ADMINISTRATIVE POLICY & PROCESS DIVISION

VIOLATION CASES TO BE RATIFIED BY COMMISSION

JUNE 14 - 15, 2007

LICENSEE/PERMITTEE	VIOLATION	SANCTION & COMMENTS
1. Rock Bottom of Minneapolis, Inc. Ned Robert Lidvall, President John Anthony Coletta, VP/Sec/Treas Rock Bottom Restaurants, Inc., Stkhldr **OLD CHICAGO** (FCOM) 11211 SE 82nd Avenue Portland OR 97206 (03-15401-FCOM)	ORS 471.360 (1)(b) - Licensee permitted employee Mark Sanocki to sell, mix, or serve alcohol, or supervise those who do, without having a valid service permit (from about October 10, 2005 to about February 20, 2007). (First, Category III)	**$1,650 CIVIL PENALTY - OR - 10-DAY SUSPENSION** (Licensee paid the $1,650 civil penalty on May 1, 2007.) AGGRAVATION Mark Sanocki did not have a valid service permit for about 16 months. MITIGATION Licensee has a lengthy history of compliance with the Commission.
2. Green Apple, Inc. Johnny Thompson, Pres/Stkhldr Gerald Krum, Sec/Treas/Stkhldr **THE MOUSE TRAP TAVERN** (FCOM) 2305 N Lombard Portland OR 97217 (26-00526-FCOM)	ORS 471.360 (1)(b) - Licensee permitted employee Karen Wampach to sell, mix, or serve alcohol, or supervise those who do, without having a valid service permit (from about March 1, 2004 to about January 26, 2007). (First, Category III)	**$1,650 CIVIL PENALTY - OR - 10-DAY SUSPENSION** (Licensee paid the $1,650 civil penalty on April 16, 2007.) AGGRAVATION Karen Wampach did not have a valid service permit for about three years. MITIGATION Licensee has a lengthy history of compliance with the Commission.
3. Black Butte Ranch Corporation Olin Loy Helmly, Jr., President Sharon W. Dilley, Secretary/Treasurer	ORS 471.360 (1)(b) - Licensee permitted employees Jamie Glenn and Glen Woosley to sell, mix, or serve alcohol, or	**$2,310 CIVIL PENALTY - OR - 14-DAY SUSPENSION** (Licensee paid the $2,310 civil penalty on April 30, 2007.)

Black Butte Ranch Association, Stkhldr **BLACK BUTTE RANCH LODGE** (FCOM) 13653 Hawksbeard Road Black Butte OR 97759 (09-06542-FCOM)	supervise those who do, without having valid service permits (varying lengths of time from about November 11, 2005 to about March 17, 2007). (First, Category III)	AGGRAVATION 1. Two employees were involved in the violation. 2. Jamie Glenn and Glenn Woosley both worked for over six months without a valid service permit. MITIGATION Licensee has a lengthy record of good compliance with the Commission.
4. Kae Mun Yom Chong Su Yom **CRACKER BARREL GROCERY** (O) 15005 NW Sauvie Island Road Portland OR 97231 (26-00281-O)	OAR 845-006-0335 (1)(a)(b)(c) - Licensee Chong Su Yum failed to verify the age of an OLCC minor decoy before allowing the decoy to buy or be served alcohol when he reasonably appeared to be under 26 years of age (March 28, 2007). (First, Category III)	**$330 CIVIL PENALTY - OR - 2-DAY SUSPENSION AND CREDIT GIVEN FOR PURCHASE/USE OF AGE VERIFICATION EQUIPMENT** (Licensees paid the $330 fine on May 14, 2007.) AGGRAVATION Licensee Chong Su Yom personally committed this violation.
5. Thai Mango, Inc. Phouthone Soutavong, President/Director Oulayuanh Soutavong, Director **THAI MANGO** (L) 8601 SE 17th Avenue Portland OR 97202 (26-38555-L)	OAR 845-006-0335 (1)(a)(b)(c) - Corporate Principal Phouthone Soutavong failed to verify the age of an OLCC minor decoy before allowing the decoy to buy or be served alcohol when he reasonably appeared to be under 26 years of age (March 28, 2007). (First, Category III)	**$330 CIVIL PENALTY - OR - 2-DAY SUSPENSION AND CREDIT GIVEN FOR PURCHASE/USE OF AGE VERIFICATION EQUIPMENT** (Licensees paid the $330 fine on May 14, 2007.) AGGRAVATION Corporate Principal Phouthone Soutavong personally committed this violation.
6. One Thai Restaurant, LLC Kit Nakkamkaew, Managing Member Wilairat Nakkamkaw, Member **ONE THAI RESTAURANT** (FCOM) 2531/2535 NE Alberta St. Portland OR 97211 (26-39957-FCOM)	OAR 845-006-0335 (1)(a)(b)(c) - Managing Member Kit Nakkamkaew failed to verify the age of an OLCC minor decoy before allowing the decoy to buy or be served alcohol when she reasonably appeared to be under 26 years of age (March 28, 2007). (First, Category III)	**$1,980 CIVIL PENALTY - OR - 12-DAY SUSPENSION** AGGRAVATION Managing Member Kit Nakkamkaew personally committed this violation.

