

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

October 10, 2008

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

1. WSCO Petroleum Corporation
Glenn Zirkle, President/Stockholder
Ruth Zirkle, Secretary/Stockholder
Richard Dyke, Director/Stockholder
Eugene Tish, Vice President
Zeruiah Dyke, Treasurer
TOAD'S EXPRESS MART #224 (O)
138 Hutchins Road
Sutherlin OR 97479
(10-36209-O)

ORS 471.410(1) – Licensee's employee
Letisha Pinedo knowingly sold, served or
otherwise made alcoholic liquor available
to a visibly intoxicated person, Nathan
Duncan (May 8, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by
Notice dated July 15, 2008. The proposed
sanction, considering aggravation and mitigation,
was a 10-day suspension or a \$1,650 civil
penalty. Licensee wishes to enter into this
Settlement Agreement.

AGGRAVATION

Licensee received a Notice of Warning on May 19, 2006
regarding the sale of alcohol to a visibly intoxicated
person.

MITIGATION

Licensee has a lengthy record of good compliance at this
premises.

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 first Category III violation. Any subsequent violation of this type within a two-year period will be charged at the second level.
2. The Public Safety Program originally proposed the standard first-level sanction of a 10-day suspension or a \$1,650.00 civil penalty and added two days for aggravation because Licensee received a Notice of Warning on May 19, 2006 regarding the sale of alcohol to a visibly intoxicated person and subtracted two days for mitigation because Licensee has a lengthy record of good compliance at this premises, for a total sanction of a 10-day suspension or a \$1,650.00 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. Licensee will pay a \$1,155.00 civil penalty before 5:00 PM on October 20, 2008 **or** serve a seven-day suspension beginning at 7:00 AM on October 25, 2008 and ending at 7:00 AM on November 1, 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 October 2008 Commission Meeting. If the agreement is not accepted and approved in its entirety by the Commissioners it is deemed null and void and Licensee's hearing rights, if any, will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

2. Dennis Standers
Carol Vera
Richard Vera
VERA'S / CHEF JODEN'S (F-COM)
122 West Central Street
Sutherlin OR 97479
(10-25414-FCOM)

OAR 845-006-0335(3)(b) – Licensees' employee Lori Haley permitted two minors to be in an area of the licensed premises, Vera's/Chef Joden's, which is prohibited to minors (June 1, 2008).

(First, Category IV)

SETTLEMENT AGREEMENT

Note: Licensees were charged with this violation by Notice dated June 26, 2008. The proposed sanction, considering aggravation, was a nine-day suspension or a \$1,485 civil penalty. Licensees wish to enter into this Settlement Agreement.

AGGRAVATION

Two minors were involved in this violation.

TERMS OF AGREEMENT

1. Licensees accept responsibility for the violation as set out in the Notice of Proposed License Suspension or Civil Penalty. This violation was Licensees' first Category IV violation. Any subsequent violation of this type within a two-year period will be charged at the second level.
2. The Public Safety Program originally proposed the standard first-level sanction of a seven-day suspension or a \$1,155.00 civil penalty and added two days for aggravation because two minors were involved in this violation, for a total sanction of a nine-day suspension or a \$1,485.00 civil penalty.
3. The Commission will reduce the standard sanction by two days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensees will pay a \$1,155.00 civil penalty before 5:00 PM on October 20, 2008 **or** serve a seven-day suspension beginning at 7:00 AM on October 25, 2008 and ending at 7:00 AM on November 1, 2008.
5. If Licensees' interest in the license expires before the Commission issues a final order on this allegation, 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.
6. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their October 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' hearing rights will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

3. Yumyung Corporation
Yu Sok So, President/Director/Stockholder
Myung Ok Oh, Secretary/Stockholder
POOR RICHARDS RESTAURANT
(F-COM)
3907 NE Broadway
Portland OR 97232
(26-00169-FCOM)

ORS 471.360(1)(b) – Licensee permitted Ziad Hares and Mark Jennings to sell, mix, or serve alcoholic beverages, or supervise those who do, without valid service permits (for varying lengths of time from about November 29, 2007 to about March 20, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated April 16, 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

Two employees were 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 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 two days for aggravation because two employees were involved in 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 October 20, 2008 **or** serve a nine-day suspension beginning at 7:00 AM on October 25, 2008 and ending at 7:00 AM on November 3, 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 October 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

4. Jenny Wong
Walter Wong
WONG'S CHINESE RESTAURANT
(F-COM)
19449 SW Martinazzi Avenue
Tualatin OR 97062
(34-14323-FCOM)

Violation Number One
OAR 845-006-0347(3) – Licensees permitted unlawful activity on the licensed premises and in areas the Licensee controls that are adjacent to or outside the premises when their employee Angela Newcomb sold marijuana to patron Deborah Anderson (August 30, 2007).

