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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF THE HEARING OF: PSKY ENTERPRISES, INC., d/b/a BLUE FISH RESTAURANT 7829 BIRCH BAY DRIVE BLAINE, WA 98230 <p style="text-align: center;">LICENSEE</p> LICENSE NO. 079539	NO. 22,813 EMERGENCY ORDER OF SUSPENSION - 180 DAYS
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The above-entitled matter having come on before the Washington State Liquor Control Board ("Board") pursuant to RCW 66.08.150(4), and the Board having reviewed the materials submitted by the Washington State Liquor Control Enforcement Division in this matter, now hereby enters the following Findings of Fact, Conclusions of Law and Emergency Order of Suspension:

I. FINDINGS OF FACT

1.1 The Board has received and reviewed a copy of Washington State Liquor Control Enforcement Officer ("LEO") Kevin Russom's Administrative Violation Notice (AVN) for Case No. 3A8018A and the documents attached thereto, including the following:

- a. Interoffice memorandum from Liquor Enforcement Captain Tom Dixon, to Pat W. Parmer, Chief of the Enforcement and Education of the Washington State Liquor Control Board, dated January 24, 2008;
- b. Full Report by LEO Kevin Russom;

1 c. Interoffice correspondence from Sergeant Dee Johnson to LEO Kevin
2 Russom, dated January 19, 2008; and

3 d. Interoffice correspondence from LEO Thomas James to LEO Russom,
4 dated January 22, 2008.

5 1.2 The AVN and supporting documents support Enforcement's allegations that the
6 Licensees and/or their employees are unwilling or incapable of complying with the Washington
7 State Liquor Act and/or the Revised Rules and Regulations of the Liquor Control Board.

8 **II. CONCLUSIONS OF LAW**

9 2.1 The Washington State Liquor Act, contained in Title 66 RCW, and the duly
10 promulgated Revised Rules and Regulations of the Board, contained in Title 314 WAC, were
11 created for the protection of the welfare, health, peace, morals, and safety of the people of the
12 state of Washington. *See* RCW 66.08.010.

13 2.2 Pursuant to RCW 66.08.150(4), the Board may summarily suspend a liquor
14 license for a period of up to one-hundred eighty (180) days, without a prior hearing, when the
15 Board finds that the public health, safety or welfare imperatively requires emergency action.

16 2.3 The Board, after reviewing the foregoing materials, and being in the premises fully
17 advised, concludes that the incidents occurring on the above-identified licensed premises are
18 contrary to public policy and law, and hereby finds that the public health, safety and/or welfare
19 imperatively requires emergency action.

20 NOW, THEREFORE, in accordance with the Board's emergency powers as authorized by
21 RCW 66.08.150(4),

22 **IT IS HEREBY ORDERED AND DIRECTED:**

23 I. That the liquor license privileges of PSKY Enterprises, Inc., d/b/a Blue Fish
24 Restaurant, located at 7829 Birch Bay Drive, Blaine, Washington, are hereby suspended for a
25 period of up to one-hundred eighty (180) days, effective from January 25, 2008, at 7:00 p.m. to
26 July 23, 2008, at 7:00 p.m.

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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

NOTICE OF OPPORTUNITY
FOR HEARING ON
REVOCAION PURSUANT
TO RCW 66.08.150(2)

LICENSEE

LICENSE NO. 079539

TO: PSKY ENTERPRISES, INC., d/b/a BLUE FISH RESTAURANT

WHEREAS on January 25, 2008, the Board, pursuant to the provisions of RCW 66.08.150(4), entered and implemented an Emergency Order of Suspension for a period of up to one-hundred eighty (180) days, effective from **January 25, 2008, at 7:00 p.m. to July 23, 2008, at 7:00 p.m.**

WHEREAS, said Emergency Order of Suspension provided that, in accordance with the provisions of RCW 66.08.150(4), proceedings for revocation of licensure shall be promptly instituted and determined; and

WHEREAS, pursuant to the provisions of RCW 66.08.150(2), an opportunity for a hearing must be provided prior to revocation of a license; NOW, THEREFORE,

IN THE NAME OF THE STATE OF WASHINGTON, you are hereby notified of your opportunity for a hearing as follows:

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

<p>IN THE MATTER OF THE HEARING OF:</p> <p>PSKY ENTERPRISES, INC., d/b/a BLUE FISH RESTAURANT 7829 BIRCH BAY DRIVE BLAINE, WA 98230</p> <p>LICENSEE</p> <p>LICENSE NO. 079539</p>	<p>NO. 22,813</p> <p>COMPLAINT</p>
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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 25th 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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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF THE HEARING OF:

NO. 22,813

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

LICENSEE'S REQUEST FOR
HEARING ON REVOCATION

LICENSEE

LICENSE NO. 079539

COMES NOW, PSKY Enterprises, Inc., d/b/a Blue Fish Restaurant, Licensee, and pursuant to RCW 66.08.150(2) hereby requests a hearing to contest the revocation of its liquor license privileges.

DATED at _____, Washington this ___ day of _____, 2008.

Signature of Licensee

MAIL TO:

Washington State Liquor Control Board
ATTN: Board Administration
PO Box 43076
Olympia, WA 98504-3076

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF THE HEARING OF:

NO. 22,813

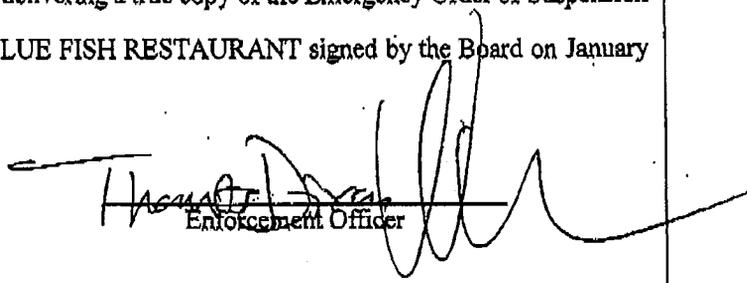
PSKY ENTERPRISES, d.b/a
BLUE FISH RESTAURANT
7829 BIRCH BAY DRIVE
BLAINE, WA 98230

CERTIFICATE OF SERVICE

LICENSEE

LICENSE NO. 079539

THIS IS TO CERTIFY, That I, Thomas Dixon on January 25th, 2008, at 7:00 a.m./p.m., served this Emergency Order of Suspension on Grant Cho, of BLUE FISH RESTAURANT, located at 7829 Birch Bay Drive, in Blaine, Washington, in Whatcom County, by then and there delivering a true copy of the Emergency Order of Suspension for PSKY Enterprises, Inc., d/b/a BLUE FISH RESTAURANT signed by the Board on January 25, 2008.


Thomas Dixon
Enforcement Officer