BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF: NORTH SHORE PUB, INC. d/b/a NORTH SHORE PUB & GRILL 18017 68th Ave NE KENMORE, WA 98028 LICENSEE LICENSE NO. 351296	LCB NO. 22,881 OAH NO. 2008-LCB-0013 FINAL ORDER OF THE BOARD

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

1. A prehearing conference was scheduled for September 18, 2009 at the licensee's timely request for a formal administrative hearing.

2. The Liquor Control Board's Complaint dated March 19, 2009, alleged that on or about August 26, 2008, the above-named Licensee, or employee(s) thereof, sold, gave, or otherwise supplied liquor to a person(s) under twenty-one (21) years of age, in violation of RCW 66.44.270 and WAC 314-11-020(1). Or in the alternative: That on or about August 26, 2008, the above-named Licensee, or employee(s) thereof, allowed a person(s) under twenty-one (21) years of age to enter and remain in a licensed premises or an area of a licensed premises off-limits to persons under the age of twenty-one (21), in violation of RCW 66.44.310(1)(a) and WAC 314-11-020(2).

3. The Appellant did not appear for the prehearing conference nor request a continuance. The Education and Enforcement Division of the Board was represented by Assistant Attorney General Gordon Karg.

4. On December 28, 2009, Administrative Law Judge Christy Gerhart Cufley entered her Proposed Default Order, ordering that the appellant was in default and dismissing the appeal.

5. No request to vacate the default was filed.

6. 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 the default order for case 22,881 is adopted.

IT IS HEREBY FURTHER ORDERED that the violation set forth in Administrative Violation Notice No. 2F8239A is SUSTAINED and that the standard penalty of a thirty (30) day suspension is imposed; however, as the licensee has sold the business, the suspension will not be served, but this violation will be considered by the Board in the event the licensee (or its officers) applies for a license in the future.

DATED at Olympia, Washington this 26 day of January, 2010.

WASHINGTON STATE LIQUOR CONTROL BOARD

Sharon Foster

Ruthann Kurose

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. 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 Mary M. Tennyson, 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).

Washington State
Liquor Control Board

January 27, 2010

North Shore Pub, Inc.
d/b/a North Shore Pub & Grill
5306 154th Ave SE
Bellevue, WA 98006

Gordon Karg, AAG
GCE Division, Office of Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100

RE: ***FINAL ORDER OF THE BOARD***
ADMINISTRATIVE VIOLATION NOTICE NO. 2F8239A
LICENSEE: North Shore Pub, Inc.
TRADE NAME: North Shore Pub & Grill
LOCATION: 18017 68th Ave NE, Kenmore, WA 98028
LICENSE NO. 351296
LCB HEARING NO. 22,881
OAH NO. 2008-LCB-0013
UBI: 6026156710010001

Dear Parties:

Enclosed please find a Declaration of Service by Mail and a copy of the Final Order in the above referenced matter.

If you have any questions, please contact me at (360) 664–1602.

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (2)
cc: Tukwila Enforcement and Education Division, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF: NORTH SHORE PUB, INC. d/b/a NORTH SHORE PUB & GRILL 18017 68th AVE NE KENMORE, WA 98028 LICENSEE LICENSE NO. 351296	LCB NO. 22,881 OAH NO. 2008-LCB-0013 DECLARATION OF SERVICE BY MAIL

I declare under penalty of perjury under the laws of the state of Washington that on January 27, 2010, I served a true and correct copy of the FINAL ORDER OF THE BOARD in the above-referenced matter, by placing a copy of said documents in the U.S. mail, postage prepaid, to all parties or their counsel of record.

DATED this 27th day of January, 2010, at Olympia, Washington.

Kevin McCarroll, Adjudicative Proceedings Coordinator

NORTH SHORE PUB, INC. d/b/a NORTH SHORE PUB & GRILL 5306 154th AVE SE BELLEVUE, WA 98006-5152	GORDON KARG, ASSISTANT ATTORNEY GENERAL, GCE DIVISION OFFICE OF THE ATTORNEY GENERAL 1125 WASHINGTON STREET SE PO BOX 40100 OLYMPIA, WA 98504-0100
NORTH SHORE PUB, INC. d/b/a NORTH SHORE PUB & GRILL 18017 68th AVE NE KENMORE, WA 98028-2685	

Washington State Liquor Control Board
3000 Pacific Avenue SE
PO Box 43076
Olympia, WA 98504-3076
(360) 664-1602