

ADMINISTRATIVE POLICY & PROCESS DIVISION

June 18-19, 2009

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

1. Hermanas Acosta Corporation
Maria Acosta Quintero,
Pres/Treas/Dir/Stkhldr
Maria R. Acosta, VP/Sec/Dir/Stkhldr
**DON CAMARON GRILL BAR &
NIGHTCLUB (F-COM)**
1111 E Powell Blvd
Gresham OR 97030
(26-43511-FCOM)

OAR 845-006-0335(3)(b) – Licensee’s
employee Nelson Zepeda permitted a
minor to be on the licensed premises or in
an area of the licensed premises
prohibited to minors (March 6, 2009).

(First, Category IV)

Note: Licensee was charged with this violation by
Notice dated March 31, 2009. The proposed
sanction, considering aggravation, was a nine-day
suspension or a \$1,485 civil penalty. Licensee
originally requested a hearing and now wishes to
withdraw that request to enter into this Settlement
Agreement.

AGGRAVATION

The minor was a juvenile.

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 IV 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 seven-day suspension or \$1,155.00 civil penalty and aggravated the penalty by two days because the violation involved a juvenile, for a total sanction of a nine-day suspension or \$1,485.00 civil penalty.
3. The Commission will reduce the penalty by two 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 29, 2009 **or** serve a seven-day license suspension beginning at 7:00 AM on July 4, 2009 and ending at 7:00 AM on July 11, 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 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 June 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

2. Hattenhauer Distributing Co.
John Hattenhauer, President/Dir/Stkhldr
Mary Hattenhauer, Sec/Treas/Dir/Stkhldr
WESTSIDE 76 (O)
710 West Hermiston Avenue
Hermiston OR 97838
(30-37565-O)

OAR 845-006-0335(1)(a)(b)(c) –
Licensee’s employee Michael Ramirez
failed to verify the age of an OLCC minor
decoy before allowing her to buy or be
served alcoholic beverages when she
reasonably appeared to be under 26
years of age (February 17, 2009).

Note: Licensee was charged with this violation by
Notice dated April 13, 2009. The proposed
sanction 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.

(First, Category III)

Note: Licensee was a member of the
Responsible Vendor Program at
the time of this violation.
Because all of the standards of
the program were not in place 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).

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 the Responsible Vendor Program. 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 the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty.
3. Licensee will install age verification equipment, as defined in OAR 845-009-0140(1)(c), 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 suspension or \$1,650.00 of civil penalty by June 9, 2009. Licensee will run all alcohol sales through registers at which age verification equipment is installed.
4. Licensee will be removed from the Responsible Vendor Program. Licensee may reapply for the program one year after this settlement is ratified.
5. Licensee withdraws the request for a hearing.
6. If Licensee’s interest in the license expires or is transferred 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 June 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

3. Denise L. McAllister
SOUTHGATE MINI MART (O)
775 Southgate
Pendleton OR 97801
(30-11333-O)

OAR 845-006-0335(1)(a)(b)(c) –
Licensee's employee Robert Massie
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 24, 2009).

Note: Licensee was charged with this violation by
Notice dated April 15, 2009. The proposed
sanction 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.

(First, Category III)

Note: Licensee was a member of the
Responsible Vendor Program at
the time of this violation.
Because all of the standards of
the program were not in place 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).

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 the Responsible Vendor Program. 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 the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty.
3. Licensee will install age verification equipment, as defined in OAR 845-009-0140(1)(c), 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 suspension or \$1,650.00 of civil penalty by June 9, 2009. Licensee will run all alcohol sales through registers at which age verification equipment is installed.
4. Licensee will be removed from the Responsible Vendor Program. Licensee may reapply for the program one year after this settlement is ratified.
5. Licensee withdraws the request for a hearing.
6. If Licensee's interest in the license expires or is transferred 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 June 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

4. MG, LLC
Michael Greenlee, Managing Member
Patricia Greenlee, Member
THE SPARE ROOM (F-COM)
4830 NE 42nd Avenue
Portland OR 97218
(26-00053-FCOM)

ORS 471.360(1)(b) – Licensee permitted Rayjen Dietz to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit issued by the Commission (from about February 1, 2008 to about February 10, 2009).

