

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF

MAD ANTHONY'S, INC
ANTHONY'S AT POINT DEFIANCE
5910 N. WATERFRONT DRIVE
TACOMA, WA 98407

LICENSEE

LICENSE NO. 076362

OAH NO. 2007-LCB-0035
LCB NO. 22,757

FINAL ORDER OF THE BOARD

The above entitled matter coming on regularly before the Board, and it appearing:

1. A formal hearing was held on November 14, 2007 at the licensee's timely request for a hearing on the June 28, 2007 Complaint issued by the Liquor Control Board.

2. The Complaint alleged that on May 10, 2007 the licensee or an employee(s) of the licensee thereof, did sell, give, or otherwise supply liquor to a person under the age of 21, contrary to RCW 66.44.270 and WAC 314-16-150.

3. At the hearing the Education and Enforcement Division of the Board was represented by Assistant Attorney General Kate Reynolds and the Licensee was represented by Tom Diller, Vice President of Operations for Mad Anthony's, Inc.

4. On December 18, 2007 Administrative Law Judge James D. Stanford entered his Findings of Fact, Conclusions of Law and Initial Order in this matter which sustained the Complaint.

5. No exceptions were filed by the parties.

6. That the entire record in this proceeding was presented to the Board for final decision, and the Board having fully considered said record and being fully advised in the premises;

NOW THEREFORE; IT IS HEREBY ORDERED that that the Administrative Law Judge's Findings of Fact, Conclusions of Law and Initial Order heretofore made and entered in this matter

be, and the same hereby are, AFFIRMED and adopted as the Findings of Fact, Conclusions of Law and Final Order of the Board and that the liquor license privileges granted to Mad Anthony's, Inc, d/b/a Anthony's at Point Defiance, 5910 N. Waterfront Drive, Tacoma, WA 98407, License Number 076362, are hereby suspended for a term of five days (5) days; effective from 10:00 a.m. on February 15, 2008, until 10:00 a.m. on February 20, 2008; HOWEVER, the suspension shall be vacated upon payment of a monetary penalty in the amount of five hundred dollars (\$500) due on or before February 13, 2008. Failure to comply with the terms of this order will result in further disciplinary action.

Payment in reference to this order should be sent to:

Washington State Liquor Control Board

Enforcement and Education Division

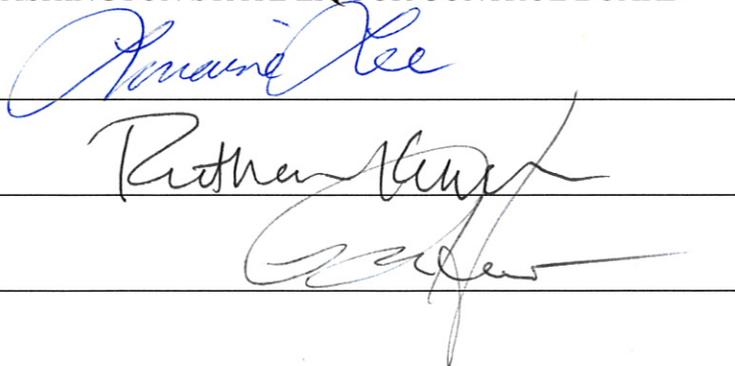
Roberson Building, Suite 208

6240 Tacoma Mall Blvd

Tacoma, WA 98409-6819

DATED at Olympia, Washington this 17th day of January, 2008.

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 Martha P. Lantz, 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).