

**ADMINISTRATIVE POLICY & PROCESS DIVISION
VIOLATION CASES TO BE RATIFIED BY COMMISSION**

July 14, 2008

LICENSEE/PERMITTEE

VIOLATION

SANCTION & COMMENTS

1. Papa Son's, Inc.
Kenneth Trefz, President/Stockholder
PAPA SON'S (L)
12525 SE Powell
Portland OR 97236
(26-00384-L)

Violation Number One
ORS 471.410 (1) – Licensee's employee
Lacena Long knowingly sold, served or
otherwise made alcoholic liquor available
to a visibly intoxicated person, Paul Miller
(May 11, 2007).

(Second, Category III)

Violation Number Two
ORS 471.360 (1)(b) – Licensee permitted
Kenneth Trefz to sell, mix, or serve
alcoholic beverages, or supervise those
who do, without a valid service permit
(from about January 5, 2005 to about May
23, 2007).

(Third, Category III)

LETTER OF REPRIMAND

Note: Licensee requested a hearing and now wishes to withdraw that request. Because the Licensee's interest in the license has expired and it 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 may be considered in any future application for a liquor license by the Licensee.

AGGRAVATION

1. Corporate Principal Kenneth Trefz personally committed Violation Number Two.
2. Kenneth Trefz worked for over six months without a valid service permit.

MITIGATION

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

2. Blue Dog Distributing, Inc.
Vincent Surratt, Pres/Sec/Treas/Dir/Stkhldr
BLUE DOG DISTRIBUTING (WMBW)
306 SE Ash Street
Portland OR 97214
(26-29001-WMBW)

OAR 845-010-0170 (5) – Licensee failed to send the Commission monthly reports summarizing the information in OAR 845-010-0170(2)(3)(4) within the timeframe prescribed by the Commission (from about March 20, 2007 to about March 20, 2008).

(First, Category IV)

\$1,155 CIVIL PENALTY – OR – 7-DAY SUSPENSION

AGGRAVATION

Licensee failed to timely send monthly reports on multiple occasions.

MITIGATION

Licensee has a lengthy record of compliance.

3. Pilot Travel Centers, LLC
James A. Haslam III, President
Mark A. Hazelwood, Executive VP
Kenneth M. Parent, Sr. VP Ops & Mrkting
Mitchell D. Steenrod, VP/CFO
Timothy J. Berry, VP/Secretary
Pilot Corporation, Managing Member
Marathon Ashland Petroleum, LLC, Member
PILOT TRAVEL CENTER #390 (O)
2115 S Highway 395
Stanfield OR 97875
(30-25271-O)

OAR 845-006-0335 (1)(a)(b)(c) – Licensee’s employee Trisha Gardipee 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 (February 23, 2008).

(First, Category III)

\$1,650 CIVIL PENALTY – OR – 10-DAY SUSPENSION

(Licensee paid the \$1,650 civil penalty on June 19, 2008.)

AGGRAVATION

Licensee has previously been allowed to purchase age verification equipment as a full 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.

MITIGATION

Licensee has a lengthy record of compliance.

4. TLM Enterprises, Inc.
Ty Edward DuPuis, Pres/Sec/Dir/Stkhldr
FLYING PIE PIZZERIA (L)
3 Monroe Parkway #S
Lake Oswego OR 97035
(03-28941-L)

ORS 471.360 (1)(b) – Licensee permitted employee Christopher McGinnis to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit (from about February 4, 2006 to about March 21, 2008).

(First, Category III)

\$1,650 CIVIL PENALTY – OR – 10-DAY SUSPENSION

AGGRAVATION

Christopher McGinnis did not have a service permit for over six months.

MITIGATION

Licensee has a lengthy record of compliance.

5. Gildardo Castillo
Sandra Castillo
SUPER TACO & MARKET (O)
400 Thunderegg Blvd
Nyssa OR 97913
(23-36369-O)

Violation Number One

OAR 845-006-0335 (1)(a)(b)(c) – Licensees’ employee Jose Renteria-Moron 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 (February 1, 2008).

(First, Category III)

Violation Number Two

OAR 845-009-0130 (2), (5) – Licensees allowed employee Jose Renteria-Moron to sell alcoholic beverages without having him first read, sign and date the Commission-provided brochure and/or failed to maintain a record of the signed brochure on the licensed premises (February 1, 2008).

