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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF THE HEARING OF:

LCB NO. 22,813

PSKY ENTERPRISES, INC., d/b/a  
BLUE FISH RESTAURANT  
7829 BIRCH BAY DRIVE  
BLAINE, WA 98230

~~PROPOSED~~  
FINAL ORDER OF THE BOARD

LICENSEE

LICENSE NO. 079539

THIS MATTER having come before the Washington State Liquor Control Board (Board) and the Washington State Liquor Control Board Education and Enforcement Division having been represented by its attorneys, ROBERT M. MCKENNA, Attorney General, and RUTH AMMONS, Assistant Attorney General, and MYUNG S. PARK and YEO PARK, owners of PSKY ENTERPRISES, INC. d/b/a BLUE FISH RESTAURANT (Licensee), having been represented by their attorney, SAM CHUNG, and the parties having voluntarily entered into a stipulated settlement agreement for Liquor Control Board No. 22813, arising from Administrative Violation Notice (AVN) No. 3A8018A, and the Board having considered the stipulated settlement agreement and Enforcement's Memorandum recommending acceptance of the stipulated settlement agreement, and the Board having had the opportunity to review the file materials maintained in this case, now therefore

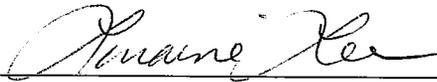
1 IT IS HEREBY ORDERED that violations No. 5 and No. 6 set forth in the Complaint  
2 dated January 25, 2008, are sustained, and that violations No. 1, 2, 3 and 4 are dismissed with  
3 prejudice.

4 IT IS FURTHER ORDERED that Licensee shall receive credit for the period of  
5 emergency suspension already served against the standard penalty for violations Nos. 5 and 6,  
6 and that there shall be no further assessment of fees or suspension associated with these  
7 violations.

8 IT IS FURTHER ORDERED that the Licensee's surrender of license no. 079539 is  
9 effective immediately.

10 DATED this 22<sup>nd</sup> day of January, 2009.

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12 WASHINGTON STATE LIQUOR CONTROL BOARD

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25 PSKY ENTERPRISES, INC,  
26 d/b/a BLUE FISH RESTAURANT  
LICENSE NO. 079539  
LCB NO. 22,813

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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF THE HEARING OF:

LCB NO. 22,813

PSKY ENTERPRISES, INC., d/b/a  
BLUE FISH RESTAURANT  
7829 BIRCH BAY DRIVE  
BLAINE, WA 98230

STIPULATED SETTLEMENT  
AGREEMENT

LICENSEE

LICENSE NO. 079539

The Washington State Liquor Control Board (LCB) Education and Enforcement Division (Enforcement) represented by its attorneys, ROBERT M. MCKENNA, Attorney General and RUTH AMMONS, Assistant Attorney General, and MYUNG S. PARK and YEO PARK, owners of PSKY ENTERPRISES, INC. d/b/a BLUE FISH RESTAURANT (Licensee), by and through their attorney, SAM CHUNG, hereby enter into this stipulation and settlement agreement for LCB case No. 22,813 (AVN No. 3A8018A).

**I. INTRODUCTION**

In LCB case No. 22,813, the Washington State Liquor Control Board by Complaint dated January 25, 2008, based on AVN No. 3A8018A, alleged six (6) liquor violations. A true and accurate copy the Complaint is attached hereto and incorporated herein by reference.

**II. AGREEMENT OF THE PARTIES**

Enforcement and the Licensee agree to the following:

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

3           2.     The Licensee explicitly waives the right of further administrative review of all  
4 matters related to the above-referenced Complaint. The Licensee hereby voluntarily withdraws  
5 its request for a hearing on this matter.

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

8           4.     The Licensee disputes the truth of the allegations contained in paragraphs 5 and  
9 6 of the Complaint. However, in order to take advantage of Enforcement's offer of settlement,  
10 the Licensee agrees that, were this matter to proceed to hearing, there is a substantial likelihood  
11 that Enforcement would be able to prove the allegations contained in paragraphs 5 and 6 of the  
12 Complaint, to wit: that on or about and during the period intervening January 18, 2008, and  
13 January 19, 2008, Larry Campbell, an employee of the Licensee, consumed liquor while  
14 working on the licensed premises in violation of WAC 314-11-015(3)(d); and that on or about  
15 and during the period intervening January 18, 2008; and January 19, 2008, employees of the  
16 Licensee permitted a disorderly person to remain on the licensed premises in violation of WAC  
17 314-11-015(3)(b). The parties agree that the Washington State Liquor Control Board will  
18 consider that the violations set forth in paragraphs 5 and 6 of the Complaint, as specified in this  
19 paragraph, have been sustained and will become a part of the Licensee's violation record.

20           5.     In consideration of and for this settlement agreement, Enforcement agrees to the  
21 withdrawal and dismissal with prejudice of the allegations contained in paragraphs 1, 2, 3 and  
22 4 of the Complaint.

23           6.     The Licensee admits that the Complaint in this matter resulted in issuance of an  
24 Order of Emergency Suspension that became effective January 25, 2008, at 7:00 p.m. The  
25 Licensee further admits that it has stipulated to two extensions of the period of the emergency  
26 suspension, which remains in effect until January 25, 2009, at 7:00 p.m. The Licensee further

1 admits that during the period of emergency suspension, it has suspended all operations under  
2 the license.

