of the suspension mandatory.
3. The Commission will reduce the sanction by nine days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will pay a \$3,795.00 civil penalty before 5:00 PM on January 23, 2009 **or** serve a 23-day suspension beginning at 7:00 AM on January 28, 2009 and ending at 7:00 AM on February 20, 2009.
5. Licensee withdraws the request for a hearing.
6. If Licensee's interest in the license expires before the Commission issues a final order on this allegation, Licensee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the Licensee's Commission file and may be considered in any future application for a liquor license by the Licensee.
7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2009 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and the Licensee's hearing rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

7. Trillium Café, Inc.
David Hanel, President/Director/Stkhldr
Michelle Hanel, Secretary/Director/Stkhldr
TRILLIUM CAFÉ (F-COM)
207 Oak Avenue
Hood River OR 97031
(14-28146-FCOM)

Violation Number One
OAR 845-006-0347(2)(a) – Corporate
Principals David and Michelle Hanel
permitted disorderly activity on the
licensed premises (October 28, 2007).

(First, Category III)

Violation Number Two
ORS 471.360(1)(b) – Licensee permitted
Victoria Lara to sell, mix, or serve
alcoholic beverages, or supervise those
who do, without a valid service permit
(from about August 2007 to about
December 26, 2007).

(Second, Category III)

Violation Number Three
ORS 471.360(1)(b) – Licensee permitted
David Hanel and Michelle Hanel to sell,
mix, or serve alcoholic beverages, or
supervise those who do, without valid
service permits (for varying lengths of
time from about November 1, 2007 to
about March 7, 2008).

(Third, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated May 2, 2008. The proposed sanction, considering aggravation and mitigation, was a 64-day suspension or a \$9,570 civil penalty in lieu of 58 days of the suspension with the remaining six days mandatory. Licensee originally requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

1. Violation Number One involved multiple instances of disorder.
2. Two people were involved in Violations Number One and Three, both of whom were Corporate Principals.

MITIGATION

Violations Number One and Two will both be charged at the first level because they were discovered concurrently.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violations as set out in the Notice of Proposed License Suspension/Civil Penalty. These were Licensee's first, second, and third Category III violations within two years. Because Violation Numbers One and Two were charged at the first level of Category III and Violation Number Three was charged at the second level, any subsequent violation of this type within the same two-year period will be charged at the third level.
2. The Public Safety Program originally proposed for Violation Number One the standard first-level sanction of a 10-day suspension or a \$1,650.00 civil penalty and added eight days for aggravation because there were multiple incidents of disorder and two people were involved in the violation, both of whom were corporate principals, for a total sanction of an 18-day suspension or a \$2,970.00 civil penalty.
3. The Public Safety Program originally proposed for Violation Number Two the standard first-level sanction of a 10-day suspension or a \$1,650.00 civil penalty.

4. The Public Safety Program originally proposed for Violation Number Three the standard second-level sanction of a 30-day suspension or a \$4,950.00 civil penalty and added six days for aggravation because two people were involved in the violation, both of whom were corporate principals, for a total of a 36-day suspension of a \$4,950.00 civil penalty in lieu of 30 days with the remaining six days of suspension mandatory.
5. The Commission will reduce the total sanction by 15 days. This is equivalent to a 30% reduction of the standard sanction.
6. Licensee will pay a \$8,085.00 civil penalty before 5:00 PM on January 23, 2009 **or** serve a 49-day suspension beginning at 7:00 AM on January 28, 2009 and ending at 7:00 AM on March 18, 2009.
7. Licensee withdraws the request for a hearing.
8. If Licensee's interest in the license expires before the Commission issues a final order on this allegation, Licensee agrees to accept a Letter of Reprimand for these violations. This reprimand will become a permanent part of the Licensee's Commission file and may be considered in any future application for a liquor license by the Licensee.
9. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2009 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearing rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

8. Bernie's Southern Bistro, LLC
Kellie Courtney, Managing Member
BERNIE'S SOUTHERN BISTRO (F-COM)
2904 NE Alberta Street
Portland OR 97211
(26-26934-FCOM)

ORS 471.360(1)(b) – Licensee permitted Kellie Courtney and Ryan Gaskell to sell, mix, or serve alcoholic beverages, or supervise those who do, without valid service permits (for varying lengths of time from about February 22, 2003 to August 28, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated October 14, 2008. The proposed sanction, considering aggravation, was an 18-day suspension or a \$2,970 civil penalty. Licensee originally requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