(First, Category IV)

Note: Licensees were members of the Responsible Vendor Program at the time of this violation. Because Licensees did not have all of the Responsible Vendor standards in place at the time of the violation, Licensees are required to be removed from the Program and are therefore no longer eligible for reduced sanctions based on Category III(a).

**\$2,805 CIVIL PENALTY – OR – 17-DAY SUSPENSION
AND REMOVAL FROM RESPONSIBLE VENDOR
PROGRAM**

(Licensees paid the \$2,805 civil penalty on June 12, 2008.)

6. Shoot Out Team Sportsplex, LLC
Cynthia Gillespie, Managing Member
Craig Gillespie, Member
HUBBARD INDOOR (L)
2814 Industrial Avenue
Hubbard OR 97032
(24-41479-L)

Violation Number One
OAR 845-006-0335 (1)(a)(b)(c) –
Licensee’s employees or agents Artemio
Paz, Jr. and Imelda Serrano 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).

(First, Category III)

Violation Number Two
ORS 471.482 (1) – Licensee’s employee
Artemio Paz, Jr. took orders for, sold, or
served alcoholic liquor when he was
under age 18 (March 28, 2008).

(First, Category IV)

\$3,135 CIVIL PENALTY – OR – 19-DAY SUSPENSION

AGGRAVATION

Violation Number One involved two persons.

7. Marilyn M. Thomas
Phillip A. Thomas
PIT STOP MINI MART (O)
Highway 140 E
Bly OR 97622
(18-20157-O)

OAR 845-006-0335 (1)(a)(b)(c) –
Licensee Marilyn M. Thomas 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 26, 2008).

(First, Category III)

\$1,650 CIVIL PENALTY – OR – 10-DAY SUSPENSION

AGGRAVATION

Licensee Marilyn M. Thomas was personally involved in
the violation.

MITIGATION

Licensee has a lengthy record of compliance.

8. Loafers Bistro, Inc.
Heidi Hyre, President/Stockholder
Stephen Hyre, Secretary/Stockholder
LOAFERS BREAD & BISTRO (F-COM)
222 SW Washington Street
Albany OR 97321
(22-28041-FCOM)

Violation Number One
ORS 471.360 (1)(b) – Licensee permitted
Lindsey Bohard, Megan Burner, Lindsay
Christensen, Jennifer Kollaer, Jody
Newman, and Lizabeth Young to sell,
mix, or serve alcoholic beverages, or
supervise those who do, without valid
service permits (for varying lengths of
time from about November 6, 2006 to

LETTER OF REPRIMAND

Note: Because Licensee surrendered its liquor
license effective May 30, 2008, and licensee
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

about May 2, 2008).

(First, Category III)

Violation Number Two

ORS 471.482 (1) – Licensee’s employee Lindsey Bohard took orders for, served, or sold alcoholic liquor when she was under 18 years of age (from about November 30, 2007 to about March 14, 2008).

(First, Category IV)

- 9. Guillermina Casas
Eduardo Casas
LA AMAPOLA MARKET (O)
3352 Silverton Rd NE
Salem OR 97303
(24-42211-O)

OAR 845-006-0335 (1)(a)(b)(c) – Licensee Guillermina Casas 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).

(First, Category III)

- 10. The New Tillicum, LLC
Dean MacBale, Managing Member
Rana MacBale, Member
TILlicum RESTAURANT & BAR
(F-COM)
8585 SW Beaverton Hillsdale Hwy
Portland OR 97225
(34-02331-FCOM)

ORS 471.360 (1)(b) – Licensee permitted Phillip Dozier to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit (from about September 4, 2007 to about March 21, 2008).

(First, Category III)

and may be considered in any future application for a liquor license by the Licensee.

AGGRAVATION

- 1. Six employees worked without a service permit.
- 2. Megan Burner, Lindsay Christensen, Jennifer Kollaer, Jody Newman, and Lizabeth Young each worked for over six months without a service permit.

LETTER OF REPRIMAND

Note: Because the Licensees’ interest in the license has expired and they no longer hold a liquor license, the Public Safety Program recommends the Commission issue Licensees a Letter of Reprimand. This reprimand will become a permanent part of the Licensees’ Commission file and may be considered in any future application for a liquor license by the Licensees.

AGGRAVATION

Licensee Guillermina Casas was personally involved in this violation.

