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7 **STATE OF WASHINGTON**  
8 **LIQUOR CONTROL BOARD**

9 IN THE MATTER OF:

NO. 23,551

10 EZEQUIEL BARAJAS SANDOVAL  
11 d/b/a CASA AQUILA RESTAURANT &  
12 LOUNGE

FINAL ORDER OF THE BOARD

13 6980 170TH ROAD  
14 BASIN CITY, WA 99343

~~PROPOSED~~

LICENSEE.

15 LICENSE NO. 360397  
16 AVN NO. 4K9066A

17 THIS MATTER having come before the Washington State Liquor Control Board  
18 (Board) and the Washington State Liquor Control Board Education and Enforcement Division  
19 having been represented by its attorneys, ROBERT M. MCKENNA, Attorney General, and  
20 BRIAN J. CONSIDINE, Assistant Attorney General, and EZEQUIEL BARAJAS  
21 SANDOVAL d/b/a CASA AQUILA RESTAURANT & LOUNGE (Licensee) of Basin City,  
22 Washington, through his attorney, SHAWN P. SANT, and the parties having voluntarily  
23 entered into a stipulated settlement agreement for Liquor Control Board No. 23,551, arising  
24 from Administrative Violation Notice (AVN) No. 4K9066A, and the Board having considered  
25 the stipulated settlement agreement and Enforcement's Memorandum recommending  
26 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 violations set forth in Administrative Violation  
2 Notice No. 4K9066A are sustained.

3 It is FURTHER ORDERED that the Licensee is prohibited from applying for a new  
4 liquor license for five (5) years from the date of the above-referenced incident, except the  
5 Licensee may apply for grocery store license under RCW 66.24.360 after March 31, 2010.

6 It is FURTHER ORDERED that within thirty (30) days of this order, the Licensee shall  
7 pay a monetary penalty of five hundred dollars (\$500.00) to:

8 Washington State Liquor Control Board  
9 P.O. Box 43085  
10 Olympia, WA 98504-3085

11 In the event the Licensee fails to make full and timely payment of the monetary penalty, the  
12 Licensee shall be prohibited from applying for grocery store license under RCW 66.24.360  
13 until after March 31, 2011.

14  
15 DATED this 23 day of February, 2010.

17 WASHINGTON STATE LIQUOR CONTROL BOARD

18 Sharon Foster

19 Rutnam Kavoor

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26 Casa Aquila Restaurant and Lounge  
LICENSE 360397  
LCB NO. 23,551  
FINAL ORDER OF THE BOARD

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**STATE OF WASHINGTON  
LIQUOR CONTROL BOARD**

IN THE MATTER OF:  
  
EZEQUIEL BARAJAS SANDOVAL  
d/b/a CASA AQUILA RESTAURANT &  
LOUNGE  
  
6980 170TH ROAD  
BASIN CITY, WA 99343  
  
LICENSEE.  
  
LICENSE NO. 360397  
AVN NO. 4K9066A

NO. 23,551  
  
STIPULATED SETTLEMENT  
AGREEMENT

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) by and through its attorneys, ROBERT M. MCKENNA, Attorney General and BRIAN J. CONSIDINE, Assistant Attorney General, and EZEQUIEL BARAJAS SANDOVAL d/b/a CASA AQUILA RESTAURANT & LOUNGE (Licensee) of Basin City, Washington, through his attorney, SHAWN P. SANT, hereby enter into this stipulated settlement agreement for Liquor Control Board.

**I. INTRODUCTION**

1. The Washington State Liquor Control Board Enforcement Division issued to the Licensee AVN No. 4K9066A, alleging that on or about March 7, 2009, the above-named Licensee or an employee(s) thereof: (1) allowed liquor to be consumed while the Licensee's liquor license was suspended, contrary to WAC 314-29-040(3A); (2) allowed, permitted, and/or encouraged a person or persons to expose to perform acts displaying genitals and/or

1 anus to the public view and/or permitted entertainers to be within six (6) feet of a patron  
2 and/or permitted entertainers to expose their breast and/or buttocks when they were not on a  
3 stage at least eighteen (18) inches above the immediate floor level, contrary to WAC 314-11-  
4 050; (3) removed, altered, or covered, the posted suspension notice, contrary to WAC 314-29-  
5 040(2B).

