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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,525

IBIZA, INC. d/b/a IBIZA DINNER CLUB

FINAL ORDER OF THE BOARD

528 2nd Ave
Seattle, WA 98104-2336

~~PROPOSED~~

LICENSEE.

LICENSE No. 084832
AVN No. 2E9052A

THIS MATTER having come before the Washington State Liquor Control Board (Board) and the Washington State Liquor Control Board Education and Enforcement Division (Enforcement), having been represented by its attorneys, ROBERT M. MCKENNA, Attorney General and BRIAN J. CONSIDINE, Assistant Attorney General and IBIZA, INC. d/b/a IBIZA DINNER CLUB (Licensee) through its attorney, DAVID GEHRKE, and the parties having voluntarily entered into a stipulated settlement agreement for LCB No. 23,525, arising from Administrative Violation Notice (AVN) No. 2E9052A, 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 the allegation set forth in AVN No. 2E9052A is
2 sustained and the Licensee shall pay a monetary penalty of five hundred dollars (\$500.00) to:

3 Washington State Liquor Control Board
4 PO Box 43085
5 Olympia, WA 98504-3085

6 In the event the Licensee fails to make full and timely payment of the monetary penalty, the
7 Licensee shall serve a five (5) day suspension of its liquor license, the dates and time of which
8 shall be set by the Washington State Liquor Control Board.

9 DATED this 23rd day of February, 2010.

10 WASHINGTON STATE LIQUOR CONTROL BOARD

11 
12 PAT WILSON PARMER, CHIEF
13 ENFORCEMENT AND EDUCATION DIVISION

RECEIVED

FEB 18 2010

**LIQUOR CONTROL BOARD
BOARD ADMINISTRATION**

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,525

IBIZA, INC. d/b/a IBIZA DINNER
CLUB

528 2nd Ave
Seattle, WA 98104-2336

LICENSEE.

LICENSE No. 084832
AVN No. 2E9052A

STIPULATED SETTLEMENT
AGREEMENT

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney General, and BRIAN J. CONSIDINE, Assistant Attorney General, and the Licensee, IBIZA, INC. d/b/a IBIZA DINNER CLUB (Licensee) through its attorney, DAVID GEHRKE, hereby enter into this stipulated settlement agreement for Liquor Control Board Case Number 23,525.

I. INTRODUCTION

1. The Washington State Liquor Control Board, by Complaint dated July 7, 2009, alleged that on or about February 21, 2009, the above-named Licensee, or an employee(s) thereof, allowed a person apparently under the influence of liquor to possess and/or consume liquor on the licensed premises, contrary to WAC 314-16-150.

2. Enforcement and the Licensee wish to enter into a settlement agreement concerning the above-referenced Complaint.

1 **II. AGREEMENT OF THE PARTIES**

2 Enforcement and the Licensee agree to the following:

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

5 2. The Licensee explicitly waives the right of further administrative review of all
6 matters related to both of the above-referenced cases and AVN's. Furthermore, the Licensee
7 hereby voluntarily withdraws its request for a hearing in this matter.

8 3. This Agreement constitutes the final written expression of all the terms of this
9 Agreement, and it is a complete and exclusive statement of these terms.

10 4. The Licensee admits to the violation set forth in AVN No. 2E9052A.
11 Specifically, on or about February 21, 2009, the above-named Licensee, or an employee(s)
12 thereof, allowed a person apparently under the influence of liquor to possess and/or consume
13 liquor on the licensed premises.

14 5. The Licensee agrees to pay the standard monetary penalty of five hundred
15 dollars (\$500.00) within 30 days of the date of the Final Order of the Board. Payment shall be
16 sent to:

17 Washington State Liquor Control Board
18 PO Box 43085
19 Olympia, WA 98504-3085

20 6. In the event that the Licensee fails to make full and timely payment of the
21 monetary penalty as required in Section II, Paragraph 5, the Licensee shall serve a five (5) day
22 suspension of its liquor license, the dates and time of which shall be set by the Washington
23 State Liquor Control Board.