\$2,310 CIVIL PENALTY – OR – 14-DAY SUSPENSION

AGGRAVATION

- 1. Licensee received a prior warning regarding service permits on September 11, 2007.
- 2. Phillip Dozier has been working without a valid service permit for more than six months.

11. Yun Wah Corporation
Mon Yun Quan aka Meng Quan aka Meng
Kuan, President/Director/Stockholder
Siu Wah Quan, VP/Director/Stockholder
YUN WAH CHINESE RESTAURANT
(F-COM)
2288 Country Club Road
Woodburn OR 97071
(24-15816-FCOM)

Violation Number One
OAR 845-006-0347 (2)(a) – Licensee
permitted disorderly activities on the
licensed premises when Corporate
Principal Mon Yun Quan cut Siu Wah
Quan on the hands with a knife and yelled
at Luo Wu and grabbed her by the shirt
and neck, threw her to the ground, poked
her body in several places with a knife,
ran a knife across her forehead, and
threatened to kill her (July 9, 2007).

(First, Category III)

Violation Number Two
ORS 471.315 (1)(a)(I) – Marion County
Circuit Court convicted Corporate
Principal Mon Yun Quan on two Class A
Misdemeanors, Assault IV and Menacing,
both of which were committed on the
licensed premises, Yun Wah Chinese
Restaurant, on July 9, 2007 (December
13, 2007).

(Second, Category III)

\$4,950 CIVIL PENALTY – OR – 30-DAY SUSPENSION

AGGRAVATION

Violation Number One

1. Corporate Principal Mon Yun Quan committed this violation.
2. Two people were threatened, harassed, or harmed.
3. This violation resulted in serious injury.
4. Licensee had two prior warnings in February 2006 regarding disorderly activities.

Violation Number Two

Corporate Principal Mon Yun Quan was convicted of two misdemeanors.

MITIGATION

Violations Number One and Two will be charged at the first level because they are each based on the same set of circumstances.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

12. Cinco de Mayo Family Restaurant, Inc.
Raul Correa, Pres/Sec/Dir/Stkhldr
CINCO DE MAYO FAMILY RESTAURANT
(F-COM)
2102 Adams Avenue
La Grande OR 97850
(31-22850-FCOM)

ORS 471.360 (1)(b) – Licensee permitted employee Socorro Morfin Correa to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit (from about June 3, 2006 to about April 7, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated May 23, 2008. The proposed sanction, considering aggravation and mitigation, was a \$1,650 civil penalty or a 10-day suspension. Licensee wishes to enter into this Settlement Agreement.

AGGRAVATION

Socorro Morfin Correa did not have a service permit for over six months.

MITIGATION

Licensee has a lengthy record of compliance.

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 \$1,650.00 civil penalty, added two days of aggravation because Licensee's employee did not have a service permit for over six months, and mitigated the sanction by two days because Licensee has a lengthy record of compliance with the Commission.
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 civil penalty of \$1,155.00 by 5:00 PM on July 24, 2008 **or** serve a seven-day suspension beginning at 7:00 AM on July 29, 2008 and ending at 7:00 AM on August 5, 2008.
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 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 Licensee.
6. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their July 2008 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

13. **LACENA LONG**
Service Permit No. 159558

Employed at: **PAPA SON'S (L)**
12525 SE Powell
Portland OR 97236
(26-00384-L)

ORS 471.410 (1) – Permittee Long knowingly sold or made alcohol available to a visibly intoxicated person at Papa Son's (May 11, 2007).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Permittee Long was charged with this violation by Notice dated July 13, 2007. The proposed sanction was a \$250 civil penalty or a 10-day suspension. Permittee originally requested a hearing along with the Licensee. Permittee now wishes to withdraw her request to enter into this Settlement Agreement.

Note: The Licensee was also charged with this violation by Noticed dated October 31, 2007. Licensee requested a hearing and then withdrew the request. Licensee received a Letter of Reprimand because Licensee's interest in the business has expired and it no longer holds a liquor license.

