

Individual Defendant(s)
Jong Sik Chi & Bruce Benjamin Song
 BERMSSN

In return for a "no contest" plea to Count 1 by these Defendant(s), the People will dismiss all remaining counts (2-5) in the interest of justice (PC 1385) and recommend that imposition of sentence be *deferred* (i.e., no conviction) on said charge for three (3) years provided each:

1. **Violate no law(s)** (including, but not limited to, all food safety regulations);
2. **Successfully complete a food safety and handling certification training course within sixty (60) days** at or as approved by the County of Orange Health Agency;
3. **Cooperate with Orange County Health Agency in inspection and the timely correction of any documented health, safety, or regulatory violation;**
4. **Ensure Corporate / Company Compliance with All Applicable Health Laws**
 - a. **Defendant Jong Sik Chi acknowledges his current role as the (continuing) primary Corporate Officer, Director, and/or other Responsible Party for A.R. Supermarket, Inc. so as to be hereafter personally responsible for its adherence to the above conditions.** Before relinquishing, transferring, selling, substituting, appointing, or otherwise delegating such responsibilities to any other person, written notice shall be provided and consent obtained from the District Attorney with a named successor to replace him as President of A.R. Supermarket, Inc., provided said individual is not a Defendant hereto, related to any Defendant hereto, has completed the approved food safety and handling certification course referenced above, and acknowledges in writing that he or she shall thereafter be personally responsible on behalf of the Corporation for any and all (future) health violations at the subject market. Even if such a replacement is named, Defendant Jong Sik Chi (also) remains responsible for any and all violations as long as he retains any interest, derives any proceeds, or otherwise has any authority whatsoever over the operation of the market in question, or any other food facility in Orange County, whether controlled by A.R. Supermarket, Inc. or any entity or individual related thereto.
 - b. **Likewise, Defendant Bruce Song acknowledges his current (continuing) role as a manager for market operations on behalf of A.R. Supermarket, Inc. so as to be hereafter personally responsible for its adherence to the above conditions.** Before relinquishing, transferring, selling, substituting, appointing, or otherwise delegating such responsibilities to any other person, written notice shall be provided and consent obtained from the District Attorney with a named successor to replace him as manager, provided said individual is not a Defendant hereto, related to any Defendant hereto, has completed the approved food safety and handling certification course referenced above, and acknowledges in writing that he or she shall thereafter be personally responsible on behalf of the Corporation for the daily operations as well as any and all (future) health violations at the subject market. Even if such a replacement is named, Defendant Bruce Song (also) remains

1 responsible for any and all violations as long as he retains any interest, derives
 2 any proceeds, works for, or otherwise has any authority whatsoever over the
 3 operation of the market in question, or any other food facility in Orange
 4 County, whether controlled by A.R. Supermarket, Inc. or any entity or
 5 individual related thereto.

6 **Individual Defendant Roland Chi**

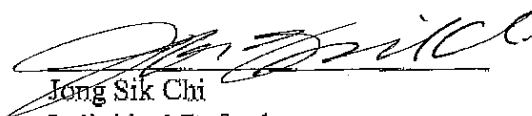
7 In return for his submitting a DNA sample and paying \$75.00 in costs related thereto, the
 8 People will dismiss all counts in the interests of justice (PC 1385) against Defendant Roland Chi,
 9 given his lack of prior record, relatively limited role during the offense period(s) in question, and
 10 his acknowledgment that any future violations of law are subject to (new) separate prosecution.

11 **Mandatory Consequence(s) for Probation Violation(s)**
 12 **(All Defendant(s))**

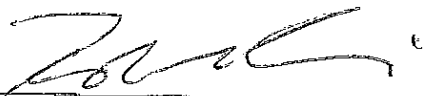
13 Any Defendant who fails to abide by any condition hereto shall be subject to immediate
 14 hearing, violation, sentence, and related proceeding(s), stipulates to restitution for any court or
 15 enforcement costs related thereto, and shall receive at least a minimum fine of \$500.00 plus
 16 penalty assessments, be required to correct or otherwise ensure health violation compliance as a
 17 condition of probation (and/or additional terms as deemed appropriate by the Court), and may
 18 thereafter receive possible additional punishment of up to the maximum sentence on subsequent
 19 probation violation(s) (in addition to a new case being filed and/or health permit suspension /
 20 revocation as otherwise provided by law).

