

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF

NOOKSACK INDIAN TRIBE
NOOKSACK'S NORTHWOOD
CROSSING CASINO
9750 NORTHWOOD ROAD
LYNDEN, WA 98264

LICENSE APPLICANT

License No. 400779

LCB NO. 22751

DECISION BY THE BOARD FOR
PERIOD TO FILE AND RESPOND
TO EXCEPTIONS FOLLOWING
INITIAL ORDER ON MATTER ON
REMAND

The Board received a motion to shorten time to file exceptions to the initial order following an administrative hearing on remand. The Board considered the motion and the responses it received before making this decision.

It reviewed and considered:

1. A motion to shorten time to file exceptions that was filed with the Board on November 28, 2007 by the Nooksack Indian Tribe by and through its attorney James Jordan requesting that the Board shorten the time to file exceptions from twenty days as provided in WAC 314-42-080(1) to five business days.
2. On November 30, 2007 Whatcom County by and through its attorney, David McEachran Prosecuting Attorney filed its response to the motion objecting to five business days as an inadequate amount of time needed to file exceptions, but indicated that it would have no objection

to having ten business days to file exceptions and five business days to file replies to any exceptions filed.

3. On November 29, 2007, the Licensing Division filed its response by and through its attorney Rob McKenna Attorney General and Assistant Attorneys General Jennifer Elias and Ruth Ammons and objected to five days for exceptions to be filed as inadequate time to prepare and file exceptions for this lengthy and complex matter. The Licensing Division does not object and suggests ten business days for filing exceptions and five business days to file replies to any exceptions filed.

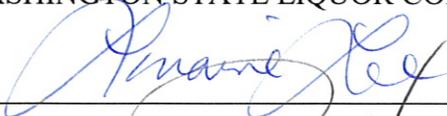
After review and consideration of the pleadings submitted by the parties on December 12, 2007, THE BOARD ENTERS THE FOLLOWING order:

1. The parties shall have ten business days after the date of service of the initial order to file exceptions and shall serve copies on all the parties.
2. The parties shall have five business days to reply to any exceptions filed to the initial order and shall serve copies of any reply on all the parties.

Service. This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).

DATED at Olympia, Washington this 13th day of December, 2007.

WASHINGTON STATE LIQUOR CONTROL BOARD







Reconsideration. Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this Order to file a petition for reconsideration stating the specific grounds on which relief is requested. No matter will be reconsidered unless it clearly appears from the petition for reconsideration that (a) there is material clerical error in the order or (b) there is specific material error of fact or law. A petition for reconsideration, together with any argument in support thereof, should be filed by mailing or delivering it directly to the Washington State Liquor Control Board, Attn: Kevin McCarroll, 3000 Pacific Avenue Southeast, PO Box 43076, Olympia, WA 98504-3076, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Board's office. RCW 34.05.010(6). A copy shall also be sent to Linda Moran, Senior Assistant Attorney General, 1125 Washington St. SE, P.O. Box 40110, Olympia, WA 98504-0110. A timely petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on the petition. An order denying reconsideration is not subject to judicial review. RCW 34.05.470(5). The filing of a petition for reconsideration is not a prerequisite for filing a petition for judicial review.

Stay of Effectiveness. The filing of a petition for reconsideration does not stay the effectiveness of this Order. The Board has determined not to consider a petition to stay the effectiveness of this Order. Any such request should be made in connection with a petition for judicial review under chapter 34.05 RCW and RCW 34.05.550.

Judicial Review. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. The petition for judicial review of this Order shall be filed with the

appropriate court and served on the Board, the Office of the Attorney General, and all parties within thirty days after service of the final order, as provided in RCW 34.05.542.

Service. This Order was served on you the day it was deposited in the United States mail.
RCW 34.05.010(19).