

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

HYE JA YI d/b/a CO CHI BANG
RESTAURANT

33320 PACIFIC HIGHWAY S.
STE 103-B
FEDERAL WAY, WA 98003-6881

LICENSEE

LICENSE NO. 082492
AVN NO. 209129A

LCB NO. 23,547

FINAL ORDER OF THE BOARD

~~[PROPOSED]~~

The above-captioned matter having come before the Board, the Board finds:

1. That a telephonic prehearing conference was held on November 20, 2009, on the following violation:

On or about May 9, 2009, the above-named licensee, or employee(s) thereof, sold spirituous liquor by the bottle, contrary to RCW 66.24.400 and/or WAC 314-02-015.

2. That the Licensee failed to appear for the telephonic prehearing conference and Enforcement moved for a default;

3. That on November 23, 2009, Administrative Law Judge Goodwin entered an Order of Default; and that no motion to vacate the default has been filed; and

4. That the Board having considered the file materials maintained in this matter, including:

- a) AVN No. 209129A;
- b) Case Report for No. 209129A, and attachments thereto;
- c) Complaint filed in LCB No 23,547; and
- d) Order of Dismissal Due to Appellant's Failure to Appear, OAH Docket No. 2009-LCB-0039, dated November 23, 2009;

and the Board having adopted in their entirety the Order of Default, OAH Docket No. 2009-LCB-0039, dated November 23, 2009; NOW, THEREFORE;

IT IS HEREBY ORDERED that the allegation set forth in AVN No. 209129A is sustained.

///

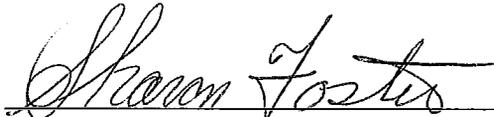
///

///

IT IS HEREBY FURTHER ORDERED that, within thirty (30) days of this order, the Licensee shall pay a monetary penalty of two hundred and fifty dollars (\$250.00) to: Washington State Liquor Control Board, P.O. Box 43094, Olympia, Washington, 98504. In the event the Licensee fails to make full and timely payment of the monetary penalty, the Licensee shall serve a five (5) day suspension of its liquor license, the dates and time of which shall be set by the Washington State Liquor Control Board.

DATED this 3 day of December, 2009.

WASHINGTON STATE LIQUOR CONTROL BOARD





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. No matter will be reconsidered unless it clearly appears from the petition for reconsideration that (a) there is material clerical error in the order or (b) there is specific material error of fact or law. 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, Attention: 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 Tennyson, Assistant Attorney General, 1125 Washington Street SE, PO 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**

December 4, 2009

Hye Ja Yi
d/b/a Co Chi Bang Restaurant
33320 Pacific Highway S Ste 103B
Federal Way, WA 98003-6881

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. 209129A
LICENSEE: Hye Ja Yi
TRADE NAME: Co Chi Bang Restaurant
LOCATION: 33320 Pacific Highway S Ste 103B, Federal Way, WA 98003-6881
LICENSE NO. 082492
LCB HEARING NO. 23,547
OAH NO. 2009-LCB-0039**

Dear Parties:

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

The applicable monetary penalty option is due by 5:00 pm on January 4, 2010 or suspension will take place from 10:00 am on January 22, 2010 until 10:00 am on January 27, 2010.

If you are sending in payment, please send it to the mailing address 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,

Kevin McCarrroll
Adjudicative Proceedings Coordinator

Enclosures (2)

cc: Tukwila Enforcement and Education Division, WSLCB

PO Box 43076, 3000 Pacific Ave. SE, Olympia WA 98504-3076, (360) 664-1602
www.liq.wa.gov

1
2
3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

5 HYE JA YI
6 d/b/a CO CHI BANG RESTAURANT
7 33320 PACIFIC HIGHWAY S STE 103B
8 FEDERAL WAY, WA 98003-6881

9 LICENSEE

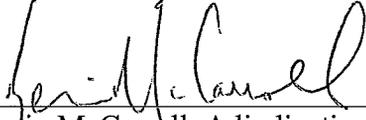
10 LICENSE NO. 082492

LCB NO. 23,547
OAH NO. 2009-LCB-0039

DECLARATION OF SERVICE BY
MAIL

11 I declare under penalty of perjury under the laws of the state of Washington that on
12 December 4, 2009, I served a true and correct copy of the FINAL ORDER OF THE BOARD in
13 the above-referenced matter, by placing a copy of said documents in the U.S. mail, postage
14 prepaid, to all parties or their counsel of record.

15 DATED this 4th day of December, 2009, at Olympia, Washington.

16 
17 Kevin McCarroll, Adjudicative Proceedings Coordinator

18
19 HYE JA YI
20 d/b/a CO CHI BANG RESTAURANT
21 33320 PACIFIC HIGHWAY S STE 103B
22 FEDERAL WAY, WA 98003-6881

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

23
24
25
26
DECLARATION OF SERVICE BY
MAIL