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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

LCB NO. 22,883

WONDERBOYZ, LLC. d/b/a  
BABALU, THE MAMBO ROOM  
1723 N 45TH  
SEATTLE, WA 98103

FINAL ORDER OF THE BOARD  
APPROVING SETTLEMENT  
AGREEMENT

~~PROPOSED~~

LICENSEE

LICENSE NO. 086495-2B

THIS MATTER having come before the Washington State Liquor Control Board (Board) and The Washington State Liquor Control Board Licensing Division (Licensing) represented by its attorneys ROBERT M. MCKENNA, Attorney General and GORDON KARG, Assistant Attorney General, and EDWARD J. McKENNA, Assistant City Attorney representing the Seattle City Attorney's Office and the City of Seattle (City), and Licensee Wonderboyz LLC d/b/a Babalu, The Mambo Room (Licensee) represented by DENNIS K. PFLUG, Attorney at Law, and the Board having considered the stipulated settlement agreement and Licensing's memorandum recommending acceptance of the settlement agreement, and the Board having had the opportunity to review the file materials maintained in this case, now therefore:

IT IS HEREBY ORDERED that the Settlement Agreement for Case No. 22, 883 is accepted in its entirety and the Board's initial November 5, 2008 decision to not renew the Licensee's liquor license is sustained.

1 FURTHERMORE In lieu of the immediate revocation of the Licensee's liquor license,  
2 the Licensee will retain its current liquor license, on a strictly temporary basis, until April 30,  
3 2010 upon which time the Licensee's current liquor license will be permanently revoked.

4 The Licensee will, prior to May 1, 2010, apply for an entirely new Nightclub Liquor  
5 License, as provided for by the Washington State legislature in RCW 66.24.600 and subject to  
6 the licensing requirements set forth in RCW Title 66 and Title 314 WAC.

7 DATED this 5<sup>th</sup> day of October, 2009.

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9 WASHINGTON STATE LIQUOR CONTROL BOARD

10 Sharon Foster

11 Barthann Kuvosa

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**RECEIVED**

SEP 30 2009

**LIQUOR CONTROL BOARD  
BOARD ADMINISTRATION**

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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:  
  
WONDERBOYZ, LLC. d/b/a  
BABALU, THE MAMBO ROOM  
1723 N 45TH  
SEATTLE, WA 98103  
  
LICENSEE  
  
LICENSE NO. 086495-2B

LCB NO. 22,883  
  
SETTLEMENT AGREEMENT

The Washington State Liquor Control Board Licensing Division (Licensing) represented by its attorneys ROBERT M. MCKENNA, Attorney General and GORDON KARG, Assistant Attorney General, and EDWARD J. MCKENNA, Assistant City Attorney representing the Seattle City Attorney's Office and the City of Seattle (City), and Licensee Wonderboyz LLC d/b/a Babalu, The Mambo Room (Licensee) represented by DENNIS K. PFLUG, Attorney at Law, hereby enter into this stipulated settlement agreement for Liquor Control Board Case No. 23,883.

**I. INTRODUCTION**

On April 28, 2008 the City objected to the renewal of the Licensee's beer/wine/spirits restaurant license No. 086495-2B (liquor license). On October 31, 2008 Licensing recommended the Washington State Liquor Control Board (Board) deny the renewal of the Licensee's liquor license based upon its failure to meet all the conditions of its license, to wit: failure to comply with food service requirements and failure to act as a bona fide restaurant as required under RCW 66.24.410(2), WAC 314-02-015(4) and WAC 314-02-035. On

STIPULATED SETTLEMENT  
AGREEMENT

ATTORNEY GENERAL OF WASHINGTON  
1125 Washington Street SE  
PO Box 40100  
Olympia, WA 98504-0100  
(360) 664-9006

BABALU, THE MAMBO ROOM  
LCB NO. 22,883

1 November 5, 2008 the Board decided to not renew the Licensee's liquor license. The Licensee  
2 made a timely request for a formal administrative hearing to appeal the Board's decision.

3 The Parties now wish to enter into a settlement agreement concerning the above-  
4 referenced non-renewal of the Licensee's liquor license.

5 **II. AGREEMENT OF THE PARTIES**

6 The Parties agree to the following:

7 1. The Parties enter into this agreement to avoid the time and expense of further  
8 litigation. The Licensee explicitly waives the right of further administrative review of all  
9 matters related to the above referenced non-renewal of the Licensee's liquor license. The  
10 Licensee hereby voluntarily withdraws its requests for a hearing in these matters.

11 2. This agreement constitutes the final written expression of all the terms of this  
12 agreement and is a complete and exclusive statement of these terms.

13 3. The Licensee agrees to accept the Board's decision of November 5, 2008 to not  
14 renew the Licensee's liquor license due to failure to comply with food service requirements  
15 and failure to act as a bona fide restaurant as required under RCW 66.24.410(2), WAC 314-02-  
16 015(4) and WAC 314-02-035, without challenge.

17 4. In lieu of the immediate revocation of the Licensee's liquor license, the parties  
18 agree the Licensee will retain its current liquor license, on a strictly temporary basis, until  
19 April 30, 2010 upon which time the Licensee's current liquor license will be revoked.

20 5. The parties agree that the Licensee will, prior to May 1, 2010, apply for an  
21 entirely new Nightclub Liquor License, as provided for by the Washington State legislature in  
22 RCW 66.24.600 and subject to the licensing requirements set forth in RCW Title 66 and Title  
23 314 WAC.

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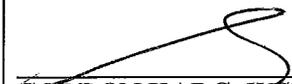
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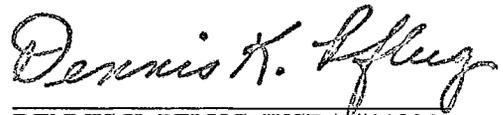
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1 6. The parties recognize that this settlement agreement is subject to approval by  
2 the Washington State Liquor Control Board.

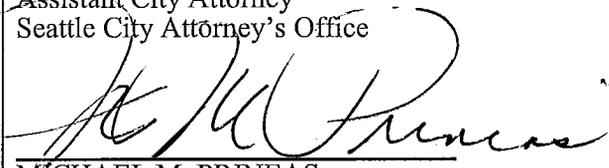
3 STIPULATED AND AGREED this 29 day of September 2009.

4 ROBERT M. MCKENNA  
5 Attorney General

6   
7 GORDON KARG, WSBA #37178  
8 Assistant Attorney General  
9 Attorneys for Washington State  
Liquor Control Board Education and  
Licensing Division

  
DENNIS K. PFLUG, WSBA #11930  
Attorney at Law  
Attorney for  
WONDERBOYZ, LLC. d/b/a  
BABALU, THE MAMBO ROOM  
Licensee

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12 EDWARD MCKENNA, WSBA #17241  
13 Assistant City Attorney  
Seattle City Attorney's Office

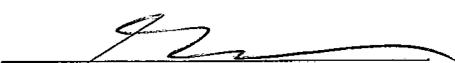
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15 MICHAEL M. PRINEAS  
16 Governing Member  
17 WONDERBOYZ, LLC. d/b/a  
BABALU, THE MAMBO ROOM  
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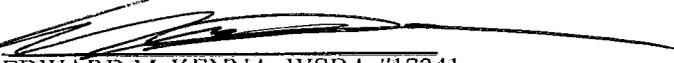
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3                   STIPULATED AND AGREED this 29 day of September 2009.

4 ROBERT M. MCKENNA  
5 Attorney General

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7 GORDON KARG, WSBA #37178  
8 Assistant Attorney General  
9 Attorneys for Washington State  
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