(First, Category III)

Note: Licensee was charged with this violation by Notice dated April 6, 2009. The proposed sanction, considering aggravation, was a 12-day suspension or a \$1,980 civil penalty. Licensee wishes to enter into this Settlement Agreement.

(Licensee paid the \$1,485 civil penalty on May 5, 2009.)

AGGRAVATION

Rayjen Dietz 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 first Category III violation within two years. Any subsequent violation of this type within the same two years will be charged at the second level.
2. The Public Safety Program originally proposed for this violation the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty and added two days of aggravation because the employee worked for over six months without a valid service permit, for a total of a 12-day suspension or a civil penalty of \$1,980.00.
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 June 29, 2009 **or** serve a nine-day suspension beginning at 7:00 AM on July 4, 2009 and ending at 7:00 AM on July 13, 2009.
5. If Licensee's interest in the license expires or is transferred 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.
6. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their June 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, if any, will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

5. Louis & Marquez, Inc.
Louis Marquez, Pres/Treas/Dir/Stkhldr
Margaret Marquez, VP/Sec/Director
TWILIGHT CAFÉ AND LOUNGE (F-COM)
212 Main Street
Nyssa OR 97913
(23-06657-FCOM)

OAR 845-006-0335(1)(a)(b)(c) –
Licensee's employee Brocky Brocato
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 (December 18, 2008).

Note: Licensee was charged with this violation by
Notice dated March 16, 2009. The proposed
sanction 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.

(First, Category III)

Note: Licensee was a member of the
Responsible Vendor Program at
the time of this violation.
Because all of the standards of
the program were not in place 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).

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 the Responsible Vendor Program. 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 the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty.
3. Licensee will install age verification equipment, as defined in OAR 845-009-0140(1)(c), 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 suspension or \$1,650.00 of civil penalty by June 9, 2009. Licensee will run all alcohol sales through registers at which age verification equipment is installed.
4. Licensee will be removed from the Responsible Vendor Program. Licensee may reapply for the program one year after this settlement is ratified.
5. Licensee withdraws the request for a hearing.
6. If Licensee's interest in the license expires or is transferred 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 June 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. D & M Hospitality, Inc.
David Shepherd, Pres/Sec/Dir/Stkhldr
ANOTHER ROUND (F-COM)
2155 NE Division Street
Gresham OR 97030
(26-40241-FCOM)

ORS 471.360(1)(b) – Licensee permitted Desiree Rochelle to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit (from about May 4, 2007 to about June 24, 2008).

(Second, Category III)

Note: Licensee was charged with this violation by Notice dated August 5, 2008. The proposed sanction, considering aggravation, was a 32-day suspension or a \$4,950 civil penalty with two days of suspension mandatory. Licensee originally requested a hearing and now wishes to withdraw that request to enter into this Settlement Agreement.

AGGRAVATION

Desiree Rochelle 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 the same two years will be charged at the third level.
2. The Public Safety Program originally proposed for this violation the standard sanction of a 30-day suspension or a \$4,950.00 civil penalty and added two days of aggravation because Desiree Rochelle worked for over six months without a valid service permit, 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 June 29, 2009 **or** serve a 23-day suspension beginning at 7:00 AM on July 4, 2009 and ending at 7:00 AM on July 27, 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 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 June 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

7. Phillip Sanchez
Mary Pinedo
BORA BORA (F-COM)
12431 SE Division Street
Portland OR 97233
(26-40472-FCOM)

Violation Number One
OAR 845-006-0347(3) – Licensees permitted unlawful activity on the licensed premises when Roman Solis provided private security services as a private security professional at Bora Bora without being certified to do so under ORS 181.878 in violation of ORS 181.991(1)(b) (October 10, 2008).