(First, Category III)

Violation Number Two
OAR 845-006-0347(3) – Licensees permitted unlawful activity on the licensed premises and in areas the Licensee controls that are adjacent to or outside the premises when their employee Angela Newcomb sold marijuana to patron Deborah Anderson (October 11, 2007).

(Second, Category III)

SETTLEMENT AGREEMENT

Note: Licensees were charged with these violations by Amended Notice dated July 3, 2008. The proposed sanction was a 40-day suspension or a \$6,600 civil penalty. Licensees originally requested a hearing and now wish to withdraw that request to enter into this Settlement Agreement.

TERMS OF AGREEMENT

1. Licensees accept responsibility for the violations as set out in the Amended Notice of Proposed License Suspension/Civil Penalty. These were Licensees' first and second Category III violations 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 for Violation Number One the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty and for Violation Number Two the standard sanction of a 30-day suspension or a \$4,950.00 civil penalty, for a total of a 40-day suspension or a \$6,600.00 civil penalty.
3. The Commission will reduce the sanction by 12 days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensees will pay a \$4,620.00 civil penalty before 5:00 PM on October 20, 2008 or serve a 28-day suspension beginning at 7:00 AM on October 25, 2008 and ending at 7:00 AM on November 22, 2008.
5. Licensees withdraw the request for a hearing.
6. If Licensees' interest in the license expires before the Commission issues a final order on this allegation, Licensees agree to accept a Letter of Reprimand for these violations. 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 October 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

5. MPM Restaurants, LLC
Liem K. Mai, Managing Member
Timmy A. Pearce, Member
CITY SPORTS BAR & RESTAURANT
(F-COM)
424 SW 4th Avenue
Portland OR 97204
(26-38912-FCOM)

Violation Number One

ORS 471.315(1)(c) – There is a history of serious and persistent problems involving disturbances, lewd or unlawful activities or noise either in the premises or involving patrons of the establishment in the immediate vicinity of the premises. These problems include assaults, crowd control issues, damaged property, and numerous dangerous situations for patrons and the police. Injuries to patrons, employees, and police have been inflicted with guns, knives, bottles, glasses, and fists. There have been numerous verbal altercations, including harassment, yelling, and threats that do not result in injury but pose the threat of violence. The elevated police presence have been required to use pepper spray, batons, tasers, and guns to bring patrons and, at times, premises security staff under control (from about April 30, 2006 to about August 3, 2008).

(First, Category I)

Violation Number Two

ORS 471.405(1) – Licensee sold or offered for sale alcoholic beverages in a manner other than the license permits when they sold or offered for sale alcoholic beverages to five patrons to consume in an unlicensed area outside the licensed premises (April 3, 2008).

(Second, Category I)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Second Amended Notice dated August 29, 2008. The proposed sanction, considering aggravation, was cancellation. Commission staff also proposed to refuse to renew the license. Licensee originally requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

Violation Number Two

1. Member Timmy A. Pearce was personally involved in this violation.
2. Five patrons were involved in this violation.

TERMS OF AGREEMENT

1. Licensee accepts responsibility for the violations and the bases for refusing to renew the license as set out in the Second Amended Notice of Proposed License Cancellation and Proposed Refusal to Renew License. These violations were Licensee's first and second Category I violations.
2. The Public Safety Program originally proposed to cancel the license for these violations.
3. Licensee has begun the process to sell the business. Licensee will surrender its Full On-Premises Sales license and will cease to sell, mix, or serve alcoholic beverages on the earlier of the date the transfer of ownership of the business is completed or 5:00 pm on January 31, 2009.
4. Licensee will accept the following restriction on its license: All alcohol sales and service will end by 12:30 am and the premises will close by 1:00 am.
5. Licensee agrees to accept a Letter of Reprimand for these violations.
6. Licensee withdraws its renewal application.
7. Licensee withdraws the request for a hearing.
8. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their October 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

6. Youssef, Inc.
Tharwat Youssef, President/Dir/Sec/Stkhldr
AM/PM MINI MART (O)
9560 NW Glencoe Road
Hillsboro OR 97124
(34-10262-O)

OAR 845-006-0335(1)(a)(b)(c) –
Licensee's employee Daniel Baxter failed
to verify the age of a Washington County
Sheriff's Office decoy before allowing her
to buy or be served an alcoholic beverage
when she reasonably appeared to be
under 26 years of age (May 23, 2008).