21 STIPULATED & AGREED.

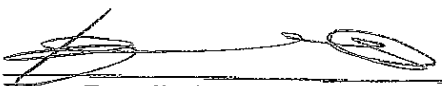
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 26 By: Jong Sik Chi, President
 27 For Corporate Defendant
 28 A.R. Super Market, Inc. (#C1807212)

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 27 Jong Sik Chi
 28 Individual Defendant

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Roland Chi
Individual Defendant




Bruce Bermjin Song
Individual Defendant

JOIN & APPROVED.

APPROVED



Attorney Jay H. Park



Deputy District Attorney James Young
Young DJ

Translated by Jinah Lee

English to Korean

to
Arb
Prdb

#C1807212

SUPERIOR COURT, COUNTY OF ORANGE
GENERAL MISDEMEANOR GUILTY PLEA FORM

CASE NO. 10CM01058 PEOPLE vs. AR SUPERMARKET, Inc

1. My true full name is SONG SEIK CHEI, PRESIDENT FOR A.R. Supermarket, Inc
2. I understand that I am pleading **GUILTY** / **NOLO CONTENDERE** and admitting the following offenses, prior convictions and special punishment allegations, with the maximum punishment indicated below:

| CT | CHARGE | PRIORS (Date) | ALLEGATIONS | MAX SENTENCE JAIL/FINES |
|----|--------------|---------------------------------|-------------|----------------------------|
| 1 | 114257 HS | [FAIL MAINTAIN FOOD FACILITY] | | 6mos/1000+PA |
| 2 | 113996(A) HS | [Improper Temp. Pot. Haz. Food] | | 6mos/1000+PA |
| 3 | 114002 HS | [Pot. Haz. Cooling Food] | | 6mos/1000+PA |
| 4 | 11407(A) HS | [Improper Food Storage] | | 6mos/1000+PA |
| 5 | 373A PC | MAINTAIN NUISANCE AFTER NOTICE | | 6mos/1000+PA |

3. I understand I am also charged with a violation of probation in Case No. N/A 3.

RIGHTS AND WAIVERS

4. I understand I have the following constitutional rights, which I am waiving and giving up by entering my plea, and, if applicable, by my admission of a probation violation: 4.

4a. I have the right to be represented by an attorney at all stages of the proceedings until the case is completed. If I cannot afford an attorney, one will be appointed to represent me free of charge. (For defendants without an attorney: I am aware that there are dangers and disadvantages of representing myself but I knowingly and voluntarily waive and give up my right to an attorney and choose to represent myself.) 4a.

4b. I have the right to a speedy and public trial by a jury or a judge, and if charged with a probation violation, the right to a hearing before a judge. I waive and give up this right. 4b.

4c. I have the right to confront the witnesses against me and to cross examine them. I waive and give up this right. 4c.

4d. I have the right to testify on my own behalf, but I cannot be compelled to be a witness against myself and may remain silent if I choose. I waive and give up this right. 4d.

4e. I have the right to present evidence and have the Court issue subpoenas to bring into Court all witnesses and evidence favorable to me, at no cost to me. I waive and give up this right. 4e.

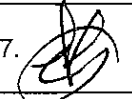
4f. Under the Fourth and Fourteenth Amendments to the United States Constitution, I have a right to be free from unreasonable searches and seizures. If I am granted probation, I waive and give up this right. I agree to submit my person and property, including any residence, premises, container, or vehicle under my control, to search and seizure at any time of the day or night by any law enforcement or probation officer, with or without a warrant, and with or without reasonable cause or reasonable suspicion. 4f.

5. I understand I have the right to appeal an adverse ruling on a Penal Code section 1538.5 suppression motion. I waive and give up this right. 5.

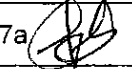
6. I understand that I have the right to have a delay in pronouncement of my sentence of not less than six hours and not more than five days after my plea. I waive and give up this right and agree to be sentenced at this time. 6.

**SUPERIOR COURT, COUNTY OF ORANGE
GENERAL MISDEMEANOR GUILTY PLEA FORM**

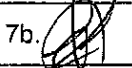
7. I understand I have the right to reject probation, and I hereby waive and give up that right and accept probation on the terms and conditions as imposed by the court, or as contained in the attached Sentence Recommendation form.

7. 

7a. If the judge does not wish to follow the Prosecutor's sentence recommendation, I may withdraw my plea.

7a. 

7b. If I violate any of the terms of probation, I may be returned to court and sentenced up to the maximum punishment as indicated in 2 above.

7b. 

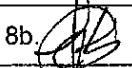
CONSEQUENCES:

8. I understand that some possible consequences of my plea and admissions are as follows:

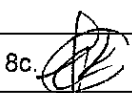
8a. There will be state penalty assessments added to any fines imposed by the court.