(First, Category III)

Violation Number Two
OAR 845-006-0347(2) – Licensees permitted noisy activity on the licensed premises or in areas they control that are adjacent to or outside the licensed premises (September 21, 2008).

(Second, Category III)

Note: Licensees were charged with these violations by OLCC Violation Notices dated October 21, 2008 and January 15, 2009, respectively. The combined 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 above. These were Licensees' first and second Category III violations within two years. Any subsequent violation of this type within a two-year period will be charged at the third level.
2. For Violation Number One, Public Safety Program staff originally proposed, after the deadline to accept a reduced penalty, a 10-day license suspension or a civil penalty of \$1,650.00.
3. For Violation Number Two, Public Safety Program staff originally proposed, after the deadline to accept a reduced penalty, a 30-day license suspension or a civil penalty of \$4,950.00.
4. The Commission will reduce the sanction for the violations by 12 days. This is equivalent to a 30% reduction of the standard sanction for both violations.
5. Licensees will pay a civil penalty of \$4,620.00 by 5:00 PM on June 29, 2009 **or** serve a 28-day suspension beginning at 7:00 AM on July 4, 2009 and ending at 7:00 AM on August 1, 2009.
6. Licensees withdraw the requests for a hearing.
7. 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 these violations. This Letter of Reprimand will become a permanent part of Licensees' Commission file and may be considered in any future application for

a liquor license by Licensees.

8. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their June 2009 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

8. Faubion Corporation
Thomas Baker, President/Director
Tracie Anderson, Secretary
SKYWAY BAR & GRILL (F-COM)
71545 E Hwy 26
Zigzag OR 97049
(03-42081-FCOM)

ORS 471.360(1)(b) – Licensee permitted Hillary Robertson and Meg Sherwood to mix, sell, or serve alcoholic beverages, or supervise those who do, without valid service permits (for varying lengths of time from about September 1, 2008 to about January 9, 2009).

(First, Category III)

Note: Licensee was charged with this violation by Notice dated March 19, 2009. 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 the 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 Commission's Public Safety Program originally proposed the standard sanction of a 10-day suspension or \$1,650.00 civil penalty and aggravated the penalty by two days because two employees were involved, for a total sanction of a 12-day suspension or \$1,980.00 civil penalty.
3. The Commission will reduce the penalty 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 June 29, 2009 or serve a nine-day license suspension beginning at 7:00 AM on July 4, 2009 and ending at 7:00 AM on July 13, 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 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 June 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, if any, will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

9. Viva Le Veggies, LLC
Diane Robertson, Managing Member
Mark Robertson, Member
FARMER JOHN'S PRODUCE (O)
64678 Cook Avenue
Bend OR 97701
(09-28663-O)

OAR 845-006-0335(1)(a)(b)(c) –
Managing Member Diane Robertson
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 20, 2009).

Note: Licensee was charged with this violation by
Notice dated April 6, 2009. 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.

(First, Category III)

Note: Licensee was a member of the
Responsible Vendor Program at
the time of this violation.
Because all of the standards of
the program were not in place 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).

AGGRAVATION

Managing Member Diane Robertson was personally
involved in the 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 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 for the violation and added two days for aggravation because Managing Member Diane Robertson was personally involved in the violation, for a total of a 12-day suspension or a civil penalty of \$1,980.00.
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 June 29, 2009 **or** serve a nine-day suspension beginning at 7:00 AM on July 4, 2009 and ending at 7:00 AM on July 13, 2009.
5. Licensee will be removed from the Responsible Vendor Program. Licensee may reapply for the program one year after the ratification of this agreement.
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 the 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.
8. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their June 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. Jameson's, Inc.
James Carroll, Pres/Dir/Stockholder
JAMESON'S (F-COM)
115 W Broadway
Eugene OR 97401
(20-35718-FCOM)

ORS 471.360(1)(b) – Licensee permitted Bevin Densmore to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit (from about September 10, 2008 to about March 27, 2009).