1. Two employees were involved in the violation.
2. Managing Member Kellie Courtney was personally involved in the violation.
3. Managing Member Kellie Courtney did not have a valid service permit for over six months.
4. Employee Ryan Gaskell did not have a valid service permit for over six months.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice of Proposed License Suspension/Civil Penalty. This was Licensee's first Category III violation within two years. Any subsequent violation of this type within the same two-year period will be charged at the second level.
2. The Public Safety Program originally proposed the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty and added eight days for aggravation because two employees were involved in this violation, one of which was Managing Member Kellie Courtney, and both employees did not have valid service permits for more than six months, for a total of an 18-day suspension or a \$2,970.00 civil penalty.
3. The Commission will reduce the sanction by three days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will pay a \$2,475.00 civil penalty before 5:00 PM on January 23, 2009 **or** serve a 15-day suspension beginning at 7:00 AM on January 28, 2009 and ending at 7:00 AM on February 12, 2009.
5. Licensee withdraws the request for a hearing.
6. If Licensee's interest in the license expires before the Commission issues a final order on this allegation, Licensee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the Licensee's Commission file and may be considered in any future application for a liquor license by the Licensee.
7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2009 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearings rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

9. MHTS, LLC
Haseeb Shojai, Managing Member
Tamana Abdullah, Member
Masoud Aria, Member
Storai Aria, Member
MOE'S SHELL (O)
15 NE 5th Street
Madras OR 97741
(16-29200-O)

OAR 845-006-0347(3) – Licensee permitted unlawful activity when employee Betty Bagley sold tobacco to a person under 18 years of age (August 1, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated September 26, 2008. The proposed sanction, after the deadline to accept the reduced penalty, was a 10-day suspension or a \$1,650 civil penalty. Licensee originally requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the OLCC Violation Notice. This violation was Licensee's first Category III violation. Any subsequent violation of this type within the same two-year period will be charged at the second level.
2. The Public Safety Program originally proposed, after the deadline to accept the reduced penalty, the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty.
3. The Commission will reduce the sanction by three days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will pay a \$1,155.00 civil penalty before 5:00 PM on January 23, 2009 **or** serve a seven-day suspension beginning at 7:00 AM on January 28, 2009 and ending at 7:00 AM on February 4, 2009.
5. Licensee withdraws the request for a hearing.
6. If Licensee's interest in the license expires before the Commission issues a final order on this allegation, Licensee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the Licensee's Commission file and may be considered in any future application for a liquor license by the Licensee.
7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2009 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearing rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

10. VVK, Inc.
Young Sim Kim, President/Director/Stkhldr
Chae Su Kim, Secretary/Treas/Dir/Stkhldr
SAM CITY (F-COM)
2180 Pacific Boulevard SE
Albany OR 97321
(22-43847-FCOM)

ORS 471.360(1)(b) – Licensee permitted Corporate Principal Chae Kim to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit (from about May 23, 2008 to about September 24, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated October 21, 2008. The proposed sanction, considering aggravation, was a 12-day suspension or a \$1,980 civil penalty. Licensee originally requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

Corporate Principal Chae Kim personally committed this violation.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice of Proposed License Suspension/Civil Penalty. This was Licensee's first Category III violation within two years. Any subsequent violation of this type within the same two-year period will be charged at the second level.
2. The Public Safety Program originally proposed the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty and added two days for aggravation because Corporate Principal Chae Kim personally committed this violation, for a total of a 12-day suspension or a \$1,980.00 civil penalty.
3. The Commission will reduce the sanction by three days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will pay a \$1,485.00 civil penalty before 5:00 PM on January 23, 2009 **or** serve a nine-day suspension beginning at 7:00 AM on January 28, 2009 and ending at 7:00 AM on February 6, 2009.
5. Licensee withdraws the request for a hearing.
6. If Licensee's interest in the license expires before the Commission issues a final order on this allegation, Licensee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the Licensee's Commission file and may be considered in any future application for a liquor license by the Licensee.
7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2009 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearings rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

11. SAF Enterprises, LLC
Samuel Fowler, Managing Member
OLIVE OR TWIST MARTINI BAR (F-COM)
925 NW 11th Avenue
Portland OR 97209
(26-39646-FCOM)

ORS 471.360(1)(b) – Licensee permitted employee Shannon Follett to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit (from about January 2008 to about September 3, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated October 14, 2008. The proposed sanction, considering aggravation, was a 12-day suspension or a \$1,980 civil penalty. Licensee originally requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

Employee Shannon Follett did not have a valid service permit for over six months.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice of Proposed License Suspension/Civil Penalty. This was Licensee's first Category III violation within two years. Any subsequent violation of this type within the same two-year period will be charge at the second level.
2. The Public Safety program originally proposed the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty and added two days for aggravation because employee Shannon Follett did not have a valid service permit for over six months, for a total of a 12-day suspension or a \$1,980.00 civil penalty.
3. The Commission will reduce the sanction by three days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will pay a \$1,485.00 civil penalty before 5:00 PM on January 23, 2009 **or** serve a nine-day suspension beginning at 7:00 AM on January 28, 2009 and ending at 7:00 AM on February 6, 2009.
5. Licensee withdraws the request for a hearing.
6. If Licensee's interest in the license expires before the Commission issues a final order on this allegation, Licensee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the Licensee's Commission file and may be considered in any future application for a liquor license by the Licensee.
7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2009 Commission Meeting. If the agreement is not accepted and approved in it entirety by the Commission it is deemed null and void and Licensee's hearings rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

