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7 **STATE OF WASHINGTON**  
8 **LIQUOR CONTROL BOARD**

9 IN THE MATTER OF:

10 BITTERROOT ENTERPRISES, INC.  
11 d/b/a THE ZZU  
12 1525 NE MERMAN DR.  
13 PULLMAN, WA 99163  
14 MAILING: 740 SW STALEY  
15 PULLMAN, WA 99163-2077,

LICENSEE

LICENSE NO. 087734  
AVN NO. 4N7344C

LCB NO. 22,809

FINAL ORDER OF THE BOARD

16  
17 THIS MATTER having come before the Washington State Liquor Control Board  
18 (Board) and the Washington State Liquor Control Board Education and Enforcement Division  
19 having been represented by its attorneys, ROBERT M. MCKENNA, Attorney General and  
20 RUTH AMMONS, Assistant Attorney General and the Licensee BITTERROOT  
21 ENTERPRISES, INC. d/b/a THE ZZU having been represented by its attorney, TIMOTHY  
22 ESSER, and the parties having voluntarily entered into a stipulated settlement agreement for  
23 LCB Case No. 22809, and the Board having considered the stipulated settlement agreement  
24 and Enforcement's Memorandum recommending acceptance of the stipulated settlement  
25 agreement, and the Board having had the opportunity to review the file materials maintained in  
26 this case, now therefore

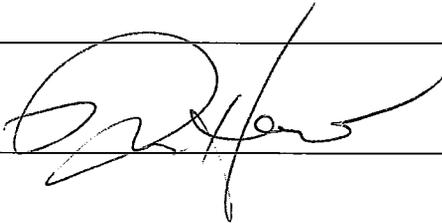
1 IT IS HEREBY ORDERED that the violations set forth in Amended Administrative  
2 Violation Notice (AVN) No. 4N7344C are sustained and within 30 days of the date of this  
3 Order, the Licensee shall pay a monetary penalty of five hundred dollars (\$500.00) to:  
4 Washington State Liquor Control Board, 1303 W. Broadway, Spokane, WA 99201-2053.

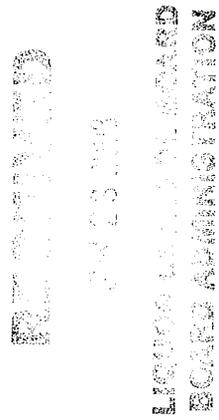
5 It is FURTHER ORDERED that the Licensee shall serve a three (3) day suspension of  
6 its liquor license, effective July 18, 2008 at 11:00 a.m., through July 21, 2008 at 11:00 a.m. In  
7 the event that the Licensee does not fully any timely satisfy the penalties set forth herein, then  
8 the Licensee shall serve a ten (10) day suspension of its license.

9 DATED this 27<sup>th</sup> day of June, 2008.

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11 WASHINGTON STATE LIQUOR CONTROL BOARD

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**STATE OF WASHINGTON  
LIQUOR CONTROL BOARD**

IN THE MATTER OF:  
  
BITTERROOT ENTERPRISES, INC.  
d/b/a THE ZZU  
1525 NE MERMAN DR.  
PULLMAN, WA 99163  
MAILING: 740 SW STALEY  
PULLMAN, WA 99163-2077,

LCB NO. 22,809  
  
STIPULATED SETTLEMENT  
AGREEMENT

LICENSEE

LICENSE NO. 087734  
AVN NO. 4N7344C

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement), by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and RUTH AMMONS, Assistant Attorney General, and BITTERROOT ENTERPRISES, INC. d/b/a THE ZZU (Licensee), of Pullman, Washington, by and through its attorney, TIMOTHY ESSER, hereby enter into this stipulated settlement agreement for Liquor Control Board No. 22809, arising from Administrative Violation Notice (AVN) No. 4N7344C.

**I. INTRODUCTION**

The Washington State Liquor Control Board Enforcement Division issued to the Licensee Amended AVN No. 4N7344C, alleging that on or about November 30, 2007, the Licensee or employee(s) thereof:

1 Allowed a person under the age of twenty-one, to-wit: M.G. (dob 3/08/87), to enter or  
2 remain in an off-limits area, in violation of RCW 66.44.310 and WAC 314-11-020; and

3 Allowed a person under the age of twenty-one, to-wit: J.W. (dob 12/10/87), to enter or  
4 remain in an off-limits area, in violation of RCW 66.44.310 and WAC 314-11-020.

## 5 II. AGREEMENT OF THE PARTIES

6 Prior to the filing of an administrative complaint, Enforcement and the Licensees have  
7 agreed to resolve AVN No. 4N7344C via settlement. Enforcement and the Licensees agree to  
8 the following:

9 1. The parties enter into this agreement to avoid the time and expense of further  
10 litigation.

11 2. The Licensee explicitly waives the right of further administrative review of all  
12 matters related to the above-referenced AVN. Furthermore, the Licensee hereby voluntarily  
13 withdraws its request for a hearing in this matter.

14 3. This Agreement constitutes the final written expression of all the terms of this  
15 Agreement and is a complete and exclusive statement of these terms.

16 4. Enforcement agrees to amendment of the original AVN, which alleged a single  
17 violation of sale to a minor. The amended AVN alleges two violations of minor frequenting  
18 restricted premises.

19 5. The Licensee admits to the two violations set forth in Amended AVN No.  
20 4N7344C. Specifically, on or about November 30, 2007, the Licensee or employee(s) thereof  
21 allowed M.G. (dob 3/08/87) and J.W. (dob 12/10/87), both persons under the age of twenty-  
22 one, to enter or remain in an off-limits area, in violation of RCW 66.44.310 and WAC 314-11-  
23 020.

24 6. The Parties agree that each of these two violations are considered first violations  
25 for purposes of this settlement agreement, and that each carries a standard penalty of five (5)  
26 days suspension or payment of five hundred dollars (\$500.00), for a total standard penalty of  
ten (10) days suspension or payment of one thousand dollars (\$1,000.00).

1 7. The Licensee agrees to serve a three (3) day suspension of its liquor license,  
2 effective July 18, 2008 at 11:00 a.m., through July 21, 2008 at 11:00 a.m. Additionally, the  
3 Licensee agrees to pay a monetary penalty of five hundred dollars (\$500.00) within 30 days of  
4 the date of the Final Order of the Board. Payment shall be sent to:

5 Washington State Liquor Control Board  
6 1303 W. Broadway  
7 Spokane, WA 99201-2053

8 8. In the event that the Licensee does not timely satisfy the penalty set forth in  
9 Section II, Paragraph 7, then the Licensee shall serve the standard suspension of ten (10) days.

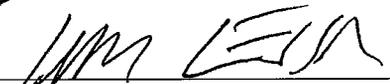
10 9. The parties recognize that this settlement agreement is subject to approval by  
11 the WASHINGTON STATE LIQUOR CONTROL BOARD.

12 ROBERT M. MCKENNA  
13 Attorney General

14   
15 RUTH AMMONS, WSBA #20879  
16 Assistant Attorney General  
17 Attorneys for LCB Enforcement

18 6-20-08  
19 DATE

20 LIBEY, ENSLEY, ESSER & NELSON, PLLC

21   
22 TIMOTHY ESSER, WSBA #6864  
23 Attorneys for Licensee

24 June 14, 2008  
25 DATE

26   
RODNEY K JOHNSON  
Bitterroot Enterprises, Inc. d/b/a ZZU  
Licensee

June 16, 08  
DATE