

1
2 **BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

3 IN THE MATTER OF:

LCB NOS. 22,735
22,805

4 JOLAN, INC.
5 J&M HOTEL & BAR
6 201 1st AVENUE SOUTH
7 SEATTLE, WA 98104

FINAL ORDER OF THE BOARD

LICENSEE

8 LICENSE NO. 350590
9 AVN NO. 2E7018B (LCB NO. 22,735)
AVN NO. 2Z7261J (LCB NO. 22,805)

10 The Washington State Liquor Control Board Education and Enforcement Division
11 (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney General and
12 RUTH AMMONS, Assistant Attorney General and JOLAN, INC, d/b/a, J&M HOTEL & BAR
13 (Licensee) having appeared through its representative LANCE MIYATOVICH, and the parties
14 having voluntarily entered into a stipulated settlement agreement for Liquor Control Board
15 Case Numbers 22,735 (AVN No. 2E7018B) and 22,805 (AVN No. 2Z7261J), and the Board
16 having considered the stipulated settlement agreement and Enforcement's Memorandum
17 recommending acceptance of the stipulated settlement agreement, and the Board having had
18 the opportunity to review the file materials maintained in this case, now therefore

19 IT IS HEREBY ORDERED that:

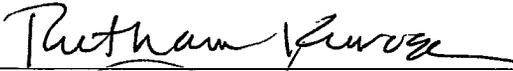
- 20 1. The violation set forth in the Complaint dated April 5, 2007, filed in LCB No.
21 22,735 (AVN No. 2E7018B), is sustained;
- 22 2. The violation of permitting a person under twenty-one (21) to frequent
23 restricted premises, set forth in AVN No. 2Z7261J (LCB No. 22,805), is sustained; and
- 24 3. The violation of sale to a person under twenty-one (21), set forth in AVN No.
25 2Z7261J (LCB No. 22,805), is dismissed with prejudice.
- 26

1 IT IS FURTHER ORDERED that the Licensee shall pay a monetary penalty of three
2 hundred dollars (\$300.00) to: Washington State Liquor Control Board, 4401 E. Marginal Way
3 S., Seattle, WA 98134-9947. In the event the Licensee fails to make full and timely payment
4 of the monetary penalty, the Licensee shall serve a ten (10) day suspension of its liquor license,
5 the dates and time of which shall be set by the Washington State Liquor Control Board.

6 DATED this 30th day of July, 2008.

7 WASHINGTON STATE LIQUOR CONTROL BOARD
8

9 
10 _____

11 
12 _____

13 
14 _____
15
16
17
18
19
20
21
22
23
24
25
26

1
2 **BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

3
4 IN THE MATTER OF:

LCB NOS. 22,735
22,805

5 JOLAN, INC.
6 J&M HOTEL & BAR
7 201 1st AVENUE SOUTH
8 SEATTLE, WA 98104

STIPULATED SETTLEMENT
AGREEMENT

9
10 LICENSEE

LICENSE NO. 350590
AVN NO. 2E7018B (LCB NO. 22,735)
AVN NO. 2Z7261J (LCB NO. 22,805)

11 The Washington State Liquor Control Board Education and Enforcement Division
12 (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney General, and
13 RUTH AMMONS, Assistant Attorney General, and JOLAN, INC, d/b/a, J&M HOTEL &
14 BAR (Licensee) through its representative LANCE MIYATOVICH, hereby enter into this
15 stipulated settlement agreement for Liquor Control Board Case Numbers 22,735 (AVN No.
16 2E7018B) and 22,805 (AVN No. 2Z7261J).

17 **I. INTRODUCTION**

18 1. In Liquor Control Board Case Number 22,735, the Board charged the above-
19 named Licensee in its Complaint dated April 5, 2007, with the following violation of the
20 Washington State Liquor Act:

21 On or about January 15, 2007, an employee of the Licensee engaged in disorderly
22 conduct on the premise in violation of WAC 314-11-015.

23 2. In Liquor Control Board Case Number 22,805, Enforcement issued
24 Administrative Violation Notice (AVN) No. 2Z7261J ("AVN") to Licensee alleging that on
25 August 26, 2007, the above-named Licensee or an employee thereof:

26 Furnished liquor to a person under twenty-one (21) years of age, in violation of RCW
66.44.270(1); and

1 Allowed a person under twenty-one (21) years of age to frequent a restricted premises,
2 in violation of RCW 66.44.310(1)(a).

3 3. Enforcement and the Licensee have agreed to resolve Liquor Control Board
4 Case Numbers 22,735 (AVN No. 2E7018B) and 22,805 (AVN No. 2Z7261J) via settlement.

5 II. AGREEMENT OF THE PARTIES

6 Enforcement and the Licensee agree to the following:

7 1. Enforcement and the Licensee enter into this agreement to avoid the time and
8 expense of further litigation.

9 2. The Licensee explicitly waives the right of further administrative review of all
10 matters related to this violation. The Licensee hereby voluntarily withdraws its request for a
11 hearing on these two matters.

12 3. **LCB No. 22,735 (AVN No. 2E7018B):** The Licensee admits that on or about
13 January 15, 2007, an employee of the Licensee engaged in disorderly conduct on the premises.

14 4. **LCB No. 22,805 (AVN No. 2Z7261J):** The Licensee admits that on or about
15 August 26, 2007, an employee of the Licensee allowed a person under twenty-one (21) years
16 of age to frequent a restricted premises.

17 5. Enforcement agrees to dismiss with prejudice the allegation in AVN No.
18 2Z7261J (LCB No. 22,805) that on or about August 26, 2007, the Licensee or an employee
19 thereof furnished liquor to a person under twenty-one (21) years of age, in violation of RCW
20 66.44.270(1).

21 6. The parties agree that the standard penalty for a first violation for disorderly
22 conduct is a five (5) day suspension of the liquor license or a five hundred dollar (\$500)
23 monetary penalty. Further, the parties agree that the standard penalty for a first violation for
24 allowing a minor to frequent a restricted premise is a five (5) day suspension of the liquor
25 license or a five hundred dollar (\$500) monetary penalty. The total standard penalty for both
26 violations is a ten (10) day suspension of the liquor license or a one thousand dollar (\$1,000)

1 monetary penalty.

2 7. Pursuant to this settlement, the parties agree to imposition of a three hundred
3 dollar (\$300) monetary penalty, which shall be paid by the Licensee no later than thirty (30)
4 days after the date of the Final Order of the Board. Payment shall be sent to:

5 Washington State Liquor Control Board
6 4401 E. Marginal Way S.
7 Seattle, WA 98134-9947

8 8. Enforcement agrees to provide Licensee with written notification of the penalty
9 payment due date.

10 9. In the event that the Licensee does not make a full and timely payment of the
11 monetary penalty as required in Section II, Paragraph 7, then the standard penalty of a ten (10)
12 day suspension of the Licensee's liquor license shall be imposed.

13 10. The parties recognize that this settlement agreement is subject to approval by
14 the Washington State Liquor Control Board.

15 11. This agreement constitutes the final written expression of all the terms of this
16 agreement and is a complete and exclusive statement of these terms.

17 ROBERT M. MCKENNA
18 Attorney General

19 *Ruth Ammons*
20 RUTH AMMONS, WSBA #20879
21 Assistant Attorney General
22 Attorneys for LCB Enforcement

7-21-08
DATE

23 *Lance Miyatovich*
24 LANCE MIYATOVICH
25 For Jolan, Inc. d/b/a J&M Hotel & Bar
26 Licensee

7-15-08
DATE