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FAX

TO: Julie

Fax Number: 651-298-5619

Date: 4.23.12

From: Michael Cain,

The Law Office of Michael Cain, LLC

Number of Pages (including cover sheet): 2

Request to address St. Paul City Counsel regarding a Tobacco Violation



The Law Office of Michael Cain, LLC

Office of the City Attorney
Civil Division
400 City Hall
15 West Kellogg Blvd.
St. Paul, MN 55102

4.23.12

RE: Cigarette/Tobacco License MZR Fammily LLC d/b/a Payne Ave's Shop-N-Go

Dear Julie,

I have been hired to represent Payne Ave's Shop-N-Go in the tobacco citation we have spoken about over the phone. Zafer Mashni, the owner's son and day to day operator of the store was working on March 12th, 2012 as he does everyday. He stepped out of the store to get additional supplies for the store. While he was gone he had another person working the counter at the store. A tobacco compliance check was conducted while he was gone. Upon arriving back at his store, he was told a pack of Marlboro Light cigarette's were sold to an underage individual. He did not personally sell the cigarettes to the individual, nor did he authorize the worker to sell cigarettes to an underage individual, but does not have any proof that it did not happen. His video surveillance dates back thirty days, which expired before he received notice of the citation. Mr. Mashni is willing to acknowledge that the sting operation in fact took place at his store and is willing to acknowledge that whomever sold the cigarette's to the underage individual was in violation of Minn. Stat. §609.685 and St. Paul Legislative Code § 324.07(c).

Mr. Mashni would like to request an opportunity to to explain the circumstances surrounding the incident and contest the penalty imposed for a violation of this kind. Please accept this letter as the required written request for the opportunity to address the St. Paul City Counsel at a public hearing.

If you have any questions, please feel free to give me a call.

Regards,

Michael Cain #0344084

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