TERMS OF AGREEMENT

1. Permittee accepts responsibility for the violation as set out in OLCC Violation Notice No. 010231. This violation was Permittee'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. Public Safety Program staff originally proposed the standard sanction of a 10-day suspension or a \$250.00 civil penalty. If Permittee had accepted responsibility for the violation within 15 days, the penalty would have been reduced to a six-day suspension or a \$150.00 civil penalty.
3. The Commission will reduce the standard sanction by three days. This is equivalent to a 30% reduction of the standard sanction.
4. Permittee will pay a civil penalty of \$175.00 by 5:00 PM on July 24, 2008 **or** serve a seven-day suspension beginning at 7:00 AM on July 29, 2008 and ending at 7:00 AM on August 5, 2008.
5. Permittee withdraws the request for a hearing in this matter.
6. If Permittee's interest in the Service Permit expires before the Commission issues a final order on this allegation, Permittee agrees to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the Permittee's Commission file.
7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their July 2008 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Permittee's hearing rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

14. Bartini, LLC
Mark Byrum, Managing Member
Daniel Dickerson, Member
BARTINI/ URBAN FONDUE/ BE ZINFUL
(F-COM)
2108-2118 NW Glisan
Portland OR 97210
(26-00599-FCOM)

ORS 471.360 (1)(b) – Licensee permitted Managing Member Mark Byrum to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit (from about January 17, 2006 to about November 1, 2007).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated December 20, 2007. The proposed sanction, considering aggravation, was a \$2,310 civil penalty or a 14-day suspension. Licensee requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

1. Managing Member Mark Byrum was involved in the violation.
2. Managing Member Mark Byrum was without 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 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 four days of aggravation because Managing Member Mark Byrum was involved in the violation and was without a valid service permit for more than six months, for a total sanction of a 14-day suspension or a civil penalty of \$2,310.00.
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 \$1,815.00 by 5:00 PM on July 24, 2008 **or** serve an 11-day suspension beginning at 7:00 AM on July 29, 2008 and ending at 7:00 AM on August 9, 2008.
5. Licensee withdraws its 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 July 2008 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

15. Jae Y. Han
Soon K. Han
99 FOOD MARKET (O)
14521 SE McLoughlin Blvd
Milwaukie OR 97267
(03-02533-O)

OAD 845-006-0426 – Licensees failed to maintain staff on the licensed premises who could communicate effectively with Commission regulatory employees during business hours (August 24, 2007).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensees were charged with this violation by Notice dated November 9, 2007. The proposed sanction, considering aggravation, was a \$1,980 civil penalty or a 12-day suspension. Licensees requested a hearing and now wish to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

Licensee Jae Y. Han was personally involved in the violation.

TERMS OF AGREEMENT

1. Licensees accept responsibility for the violation as set out in the Notice of Proposed License Suspension/Civil Penalty. This was the Licensees' 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 for the violation and added two days for aggravation because Licensee Jae Y. Han was personally involved in the violation, for a total of a 12-day suspension or \$1,980.00 civil penalty.
3. The Commission's Public Safety Program will reduce the sanction by three days. This is equivalent to a 30% reduction of the sanction.
4. Licensees will pay a civil penalty of \$1,485.00 by 5:00 PM on July 24, 2008 **or** serve a nine-day suspension beginning at 7:00 AM on July 29, 2008 and ending at 7:00 AM on August 7, 2008.
5. Licensees withdraw their request for a hearing.
6. If Licensees' interest in the license expires before the Commission issues a final order on these allegations, Licensees agree to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of the Licensees' Commission file and may be considered in any future application for a liquor license by the Licensees.
7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their July 2008 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and the Licensees' hearing rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

16. H.R.A.L., Inc.
Barry Joe Kolin, Pres/Sec/Dir/Stkhldr
HARVEY'S RESTAURANT & LOUNGE
(F-COM)
436 NW 6th
Portland OR 97209
(26-07287-FCOM)

ORS 471.360 (1)(b) – Licensee permitted
Cristina Catan to sell, mix, or serve
alcoholic beverages, or supervise those
who do, without a valid service permit
(from about August 1, 2007 to about
March 5, 2008).

(Second, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by
Notice dated March 27, 2008. The proposed
sanction, considering aggravation, was a \$4,950
civil penalty with a two-day mandatory suspension
or a 32-day suspension. Licensee requested a
hearing and now wishes to withdraw that request
to enter into this Settlement Agreement.