(First, Category III)

Note: Licensee was charged with this violation by Notice dated April 20, 2009. 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

Bevin Densmore 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 the employee worked without a valid service permit for more than six months, for a total of a 12-day suspension or a civil penalty of \$1,980.00.
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 June 29, 2009 **or** serve a 9-day suspension beginning at 7:00 AM on July 4, 2009 and ending at 7:00 AM on July 13, 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 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 June 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

11. Moana Portland, LLC
Timothy Harmon, Managing Member
BAY 13 RESTAURANT (F-COM)
701 NW 13th Avenue
Portland OR 97209
(26-41372-FCOM)

ORS 471.360(1)(b) – Licensee permitted employee Amanda Park to sell, mix, or serve alcoholic beverages, or supervise those who do, without a valid service permit (from about February 24, 2007 to about December 10, 2008).

(First, Category III)

Note: Licensee was charged with this violation by Notice dated January 15, 2009. 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 Amanda Park 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 the employee worked without a valid service permit for more than six months, for a total of a 12-day suspension or a civil penalty of \$1,980.00.
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 June 29, 2009 **or** serve a 9-day suspension beginning at 7:00 AM on July 4, 2009 and ending at 7:00 AM on July 13, 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 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 June 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

12. G & R Specialty Foods, Inc.
Raymond Jeans, Pres/Dir/Stockholder
Edward Bock, Sec/Treas/Dir/Stockholder
PENDLETON MARKET (O)
2101 SE Court
Pendleton OR 97801
(30-17511-O)

OAR 845-006-0335(1)(a)(b)(c) –
Licensee's employees Michelle Stephens
and Brenda Barden 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 24, 2009).

(First, Category III)

Note: Licensee was charged with this violation by
Notice dated April 15, 2009. 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.

(Licensee paid the \$1,485 civil penalty on May 18, 2009.)

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 the same two years will be charged at the second level.
2. The Public Safety Program originally proposed for this violation the standard sanction of a 10-day suspension or a \$1,650.00 civil penalty and added two days of aggravation because two employees were involved in this violation, for a total of a 12-day suspension or a civil penalty of \$1,980.00.
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 June 29, 2009 **or** serve a nine-day suspension beginning at 7:00 AM on July 4, 2009 and ending at 7:00 AM on July 13, 2009.
5. Licensee withdraws the request for a hearing.
6. If Licensee's interest in the license expires or is transferred 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 June 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

13. Big Smoke, LLC
Hal Baird, Managing Member
Bruce Baird, Member
Shannon Baird, Member
BIG SMOKE (O)
1000 S Highway 395
Hermiston OR 97838
(30-38591-O)

OAR 845-006-0335(1)(a)(b)(c) –
Licensee’s employee Janet Crosby 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 17, 2009).

(First, Category III)

Note: Licensee was a member of the
Responsible Vendor Program at
the time of this violation.
Because all of the standards of
the program were not in place 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).

Note: Licensee was charged with this violation by
Notice dated April 20, 2009. The proposed
sanction was a 10-day suspension or a \$1,650
civil penalty. Licensee wishes to enter into this
Settlement Agreement.

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 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.
3. Licensee will install age verification equipment, as defined in OAR 845-009-0140(1)(c), by May 20, 2009 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 the 10-day suspension or \$1,650.00 civil penalty. Licensee will run all alcohol sales through registers at which age verification equipment is installed.
4. Licensee will receive a Letter of Reprimand for this violation.
5. Licensee will be removed from the Responsible Vendor Program. Licensee may reapply for the program one year after the ratification of this agreement.
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 June 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, if any, will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

14. Mary's Fine Foods, Inc.
Vicki Keller, Pres/Dir/Stockholder
Trafican Enterprise, LLC
Dan Trafican, Managing Member
MARY'S CLUB & EL GRILLO (F-COM)
129 SW Broadway
Portland OR 97205
(26-05186-FCOM)

ORS 471.360(1)(b) – Licensee permitted Tracy McCann Safranski and Rebecca Roark to mix, sell, or serve alcoholic beverages, or supervise those who do, without valid service permits (for varying lengths of time from about January 24, 2009 to March 18, 2009).

