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**STATE OF WASHINGTON
KING COUNTY SUPERIOR COURT**

In the Matter of SUSHI TOKYO, INC. Respondent.	NO. ASSURANCE OF DISCONTINUANCE [Clerk's Action Required]
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I. INTRODUCTION

1.1 The State of Washington, by and through its attorneys, Robert W. Ferguson, Attorney General, and Leilani Fisher, Assistant Attorney General, files this Assurance of Discontinuance pursuant to RCW 19.86.100. The Attorney General's Office conducted an investigation into the business practices of Sushi Tokyo, Inc. (Respondent). Respondent has transacted business in the state of Washington and now desires to enter this Assurance of Discontinuance.

II. DEFINITIONS

2.1 Respondent understands and agrees that "common name" means the name designated as an acceptable market name or common name for food fish by either the Director of the Washington State Department of Agriculture or by the United States Food and Drug Administration in The FDA Seafood List.

2.2 Respondent understands and agrees that "The FDA Seafood List" means the United States Food and Drug Administration's publication known as "The FDA Seafood List -

1 FDA's Guide to Acceptable Market Names for Seafood Sold in Interstate Commerce," which
2 is accessible as of the date of signing this Assurance of Discontinuance online at
3 <http://www.accessdata.fda.gov/scripts/fdcc/?set=seafoodlist>.

4 2.3 Respondent understands and agrees that "labelling and marketing materials"
5 means all labelling, advertising, and promotional materials that Respondent disseminates to
6 consumers online or in Respondent's restaurants, including but not limited to all of Respondent's
7 menus.

8 III. ASSURANCES

9 3.1 Respondent agrees that it will comply with all requirements of the Consumer
10 Protection Act (RCW 19.86) and of the Intrastate Commerce in Foods, Drugs, and Cosmetics Act
11 (RCW 64.04).

12 3.2 Respondent agrees that it will not engage in the following acts or practices, which
13 the Attorney General deems unfair or deceptive under RCW 19.86.020 of the Consumer
14 Protection Act: selling or offering for sale any food fish without identifying for the buyer at the
15 point of sale the species of food fish by its common name.

16 3.3 Respondent agrees that within 30 calendar days of signing this Assurance of
17 Discontinuance, Respondent will update all of Respondent's labelling and marketing materials
18 with the correct common names for all food fish that it offers for sale.

19 IV. PAYMENT PROVISIONS

20 4.1 Respondent agree to pay the amount of \$4,000.00 to the state of Washington for
21 its costs and reasonable attorney fees incurred in pursuing this matter, for monitoring and
22 enforcement of this Assurance of Discontinuance, and for future enforcement of RCW 19.86 and
23 of RCW 19.178.

24 4.2 Respondent must pay the full amount of \$4,000 in full via cashier's check(s) on or
25 before June 30, 2017. Respondent may pay in installments. Each cashier's check must be
26 payable to the Office of the Attorney General and mailed to the Office of the Attorney General.

1 Attention: Cynthia Lockridge, Consumer Protection Division, 800 Fifth Avenue, Suite 2000,
2 Seattle, Washington, 98104-3188.

3 **V. OTHER PROVISIONS**

4 5.1 This Assurance of Discontinuance shall not be construed in any way as an
5 admission of violation of the Consumer Protection Act or of the Intrastate Commerce in Foods,
6 Drugs, and Cosmetics Act for any purpose. However, proof of failure to comply with this
7 Assurance of Discontinuance shall be *prima facie* evidence of violations of RCW 19.86.020,
8 thereby placing upon the violator the burden of defending against imposition by the Court of
9 injunctions, restitution, costs and reasonable attorney's fees, and civil penalties of up to \$2,000 per
10 violation.

11 5.2 Under no circumstances may this Assurance of Discontinuance or the name of the
12 state of Washington, the Office of the Attorney General, or any of its employees or
13 representatives be used by the Respondent or by its officers, employees, representatives, or agents
14 in conjunction with any business activity of the Respondent.