7. Choi Kiu (Lily) Chan Si Lik Chan **LUCKY STAR RESTAURANT** (FCOM) 3480 Tremont North Bend OR 97459 (06-27758-FCOM)	OAR 845-006-0335 (1)(a)(b)(c) - Licensee Si Lik Chan failed to verify the age of an OLCC minor decoy before allowing the decoy to buy or be served alcohol when she reasonably appeared to be under 26 years of age (March 23, 2007). (First, Category III)	**LETTER OF REPRIMAND** MITIGATION 1. Licensees are purchasing and will use age verification equipment in accordance with OAR 845-009-0140. 2. Licensees have a lengthy record of good compliance. AGGRAVATION Licensee Si Lik Chan personally committed this violation.
8. Atmax Holdings, LLC Brett Beber, Member **BLISS RESTAURANT & LOUNGE** (FCOM) 9-17 NW 6th Avenue Portland OR 97209 (26-39816-FCOM)	Violation Number One OAR 845-006-0468 (1) - Licensee failed to make available to patrons an offering of five distinctly different regular meals (November 3, 2006). (Second, Category III) Violation Number Two OAR 845-006-0460 (4) - Licensee failed to meet minimum seating requirements during the regular meal period when there were no dining seats available for patrons (from about October 30, 2006 to about November 3, 2006). (Third, Category III)	**LETTER OF REPRIMAND** Note: Licensee was charged with these violations by Notice dated January 9, 2007. The proposed sanction, considering mitigation, was a Letter of Reprimand because Licensee's Temporary Authority to Operate expired on December 14, 2006. Licensee originally requested a hearing and has since withdrawn that request. MITIGATION Violations Number One and Two were both charged at the second level because they were discovered and charged concurrently.
9. Tacho's II, Inc. Rodolfo Montiel, President **TACHO'S II MEXICAN RETAURANT & CANTINA** (FCOM) 18901 East Burnside Portland OR 97233 (26-23485-FCOM)	OAR 845-006-0335 (1)(a)(b)(c) - Corporate Principal Rodolfo Montiel failed to verify the age of an OLCC minor decoy before allowing the decoy to buy or be served alcohol when she reasonably appeared to be under 26 years of age (March 28, 2007). (First, Category III)	**$1,980 CIVIL PENALTY - OR - 12-DAY SUSPENSION** AGGRAVATION Corporate Principal Rodolfo Montiel personally committed this violation.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

10. E San Thai Cuisine, Inc.
Sackpaseuth Pathammavong, Pres/Stkhldr
Thavill Paphay, Sec/Treas/Stkhldr
E SAN THAI CUISINE 2ND AVENUE BAR & GRILL (FCOM)
133 SW 2nd Avenue
Portland OR 97204
(26-21897-FCOM)

ORS 471.360 (1)(b) - Licensee permitted employees Vilay Sakovnchareun and Sirivanh Vorachith to sell, mix, or serve alcohol, or manage those who do, without having valid service permits (varying lengths of time from about June 2006 to about February 21, 2007).

(Second, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated April 16, 2007. The proposed sanction, considering aggravation, was a 36-day suspension **or** a $4,950 civil penalty and a 6-day mandatory suspension. Licensee requests to enter into this Settlement Agreement.

AGGRAVATION

1. Vilay Sakovnchareun and Sirivanh Vorachith did not have valid service permits for about eight months and seven months respectively.
2. Two employees were involved in the violation.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice of Proposed License Suspension/Civil Penalty dated April 16, 2007. 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 staff originally proposed the standard sanction of a 30-day suspension or $4,950.00 civil penalty, and added six days aggravation for two employees working without a valid service permit, both for over six months, for a total of a 36-day suspension or a civil penalty of $4,950.00 in lieu of 30 days with the remaining six 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 civil penalty of $4,455.00 by 5:00 PM on June 25, 2007 or serve a 27-day suspension beginning at 7:00 AM on June 30, 2007 and ending at 7:00 AM on July 27, 2007. [Licensee paid the $4,455.00 civil penalty on May 10, 2007.]

5. If Licensee's interest in the license expires before the Commission issue a final order on these allegations, Licensee agrees to accept a Letter of Reprimand for this violation. 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 the Licensee.

6. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their June 2007 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

11. Spatco M LLC
Martin Spathas, Managing Member
CLAUDIA'S SPORTS PUB & GRILL
(FCOM)
3006 SE Hawthorne Blvd
Portland OR 97214
(26-05298-FCOM)

ORS 471.360 (1)(b) - Licensee permitted employee Michael Lauro to sell, mix, or serve alcohol, or manage those who do, without a valid service permit issued by the Commission (from about July 25, 2004 to about January 31, 2007).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated March 21, 2007. The proposed sanction, considering aggravation and mitigation, was a $1,650 civil penalty or a 10-day suspension. Licensee requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

MITIGATION

Licensee has a lengthy record of good compliance with the Commission.

AGGRAVATION

Michael Lauro worked for over two years without a valid service permit.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice of Proposed License Suspension/Civil Penalty dated March 21, 2007. This was the 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 Commission's Public Safety Program originally proposed the standard sanction of a 10-day suspension or $1,650.00 civil penalty and added two days of aggravation because Licensee's employee worked for over two years without a valid service permit and mitigated the sanction two days for a lengthy record of compliance, for a total sanction of a 10-day suspension or a civil penalty of $1,650.00.

3. The Commission's Public Safety Program will reduce the sanction by three days. This is equivalent to a 30% reduction of the standard sanction.

4. Licensee will pay a civil penalty of $1,155.00 by 5:00 PM on June 25, 2007 **or** serve a seven-day suspension beginning at 7:00 AM on June 30, 2007 and ending at 7:00 AM on July 7, 2007.

5. Licensee withdraws the request for a hearing in this matter.

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 June 2007 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.