3 7. In consideration of and for this settlement agreement, Licensee agrees to  
4 voluntarily surrender its license effective immediately and without further action upon the  
5 Board's approval of this agreement.

6 8. The parties agree that the standard penalty for the violation identified in  
7 paragraph 5 of the Complaint (consumption of liquor by an employee on duty) is 5-days  
8 suspension or a \$2500 penalty, as this is a second violation of its type within a 2-year period.  
9 The parties also agree that the standard penalty for the violation identified in paragraph 6 of the  
10 Complaint (permitting a disorderly person to remain on the premises) is 5-days suspension or a  
11 \$500 penalty, as this is a first violation of its type within a 2-year period.

12 9. In consideration of and for this settlement agreement, Enforcement agrees that  
13 the Licensee shall receive credit for the period of emergency suspension already served against  
14 the standard penalty and that there will be no further assessment of any fees or suspension  
15 associated with these violations.

16 10. Licensee agrees to remove all spirits, beer and wine from the premises within 5  
17 business days of entry of the Order by the Board. Enforcement agrees to remove all  
18 suspension postings from the premises, as soon as practicable, upon notification by Licensee  
19 that the spirits, beer and wine have been removed from the premises.

20 11. The parties recognize that this settlement agreement is subject to approval by  
21 the Washington State Liquor Control Board.

22 ROBERT M. MCKENNA  
23 Attorney General

24 *Ruth Ammons*  
25 RUTH AMMONS, WSBA #20879  
26 Assistant Attorney General  
Attorneys for LCB Enforcement

1-6-09  
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SAM CHUNG, WSBA #19373  
Attorney at Law  
Attorney for Licensee PSKY  
Enterprises, Inc.

12-31-08  
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DATE

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Myung Park  
Licensee PSKY Enterprises, Inc.

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DATE

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Yeo Park  
Licensee PSKY Enterprises, Inc.

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*Sam Chung*  
SAM CHUNG, WSBA #19373  
Attorney at Law  
Attorney for Licensee PSKY  
Enterprises, Inc.

*12/31/08*  
DATE

*m. s. park*  
Myung Park  
Licensee PSKY Enterprises, Inc.

*12-30-08*  
DATE

*y. o. shim*  
Yeo Park  
Licensee PSKY Enterprises, Inc.

*12-30-08*  
DATE

STIPULATED SETTLEMENT  
AGREEMENT

ATTORNEY GENERAL OF WASHINGTON  
1125 Washington Street SE  
PO Box 40100  
Olympia, WA 98504-0100  
(360) 654-9006

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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF THE HEARING OF: NO. 22,813

PSKY ENTERPRISES, INC., d/b/a  
BLUE FISH RESTAURANT  
7829 BIRCH BAY DRIVE  
BLAINE, WA 98230  
COMPLAINT

LICENSEE

LICENSE NO. 079539

The Washington State Liquor Control Board charges the above-named Licensee with the following violation(s) of the Washington State Liquor Act and the Revised Rules and Regulations of the Board:

1. That on or about and during the period intervening January 18, 2008, and January 19, 2008, the above-named Licensee, or employee(s) thereof, did sell and/or supply liquor to a person apparently under the influence of liquor, to-wit: a Caucasian male in his 20's, wearing a gray t-shirt and jeans, and/or did allow said person who was apparently under the influence of liquor, to possess and/or consume liquor on the licensed premises, contrary to RCW 66.44.200 and WAC 314-16-150.

2. That on or about and during the period intervening January 18, 2008, and January 19, 2008, the above-named Licensee, or employee(s) thereof, did sell and/or supply liquor to a person apparently under the influence of liquor, to-wit: a male identified as "Hank", and/or did allow said person who was apparently under the influence of liquor, to possess

1 and/or consume liquor on the licensed premises, contrary to RCW 66.44.200 and WAC 314-  
2 16-150.

3 3. That on or about and during the period intervening January 18, 2008, and  
4 January 19, 2008, the above-named Licensee, or employee(s) thereof, did sell and/or supply  
5 liquor to a person apparently under the influence of liquor, to-wit: a male identified as "Daniel  
6 Hooper" wearing a gray sweatshirt and jeans, and/or did allow said person who was apparently  
7 under the influence of liquor, to possess and/or consume liquor on the licensed premises,  
8 contrary to RCW 66.44.200 and WAC 314-16-150.

9 4. That on or about and during the period intervening January 18, 2008, and January  
10 19, 2008, the above-named Licensee or an employee thereof, to-wit: Grant Cho, consumed liquor  
11 while working on the licensed premises in violation of WAC 314-11-015(3)(d).

12 5. That on or about and during the period intervening January 18, 2008, and January  
13 19, 2008, the above-named Licensee or an employee thereof, to-wit: Larry Campbell, consumed  
14 liquor while working on the licensed premises in violation of WAC 314-11-015(3)(d).

15 6. That on or about and during the period intervening January 18, 2008, and January  
16 19, 2008, the above-named Licensee or employee(s) thereof permitted a disorderly person to  
17 remain on the licensed premises in violation of WAC 314-11-015(3)(b).

18 DATED at Olympia, Washington this 25<sup>th</sup> day of January, 2008.

19 WASHINGTON STATE LIQUOR CONTROL BOARD

20 Lorraine Lee per telephonic approval *[Signature]*

21 Roger Hoen per telephonic approval *[Signature]*

22 Ruthann Kurose per telephonic approval *[Signature]*  
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24  
25  
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