(Second, Category III)

Note: Licensee was charged with this violation by Notice dated April 29, 2009. The proposed sanction, considering aggravation, was a 32-day suspension or a \$4,950 civil penalty with two days of suspension mandatory. Licensee wishes to enter into this Settlement Agreement.

AGGRAVATION

Two employees were 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 Licensees' 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 Commission's Public Safety Program originally proposed the standard sanction of a 30-day suspension or \$4,950.00 civil penalty and aggravated the penalty by two days because two employees were involved, for a total sanction of a 32-day suspension or \$4,950.00 civil penalty and two-day mandatory suspension.
3. The Commission will reduce the penalty by nine days. This is equivalent to a 30% reduction of the standard sanction.
4. Licensees will pay a civil penalty of \$3,795.00 by 5:00 PM on June 29, 2009 **or** serve a 23-day license suspension beginning at 7:00 AM on July 4, 2009 and ending at 7:00 AM on July 27, 2009.
5. If Licensees' interest in the license expires or is transferred 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 Licensees' Commission file and may be considered in any future application for a liquor license by Licensees.
6. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their June 2009 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, if any, will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

15. Luong Nguyen
7-ELEVEN STORE #2363-23071B (O)
7800 SE Lake Road
Milwaukie OR 97222
(03-09655-O)

OAR 845-006-0335(1)(a)(b)(c) –
Licensee's employee Lilia Carrera-Trujillo
failed to verify the age of a Clackamas
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 (March 20, 2009).

(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).

Note: Licensee was charged with this violation by
Notice dated May 7, 2009. 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

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 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 for the violation and added two days for aggravation because Licensee had 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 12-day suspension or a civil penalty of \$1,980.00.
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 June 29, 2009 **or** serve a nine-day suspension beginning at 7:00 AM on July 4, 2009 and ending at 7:00 AM on July 13, 2009.
5. Licensee will be removed from the Responsible Vendor Program. Licensee may reapply for the program one year after the ratification of this agreement.

6. If Licensee's interest in the license expires or is transferred before the Commission issues a final order on the 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 June 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, if any, will be restored.

STIPULATED SETTLEMENT AGREEMENT FOR ENTRY INTO FINAL ORDER

16. Mohammed Jaber
EZ STOP GROCERY & DELI (O)
111 N Front Street
Woodburn OR 97071
(24-27173-O)

OAR 845-006-0335(1)(a)(b)(c) –
Licensee's employee Juan Plata-
Hernandez 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 (March 15, 2009).

(First, Category III)

Note: Licensee was charged with this violation by
Notice dated April 28, 2009. The proposed
sanction, considering aggravation, was a 14-day
suspension or a \$2,310 civil penalty. Licensee
wishes to enter into this Settlement Agreement.

AGGRAVATION

1. The minor involved in the violation was a juvenile.
2. 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. 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 Commission's Public Safety Program originally proposed the standard sanction of a 10-day suspension or \$1,650.00 civil penalty and aggravated the penalty by four days because the minor involved was a juvenile and 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 and the age verification equipment was not used to prevent the current violation, for a total sanction of a 14-day suspension or \$2,310.00 civil penalty.
3. The Commission will reduce the penalty 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 June 29, 2009 **or** serve an 11-day license suspension beginning at 7:00 AM on July 4, 2009 and ending at 7:00 AM on July 15, 2009.
5. If Licensee's interest in the license expires or is transferred 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.
6. This agreement is conditional upon final approval of the Oregon Liquor Control Commission and will be reviewed by the Commissioners at their June 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, if any, will be restored.