15 5.3 This Assurance of Discontinuance is binding on the Respondent and its respective
16 assigns, officers, directors, principals, and all other persons acting in concert or participating with
17 Respondent in conducting Respondent's business.

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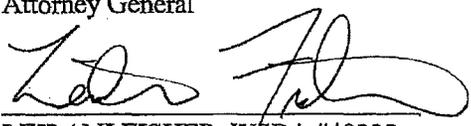
1 5.4 Nothing in this Assurance of Discontinuance may be construed so as to limit or
2 bar any other person or entity from pursuing any legal remedies against the Respondent.

3 APPROVED IN OPEN COURT THIS ____ day of March, 2017.
4
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6 JUDGE/COURT COMMISSIONER
7

8 Approved for Entry and Presented by:
9 ROBERT W. FERGUSON
10 Attorney General

Agreed to, Approved for Entry, Notice of
Presentation Waived:

11 
12 LEILANI FISHER, WSBA #48233
13 Assistant Attorney General
14 Attorneys for State of Washington

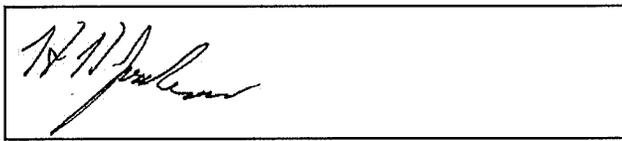
 (Signature)
15 Choe, Woo Sung (Print Name)
16 owner (Title)
17 For Sushi Tokyo, Inc.
18 Date: 3/10/2017
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King County Superior Court
Judicial Electronic Signature Page

Case Number: 17-2-12023-5
Case Title: Not available at this time

Document Title: AGREED ORDER

Signed by: Commissioner Henry Judson
Date: 5/12/2017 9:15:15 AM

A rectangular box containing a handwritten signature in black ink. The signature appears to be 'H. Judson' written in a cursive style.

Judge/Commissioner: Commissioner Henry Judson

This document is signed in accordance with the provisions in GR 30.

Certificate Hash: 252A2613AD1DF6F184ADD5EFD5753C76D53A5CB8

Certificate effective date: 7/16/2014 12:09:30 PM

Certificate expiry date: 7/16/2019 12:09:30 PM

Certificate Issued by: C=US, E=kcsefiling@kingcounty.gov, OU=KCDJA,
O=KCDJA, CN="Henry Judson:
WPypi5D74hGx6nH1YIhwmw=="

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STATE OF WASHINGTON
KING COUNTY SUPERIOR COURT

In the Matter of

SUSHI TOKYO, INC.

Respondent.

NO.

ORDER APPROVING ASSURANCE
OF DISCONTINUANCE PURSUANT
TO RCW 19.86.100

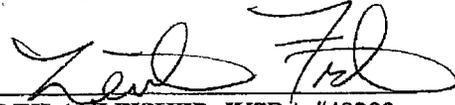
Pursuant to RCW 19.86.100, which authorizes the Attorney General to accept an Assurance of Discontinuance in the enforcement of the Consumer Protection Act, the Court hereby approves and orders entry of the Assurance of Discontinuance in this matter. Following entry of the Assurance of Discontinuance, the clerk is directed to close this matter.

APPROVED IN OPEN COURT THIS ____ day of March, 2017.

JUDGE/COURT COMMISSIONER

Approved for Entry and Presented by:

ROBERT W. FERGUSON
Attorney General



LEILANI FISHER, WSBA #48233
Assistant Attorney General
Attorneys for State of Washington

Agreed to, Approved for Entry, Notice of
Presentation Waived:

 (Signature)
Choe, Woo Sung (Print Name)
owner (Title)

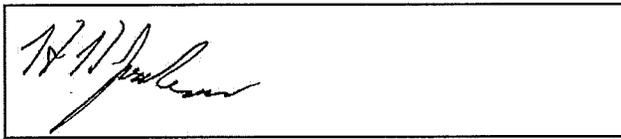
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