AGGRAVATION

Cristina Catan worked for over six months 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. This was Licensee's second Category III violation within two years. Any subsequent violation of this type within two years 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 Cristina Catan worked for over six months without a valid service permit, for a total of a 32-day suspension or a \$4,950.00 civil penalty with 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. The Commission will reduce the sanction an additional two days as mitigation for Licensee's efforts made after the violation to prevent future violations.
4. Licensee will pay a \$3,465.00 civil penalty before 5:00 PM on July 24, 2008 **or** serve a 21-day suspension beginning at 7:00 AM on July 29, 2008 and ending at 7:00 AM on August 19, 2008.
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 July 2008 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

17. William Essig
SYCAN STORE (O)
61274 HWY 140 E
Bly OR 97622
(18-05799-O)

OAR 845-006-0335 (1)(a)(b)(c) –
Licensee William Essig 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 26, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by
Notice dated May 21, 2008. The proposed
sanction, considering aggravation, was a \$1,980
civil penalty or a 12-day suspension. Licensee
wishes to enter into this Settlement Agreement.

(Licensee paid the \$330.00 civil penalty on June 19,
2008.)

AGGRAVATION

Licensee William Essig was personally involved in this
violation.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violation as set out in the Notice of Proposed 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 of aggravation because Licensee William Essig was personally involved in the violation, for a total sanction of a 12-day suspension or a \$1,980.00 civil penalty.
3. Licensee will install age verification equipment, as defined in OAR 845-009-0140(1)(c), by July 1, 2008 and will utilize the equipment to verify the age of every patron who reasonably appears to be under 26 years of age in lieu of 10 days of the suspension or \$1,650.00 of the civil penalty. Licensee will run all alcohol sales through registers at which age verification equipment is installed.
4. Licensee will pay a \$330.00 civil penalty before 5:00 PM on July 24, 2008 **or** serve a two-day suspension beginning at 7:00 AM July 29, 2008 and ending at 7:00 AM on July 31, 2008.
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 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.
6. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their July 2008 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

18. Hawleywood Foods LLC
Jamie Hawley, Managing Member
Melissa Hawley, Member
ROCK N ROGERS DINER
3135 Commercial St. SE
Salem OR 97302
(24-26026-L)

OAR 845-006-0335 (1)(a)(b)(c) –
Licensee’s servant(s), agent(s),
employee(s) or representative(s) Holly
Briggs failed to verify the age of an OLCC
minor decoy appearing under the age of
(March 28, 2008).

(Second, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by
Notice dated April 18, 2008. The proposed
sanction was a \$4,950 civil penalty or a 30-day
suspension. Licensee 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 O.L.C.C. Violation Notice No. 09944. 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.
3. The Commission will reduce the sanction by nine days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will install age verification equipment, as defined in OAR 845-009-0140(1)(c), by July 1, 2008 and will utilize the equipment to verify the age of every patron who reasonably appears to be under 26 years of age in lieu of 10 days of the suspension or \$1,650.00 of the civil penalty. Licensee will run all alcohol sales through registers at which age verification equipment is installed.
5. Licensee will pay a \$1,815.00 civil penalty before 5:00 PM on July 24, 2008 **or** serve an 11-day suspension beginning at 7:00 AM on July 29, 2008 and ending at 7:00 AM on August 9, 2008.
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 July 2008 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

19. Constance Cunningham
William Cunningham
LIGHTHOUSE GROCERY & DELI (O)
705 S. Empire
Coos Bay OR 97420
(06-04137-O)

OAR 845-006-0335 (1)(a)(b)(c) –
Licensees' employee David Lucia 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 (April 1, 2008).

(First, Category III)

Note: Licensees were members of the
Responsible Vendor Program at
the time of this violation.
Because aggravating
circumstances were involved at
the time of the violation,
Licensees are required to be
removed from the Program and
are therefore no longer eligible for
reduced sanctions based on
Category III(a).

SETTLEMENT AGREEMENT

Note: Licensees were charged with this violation by
Notice dated May 23, 2008. The proposed
sanction, considering aggravation and mitigation,
was removal from the Responsible Vendor
Program and a \$1,650 civil penalty or a 10-day
suspension. Licensees wish to enter into this
Settlement Agreement.

AGGRAVATION

Licensees have previously been allowed to purchase age
verification equipment as an offset to a penalty for failing
to verify the age of a minor. David Lucia failed to use the
age verification equipment to prevent this violation.

MITIGATION

Licensees have a lengthy record of compliance.