12. Oregon Theater Management, Inc.
David Leiken, President/Director/Stkhldr
Sidney Leiken, Secretary/Director
**ROSELAND THEATER/ROSELAND
GRILL (F-PL)**
8 NW 6th Avenue
Portland OR 97209
(26-12291-FPL)

OAR 845-006-0347(3) – Licensee allowed unlawful activity when Cory Boltz, Hector Faz, Rocky Garcia and Paul Gonzalez provided private security services as private security professionals at Roseland Theater/Roseland Grill without being certified to do so under ORS 181.878 in violation of ORS 181.991(1)(b) (from about November 27, 2007 to about January 10, 2008).

(Second, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated December 3, 2008. The proposed sanction, considering aggravation, was a 32-day suspension or a \$4,950 civil penalty in lieu of 30 days of the suspension with the remaining two days mandatory. Licensee wishes to enter into this Settlement Agreement.

(Licensee paid the \$3,795 fine on December 11, 2008).

AGGRAVATION

More than one person was involved in the violation.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out above. This was Licensee's second Category III violation within two years. Any subsequent violation of this type within a two-year period will be charged at the third level.
2. Public Safety Program staff originally proposed a 30-day license suspension or a civil penalty of \$4,950.00 and aggravated the penalty because more than one person was involved in the violation, for a total sanction of a 32-day license suspension or a civil penalty of \$4,950.00 in lieu of 30 days with the remaining 2 days of the suspension mandatory.
3. The Commission will reduce the sanction for the violation by 9 days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will pay a civil penalty of \$3,795.00 by 5:00 PM on January 23, 2009 **or** serve a 23-day suspension beginning at 7:00 AM on January 28, 2009 and ending at 7:00 AM on February 20, 2009.
5. If Licensee's interest in the license expires before the Commission issues a final order on this allegation, Licensee agrees to accept a Letter of Reprimand for this violation. This Letter of Reprimand will become a permanent part of Licensee's Commission file and may be considered in any future application for a liquor license by Licensee.
6. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2009 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearings rights, if any, will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

13. Benke Foods, Inc.
Gary Benke, President/Treas/Dir/Stkhldr
Lorraine Benke, VP/Secretary/Dir/Stkhldr
7-ELEVEN STORE #2362-17916A (O)
3160 NW 185th Avenue
Portland OR 97229
(34-03289-O)

OAR 845-006-0335(1)(a)(b)(c) –
Licensee's employee Rebecca McCaulley
failed to verify the age of a Washington
County Sheriff's Office minor decoy
before allowing him to buy or be served
an alcoholic beverage when he
reasonably appeared to be under 26
years of age (August 6, 2008).

(Second, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by
Notice dated October 21, 2008. The proposed
sanction, considering aggravation, was a 32-day
suspension or a \$4,950 civil penalty in lieu of 30
days of the suspension with the remaining two
days mandatory. Licensee originally requested a
hearing and now wishes to withdraw that request
to enter into this Settlement Agreement.

AGGRAVATION

Licensee has previously been allowed to purchase age
verification equipment as an offset to a penalty for a
previous failure to verify the age of a minor. The age
verification equipment was not used to prevent the current
violation.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice of Proposed License Suspension/Civil Penalty. This was Licensee's second Category III violation within two years. Any subsequent violation of this type within the same two-year period will be charged at the third level.
2. The Public Safety Program originally proposed the standard sanction of a 30-day suspension or a \$4,950.00 civil penalty and added two days for aggravation because Licensee has previously been allowed to purchase age verification equipment as an offset to a penalty for a previous failure to verify the age of a minor and the age verification equipment was not used to prevent the current violation, for a total of a 32-day suspension or a civil penalty of \$4,950.00 in lieu of 30 days with the remaining two days of the suspension mandatory.
3. The Commission will reduce the sanction by nine days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will pay a \$3,795.00 civil penalty before 5:00 PM on January 23, 2009 **or** serve a 23-day suspension beginning at 7:00 AM on January 28, 2009 and ending at 7:00 AM on February 20, 2009.
5. Licensee withdraws the request for a hearing.
6. If Licensee's interest in the license expires before the Commission issues a final order on this allegation, Licensee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the Licensee's Commission file and may be considered in any future application for a liquor license by the Licensee.
7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their January 2009 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensee's hearing rights will be restored.