

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

November 10, 2008

LICENSEE/PERMITTEE

VIOLATION

SANCTION & COMMENTS

1. Peanuts R Us, LLC
Jonathan Ash, Managing Member
KAYO'S ROADHOUSE EAST (F-COM)
594 NE Bellevue
Bend OR 97702
(09-37028-FCOM)

ORS 471.360 (1)(b) – Licensee permitted Dianne Logsdon to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit (from about July 13, 2007 to about April 30, 2008).

(First, Category III)

LETTER OF REPRIMAND

Note: Licensee originally requested a hearing and withdrew that request on October 28, 2008. Because Licensee no longer has an interest in the business 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.

AGGRAVATION

Dianne Logsdon worked for over six months without a valid service permit.

MITIGATION

Licensee has a lengthy record of good compliance.

2. Harjit Singh
CENTER MARKET #10 (O)
9320 5th Street
Bay City OR 97107
(29-03182-O)

ORS 471.315(1)(a)(I) – Licensee Harjit Singh was convicted by Marion County Circuit Court of two counts of Unlawful Distribution of Cigarettes (ORS 323.482(2)(b)), a Class B Felony, and one count of Rendering a Fraudulent Tax Return (ORS 323.480(6)), a Class C Felony (September 24, 2007).

(First, Category I)

LETTER OF REPRIMAND

Note: Licensee originally requested a hearing and withdrew that request on October 1, 2008. Because Licensee no longer has an interest in the business 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

3. La Playita Market, Inc.
Maria Rivera-Perez, Pres/Sec/Dir/Stkhldr
LA PLAYITA MARKET (O)
2815 NE Alberta Street
Portland OR 97211
(26-39090-O)

OAR 845-006-0335(1)(a)(b)(c) –
Corporate Principal Maria Rivera-Perez
failed to verify the age of a minor before
allowing him to buy or be served an
alcoholic beverage when he reasonably
appeared to be under 26 years of age
(July 31, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by
Notice dated September 2, 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 Maria Rivera-Perez was personally
involved in 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 Licensee was personally involved in the 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 November 20, 2008 **or** serve a nine-day suspension beginning at 7:00 AM on November 25, 2008 and ending at 7:00 AM on December 4, 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 November 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 hearing rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

4. Coyote Creek, Inc.
Bert Sinclair, President/Director/Stkhldr
Eric Metzel, Vice President/Stockholder
Richard Feldheim, Sec/Treas/Dir/Stkhldr
COYOTE CREEK CAFÉ (F-COM)
497 Highway 20 W
Sisters OR 97759
(09-16022-FCOM)

ORS 471.360(1)(b) – Licensee permitted
Justin Wolfe to sell, mix, or serve
alcoholic beverages, or supervise those
who do, without a valid service permit
(from about August 1, 2007 to about June
13, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by
Notice dated September 2, 2008. The proposed
sanction, considering aggravation, was a 12-day
suspension or a \$1,980 civil penalty. Licensee
wishes to enter into this Settlement Agreement.

AGGRAVATION

Employee Justin Wolfe 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 Justin Wolfe 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 November 20, 2008 **or** serve a nine-day suspension beginning at 7:00 AM on November 25, 2008 and ending at 7:00 AM on December 4, 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 November 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, if any, will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

5. TGL, Inc.
Bori Chet, President/Director/Stockholder
Suheng Ngan, Secretary/Director/Stkhldr
THE GUEST'S LOUNGE (F-COM)
2325 Fairgrounds Road NE
Salem OR 97301
(24-43750-FCOM)

Violation Number One

OAR 845-006-0335(3)(a) – Licensee's employees Phala Chet and Amber Pearson permitted four minors to buy, be served or drink alcoholic beverages on the licensed premises (July 21, 2008).

(First, Category III)

Violation Number Two

OAR 845-006-0335(3)(b) – Licensee's employees Phala Chet and Amber Pearson permitted four minors to be on the licensed premises or an area of the licensed premises prohibited to minors (July 21, 2008).

(First, Category IV)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated September 10, 2008. The proposed sanction, considering aggravation, was a 41-day suspension or a \$6,765 civil penalty. Licensee originally requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

Violation Number One:

1. Two employees were involved in this violation.
2. Four minors were involved in this violation.
3. One minor was under the age of 18 years.
4. The minors were served multiple alcoholic beverages.

Violation Number Two:

1. Two employees were involved in this violation.
2. Four minors were involved in this violation.
3. One minor was under the age of 18 years.
4. The minors remained in the prohibited area for several hours.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violations as set out in the Notice of Proposed License Suspension/Civil Penalty. These violations were Licensee's first Category III and first Category IV violations. Any subsequent violation of these types within a two-year period will be charged at the second level.
2. For Violation Number One, the Public Safety Program originally proposed the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty and added 12 days for aggravation because two employees were involved in this violation, four minors were involved in this violation, one minor was under the age of 18 years, and the minors were served multiple alcoholic beverages, for a total proposed sanction of a 22-day suspension or a \$3,630.00 civil penalty.
3. For Violation Number Two, the Public Safety Program originally proposed the standard sanction of a seven-day suspension or a \$1,155.00 civil penalty and added 12 days for aggravation because two employees were involved in this violation, four minors were involved in this violation, one minor was under the age of 18 years, and the minors remained in the prohibited area for several hours, for a total proposed sanction of a 19-day suspension or a \$3,135.00 civil penalty.
4. The Commission will reduce the total sanction of a 41-day suspension or a \$6,765.00 civil penalty by five days. This is equivalent to a 30% reduction of the standard sanction.
5. Licensee will pay a \$5,940.00 civil penalty before 5:00 PM on November 20, 2008 or serve a 36-day suspension beginning at 7:00 AM on November 25, 2008 and ending at 7:00 AM on December 31, 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 these allegations, 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.
8. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their November 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 hearing rights will be restored.