24 7. The parties recognize that this settlement agreement is subject to approval by
25 the Washington State Liquor Control Board.
26

1 8. This settlement agreement constitutes the final written expression of all the
2 terms of this agreement and is a complete and exclusive statement of these terms, and shall be
3 effective when signed by all parties and/or their legal representatives.
4

5 ROBERT M. MCKENNA
6 Attorney General

7
8  #20879

2-12-10

9 *for* BRIAN J. CONSIDINE, WSBA #39517
10 Assistant Attorney General
11 Attorneys for LCB Enforcement

DATE

12 
13 DAVID H. GEHRKE, WSBA #8123
14 Attorney for Licensee

DATE

15 
16 ABI ESHAGI
17 Agent for Licensee

02-03-2010

DATE



Washington State
Liquor Control Board

February 25, 2010

David Gehrke, Attorney for Licensee
22030 7th Ave S Ste 202
Des Moines, WA 98198-6219

Ibiza, Inc., Licensee
d/b/a Ibiza Dinner Club
528 2nd Ave
Seattle, WA 98104-2336

Brian Considine, 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. 2E9052A
LICENSEE: Ibiza, Inc.
TRADE NAME: Ibiza Dinner Club
LOCATION: 528 2nd Ave, Seattle, WA 98104-2336
LICENSE NO. 084832
LCB HEARING NO. 23,525
UBI: 6020153870010001

Dear Parties:

Enclosed please find a Declaration of Service by Mail and a copy of the Final Order in the above referenced matter, as well as a copy of the Stipulated Settlement Agreement.

The applicable monetary penalty option is due by 5:00 pm on March 29, 2010 or suspension will take place from 10:00 am on April 9, 2010 until 10:00 am on April 14, 2010.

When you are sending in payment, please send it to the mailing address indicated in the Final Order and label the check with your License and Administrative Violation Notice numbers listed above. If you have any questions, please contact me at (360) 664-1602.

Sincerely,

A handwritten signature in black ink that reads "Kevin McCarroll".

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (3)

cc: Tukwila and Seattle Enforcement and Education Divisions, WSLCB
Amber Harris, WSLCB

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2
3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

LCB NO. 23,525

5 IBIZA, INC.
6 d/b/a IBIZA DINNER CLUB
7 528 2ND AVE
8 SEATTLE, WA 98104-2336

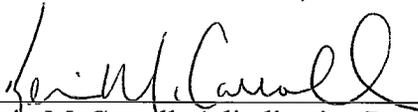
DECLARATION OF SERVICE BY
MAIL

9 LICENSEE

10 LICENSE NO. 084832
11 AVN NO. 2E9052A

12 I declare under penalty of perjury under the laws of the state of Washington that on
13 February 25, 2010, I served a true and correct copy of the FINAL ORDER OF THE BOARD in
14 the above-referenced matter, by placing a copy of said documents in the U.S. mail, postage
15 prepaid, to all parties or their counsel of record.

16 DATED this 25th day of February, 2010, at Olympia, Washington.

17 
18 Kevin McCarroll, Adjudicative Proceedings Coordinator

19
20 DAVID GEHRKE, ATTORNEY FOR
21 LICENSEE
22 22030 7TH AVE S STE 202
23 DES MOINES, WA 98198-6219

BRIAN CONSIDINE, ASSISTANT
ATTORNEY GENERAL, GCE DIVISION
OFFICE OF THE ATTORNEY GENERAL
1125 WASHINGTON STREET SE
PO BOX 40100
OLYMPIA, WA 98504-0100

24 IBIZA, INC., LICENSEE
25 D/B/A IBIZA DINNER CLUB
26 528 2ND AVE
SEATTLE, WA 98104-2336

DECLARATION OF SERVICE BY
MAIL

1

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