

**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. 22,751

DECISION BY THE BOARD ON  
NOOKSACK TRIBE'S REQUEST  
FOR TEMPORARY LICENSE  
PENDING BOARD'S FINAL  
ORDER FOR LICENSE.

The Washington State Liquor Control Board (Board) received a request from the Tribe for a temporary license on December 14, 2007.

**I. BACKGROUND:**

1. This licensing matter was initially heard and decided by the Board on May 4, 2007. Following that matter, the decision was reviewed by the superior court and remanded to the Board for additional information and consideration by the Board through stipulation and agreed order for remand on October 2, 2007.
2. Following the remand, an administrative hearing involving the parties was held on November 5, 2007 and November 6, 2007, before Administrative Law Judge Veronica Alicea-Galvin.

3. The Administrative Law Judge issued a proposed initial order for the Board's consideration on December 13, 2007, recommending a license be issued to the Tribe.
4. In accord with RCW 34.05, (the APA) and a Board order issued on December 13, 2007, the parties have ten business days to file exceptions to the initial order with the Board and five business days to respond to exceptions.
5. Following these timelines, the Board will review and consider the record, the initial order, exceptions, and responses and then issue a final order on this licensing matter.
6. The Tribe opened its facility on November 13, 2007.
7. The Board received an earlier request from the Tribe for a temporary license on October 4, 2007. After consideration the Board denied the request by order dated October 25, 2007
8. The Board has the discretion under RCW 66.24.010 (11) to issue a temporary license to an applicant pending a final decision on the application.

///

///

///

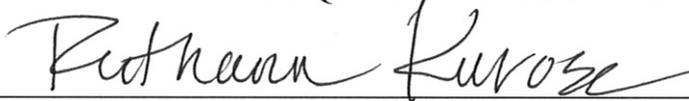
**THE BOARD ENTERS THE FOLLOWING ORDER:**

The Board has discretion to grant or deny a request for temporary license.

After having considered the Tribe's request for a temporary license, the Board has decided to issue a temporary license to the Tribe pending a final Board decision on the matter of the Tribe's application for a liquor license at the Northwood Crossing Casino. IT IS HEREBY ORDERED the Tribe's request for a temporary liquor license at the Nooksack's Northwood Crossing Casino is GRANTED.

DATED at Olympia, Washington this 14th 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).