(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 August 11, 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

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 violations as set out in the Notice of Removal from Responsible Vendor Program and 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. 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 10-day suspension or a \$1,650.00 civil penalty and added two days for aggravation because Licensee has previously been allowed to purchase age verification equipment 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 12-day suspension or a \$1,980.00 civil penalty.
4. The Commission will reduce the sanction by three days. This is equivalent to a 30% reduction of the standard sanction.
5. Licensee will pay a \$1,485.00 civil penalty before 5:00 PM on October 20, 2008 **or** serve a nine-day suspension beginning at 7:00 AM on October 25, 2008 and ending at 7:00 AM on November 3, 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 October 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

7. Wraps of Argyle Square, LLC
Michael Goodman, Managing Member
MOE'S SOUTHWESTERN GRILL (L)
25725-H Gwen Drive
Wilsonville OR 97070
(03-39056-L)

Violation Number One
ORS 471.360(1)(b) – Licensee permitted Seth Green to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit (from about July 2007 to about July 9, 2008).

(First, Category III)

Violation Number Two
ORS 471.482(1) – Licensee's employee Nicole Cordier took orders for, served, or sold alcoholic liquor when she was under 18 years of age (from about September 2007 to about July 9, 2008).

(First, Category IV)

SETTLEMENT AGREEMENT

Note: Licensee was charged with these violations by Notice dated August 21, 2008. The proposed sanction, considering aggravation, was a 21-day suspension or a \$3,465 civil penalty. Licensee originally requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

1. Seth Green worked for over six months without a valid service permit.
2. Nicole Cordier took orders for, served, or sold alcoholic liquor on numerous occasions when she was under 18 years of age.

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 Category III and Category IV violations within two years. Any subsequent violation of these types within two years will be charged at the second level.
2. The Public Safety Program originally proposed for Violation Number One the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty and added two days of aggravation because Seth Green worked for over six months without a valid service permit and for Violation Number Two the standard sanction of a seven-day suspension or a \$1,155.00 civil penalty and added two days of aggravation because Nicole Cordier took orders for, served, or sold alcoholic liquor on numerous occasions when she was under 18 years of age, for a total of a 21-day suspension or a \$3,465.00 civil penalty.
3. The Commission will reduce the sanction by five days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensee will pay a \$2,640.00 civil penalty before 5:00 PM on October 20, 2008 or serve a 16-day suspension beginning at 7:00 AM on October 25, 2008 and ending at 7:00 AM on November 10, 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 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.
7. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their October 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

8. The Spot Again, Inc.
Darrel Sandquist, President/Stockholder
Farrell Sandquist, Vice President/Stkhldr
Julie Sandquist, Vice President/Sec/Stkhldr
THE SPOT AGAIN (F-COM)
117 S. Molalla Avenue
Molalla OR 97038
(03-02642-FCOM)

ORS 471.360(1)(b) – Licensee permitted Mandy Wimsatt to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit (from about December 2006 to about July 3, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by Notice dated August 11, 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 Mandy Wimsatt 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 staff originally proposed the standard sanction of a 10-day suspension or \$1,650.00 civil penalty and added two days of aggravation because Mandy Wimsatt did not have a valid service permit for over six months. The total proposed penalty was 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 October 20, 2008 **or** serve a nine-day suspension beginning at 7:00 AM on October 25, 2008 and ending at 7:00 AM on November 3, 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 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 October 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

9. Woody's Enterprises, Inc.
John Chen, President/Director/Stockholder
Mellisa Chen, Secretary/Director/Stkhldr
TIRED FEAT TAVERN (F-COM)
8431 SE 82nd Avenue
Portland OR 97266
(26-39850-FCOM)

ORS 471.360(1)(b) – Licensee permitted
Jamie Fish to sell, mix, or serve alcoholic
beverages, or supervise those who do,
without a valid service permit (from about
January 7, 2008 to about July 31, 2008).

(First, Category III)

SETTLEMENT AGREEMENT

Note: Licensee was charged with this violation by
Notice dated September 3, 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 Jamie Fish 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 Jaime Fish did not have a valid service permit for over six months, for a total of a 12-day suspension or \$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 October 20, 2008 or serve a nine-day suspension beginning at 7:00 AM on October 25, 2008 and ending at 7:00 AM on November 3, 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 October 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, if any, will be restored.