TERMS OF AGREEMENT

1. Licensees accept responsibility for the violation as set out in the Notice of Removal from Responsible Vendor Program and Proposed License Suspension/Civil Penalty. This was Licensees' 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 \$1,650.00 civil penalty, mitigated the sanction by two days because Licensees have a lengthy record of compliance with the Commission, and added two days of aggravation because Licensees have previously been allowed to purchase age verification equipment as an offset to a penalty for failing to verify the age of a minor and Licensees' employee failed to use the age verification equipment to prevent this violation. The total proposed penalty was 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. Licensees will pay a civil penalty of \$1,155.00 by 5:00 PM on July 24, 2008 **or** serve a seven-day suspension beginning at 7:00 AM on July 29, 2008 and ending at 7:00 AM on August 5, 2008.
5. Licensees are removed from the Responsible Vendor Program. Licensees may reapply for the program one year after the ratification of this agreement.

6. If Licensees' interest in the license expires before the Commission issues a final order on these allegations, Licensees agree to accept a Letter of Reprimand for this violation. This reprimand will become a permanent part of Licensees' Commission file and may be considered in any future application for a liquor license by Licensees.
7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their July 2008 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commission it is deemed null and void and Licensees' hearings rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

20. Corbett Fish House, LLC
Dana Boyce, Managing Member
Gregory Charles Boyce, Member
Charles Carter Boyce, Member
CORBETT FISH HOUSE (F-COM)
5901 SW Corbett
Portland OR 97201
(26-36616-FCOM)

Violation Number One
OAR 845-006-0345 (1) – Member
Gregory Charles Boyce was drinking
while on duty at the licensed premises
(February 22, 2008).

(First, Category III)

Violation Number Two
ORS 471.360 (1)(b) – Licensee permitted
Member Gregory Charles Boyce to sell,
mix, or serve alcoholic beverages, or
supervise those who do, without a valid
service permit (from about October 12,
2007 to about February 22, 2008).

(Second, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated April 9, 2008. The proposed sanction, considering aggravation and mitigation, was a \$3,630 civil penalty or a 22-day suspension. Licensee requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

Member Gregory Charles Boyce was personally involved in Violations Number One and Two.

MITIGATION

1. Violations Number One and Two were both charged at the first level because they were discovered and charged concurrently.
2. Licensee has a lengthy record of compliance.

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 and second Category III violations within two years. Violations Number One and Two were each charged at the first level of Category III because they were discovered and charged concurrently. Any subsequent violation of these types 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 20-day suspension or \$3,300.00 civil penalty, subtracted two days of mitigation because Licensee has a lengthy record of compliance, and added four days of aggravation because Member Gregory Charles Boyce was personally involved in both violations. The total proposed penalty was a 22-day suspension or a \$3,630.00 civil penalty.
3. The Commission will reduce the sanction by six days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will pay a civil penalty of \$2,640.00 by 5:00 PM on July 24, 2008 or serve a 16-day suspension beginning at 7:00 AM on July 29, 2008 and ending at 7:00 AM on August 14, 2008.
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 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 Licensee.

7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their July 2008 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

21. Mohammad Bhopal
7-ELEVEN STORE #2353-25840D (O)
39695 Proctor Blvd
Sandy OR 97055
(03-13759-O)

OAR 845-006-0335 (1)(a)(b)(c) –
Licensee’s employee Tamara Luckey
failed to verify the age of a Clackamas
County Sheriff’s Office minor decoy
before allowing her to buy or be served
an alcoholic beverage when she
reasonably appeared to be under 26
years of age (December 28, 2007).

(First, Category III)

Note: Licensee was a member of the
Responsible Vendor Program at
the time of this violation.
Because aggravating
circumstances were 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 March 7, 2008. The proposed
sanction, considering aggravation, was removal
from the Responsible Vendor Program and a
\$1,980 civil penalty or a 12-day suspension.
Licensee 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 a full 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 and Removal from Responsible Vendor Program. 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 increased the sanction by two days for not using age verification equipment to prevent the current violation after previously being allowed to purchase age verification equipment as a full offset to a penalty for a previous failure to verify the age of a minor, for a total sanction of a 12-day suspension or a civil penalty of \$1,980.00.
3. The Commission’s Public Safety Program will reduce the sanction for the violation by three days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will pay a civil penalty of \$1,485.00 by 5:00 PM on July 24, 2008 or serve a nine-day suspension beginning at 7:00 AM on July 29, 2008 and ending at 7:00 AM on August 7, 2008.

5. Licensee is removed from the Responsible Vendor Program. Licensee may reapply one year after the ratification of this Agreement.
6. Licensee withdraws his 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 July 2008 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.