8a. 

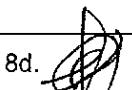
8b. I will be ordered to pay a minimum of \$100 and a maximum of \$1,000 to the State Restitution Fund unless the court makes a finding of "compelling and extraordinary reasons" for waiving this fine.

8b. 

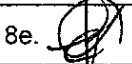
8c. I will be ordered to pay a minimum of \$100 and a maximum of \$1,000 probation revocation restitution fine pursuant to Penal Code section 1202.44. The restitution fine will be stayed but will be payable only upon final revocation of probation.

8c. 

8d. If I am not a citizen of the United States the conviction for the offense(s) charged may have the consequence of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

8d. 

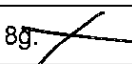
8e. If I am charged and convicted of a similar offense in the future, my plea today may be used to increase my punishment for the new offense.

8e. 

8f. If I am presently on probation or parole for any previous conviction, my plea today may cause me to be in violation of that probation or parole and result in additional penalties and/or punishment.

8f. 

8g. There may be additional consequences to my plea, as follows:

8g. 

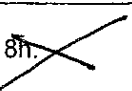
I may be required to register as a sex offender as required by Penal Code section 290.

I may be required to register as a drug offender as required by Health and Safety section 11590.

8h. The Department of Motor Vehicles may take action and may suspend my driver's license for specified drug, alcohol offenses and vandalism, including the following:

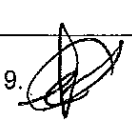
EVERYONE convicted of Penal Code section(s) 594, 594.3, or 594.4 (Vandalism): 1 year suspension.

UNDER 21 years of age – Suspended for 1 year for violation of Penal Code section(s) 647f, 192.5; Health and Safety Code sections involving dangerous drugs, controlled substances, and alcohol; Business and Professions Code section(s) 25658, 25658.5, 25661, 25662; Vehicle Code section(s) 23222, 23224.

8h. 

9. I understand I have the right to enter my plea before, and be sentenced by, a judge. I waive and give up this right and agree to enter my plea before, and be sentenced by, a commissioner or temporary judge:

AS Assigned (enter name of Commissioner or Temporary Judge).

9. 

* ARTICLE WAIVER *

**SUPERIOR COURT, COUNTY OF ORANGE
GENERAL MISDEMEANOR GUILTY PLEA FORM**

PLEA

10. I offer my plea and admit the listed priors and allegations freely and voluntarily. No one has made any threats, used any force against me or my family or loved ones, and no one has made any promises to me other than as on the Sentence Recommendation form.
11. I make my plea with a full understanding of all the matters set forth in the charging document and in this form, that I have read, understood, and personally initialed each item herein, and I understand that the signing and filing of this form is conclusive evidence that I have pleaded **GUILTY** / **NOLO CONTENDERE** to the charges set forth.

12. I offer the following as a factual basis for my plea: On 11/23/09 In Orange County
I, As President of AR Market, + The Corporate Entity Failed
to maintain our food facility @ 9580 GG Blvd., did not follow
food temperature regulations, did not properly cool or store food,
+ Failed to take sufficient corrective measures after notice, jeopardized
I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct. **PUBLIC HEALTH**

DATED: 4/29/10 SIGNED: [Signature]
(Defendant)
As President of AR Supermarket, Inc

DEFENDANT'S ATTORNEY: I am the attorney of record for the defendant. I have explained each of the above rights to the defendant and answered all of the defendant's questions with regard to the plea. I have discussed the facts of the defendant's case with the defendant and explained the consequences of this plea, the elements of the offense(s), the possible defenses, and the sentence to be imposed. I concur in this plea and in the defendant's decision to waive his/her constitutional rights.

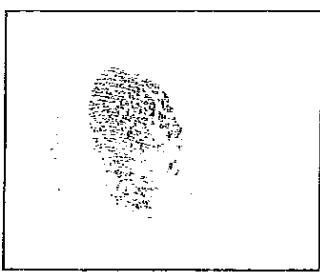
DATED: 4-29-10 SIGNED: [Signature]
(Attorney of Record)
As Plaintiff

INTERPRETER'S STATEMENT: Having been sworn or having a written oath on file, I certify that I translated this form to the defendant in the Spanish language. The defendant stated that (s)he understood the contents of this form and then (s)he initialed and signed the form.

DATED: 4/29/10 SIGNED: [Signature]
(Court Interpreter)

FOR THE PEOPLE:

DATED: 4/29/10 SIGNED: [Signature] 3709 DDA



Right Thumb Print

STREED 1132
(Bailiff's Signature and Badge #)