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

## 8 II. AGREEMENT OF THE PARTIES

9 Enforcement and the Licensee agree to the following:

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

12 2. The Licensee explicitly waives the right of further administrative review of all  
13 matters related to the above-referenced AVN. Furthermore, the Licensee hereby voluntarily  
14 withdraws his request for a hearing in this matter.

15 3. This Agreement constitutes the final written expression of all the terms of this  
16 agreement and is a complete and exclusive statement of these terms, and shall be effective  
17 when signed by all parties and/or their legal representatives.

18 4. The Licensee admits to the violations set forth in AVN No. 4K9066A.  
19 Specifically, on or about March 7, 2009, the above-named Licensee or an employee(s) thereof:  
20 (1) allowed liquor to be consumed while the Licensee's liquor license was suspended, contrary  
21 to WAC 314-29-040(3A); (2) allowed, permitted, and/or encouraged a person or persons to  
22 expose to perform acts displaying genitals and/or anus to the public view and/or permitted  
23 entertainers to be within six (6) feet of a patron and/or permitted entertainers to expose their  
24 breast and/or buttocks when they were not on a stage at least eighteen (18) inches above the  
25 immediate floor level, contrary to WAC 314-11-050; (3) removed, altered, or covered, the  
26 posted suspension notice, contrary to WAC 314-29-040(2B).

1           5.       The Licensee admits that subsequent to the issuance of the AVN and his request  
2 for an administrative hearing, the Licensee closed his business and has given up his liquor  
3 license at: 6980 170<sup>th</sup> Road, Basin City, WA 99343.

4           6.       The parties agree that the standard penalty for:

5               a.       A first violation for allowing liquor to be consumed while the Licensee's  
6 liquor license was suspended is a five (5) day suspension of its liquor license or a five-hundred  
7 dollar (\$500) monetary penalty.

8               b.       A first violation for allowing a person or persons to expose to perform  
9 acts displaying genitals and/or anus to the public view and/or permitted entertainers to be  
10 within six (6) feet of a patron and/or permitted entertainers to expose their breast and/or  
11 buttocks when they were not on a stage at least eighteen (18) inches above the immediate floor  
12 level is a five (5) day suspension of its liquor license or a two-hundred and fifty dollar (\$250)  
13 monetary penalty.

14              c.       A first violation for removing, altering, or covering, the posted  
15 suspension notice is a five (5) day suspension of its liquor license or a five hundred dollar  
16 (\$500) monetary penalty.

17              d.       The parties agree that the standard total penalty for the above-listed  
18 violations is a 15-day suspension or a \$1,250 monetary option,

19           8.       The parties agree that the Licensee will pay a monetary penalty of five hundred  
20 dollars (\$500) because the business is closed and the Licensee has given up his liquor license.

21           9.       The parties agree that Licensee cannot apply for a new liquor license for five (5)  
22 years from the date of the above-referenced incident, except the Licensee may apply for  
23 grocery store license under RCW 66.24.360 after March 31, 2010.  
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**Washington State  
Liquor Control Board**

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February 24, 2010

Shawn Sant, Attorney for Licensee  
7135 W Hood Pl  
Kennewick, WA 99336-6704

Ezequiel Barajas Sandoval, Licensee  
Casa Aquila Restaurant and Lounge  
400 Bailie Blvd  
Mesa, WA 99343-9510

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. 4K9006A  
LICENSEE: Ezequiel Barajas Sandoval  
TRADE NAME: Casa Aquila Restaurant and Lounge  
LOCATION: 6980 170<sup>th</sup> Rd, Basin City, WA 99343  
LICENSE NO. 360397  
LCB HEARING NO. 23,551  
UBI: 6022837470010003**

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 is due by 5:00 pm on March 26, 2010.**

When you are sending in payment, please send it to the mailing address indicated in the Stipulated Settlement Agreement 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 McCarroll  
Adjudicative Proceedings Coordinator

Enclosures (3)

cc: Spokane and Pasco Enforcement and Education Divisions, WSLCB  
Alan Rathbun, Director of Licensing and Regulation, WSLCB  
Amber Harris, WSLCB

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3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

LCB NO. 23,551

5 EZEQUIEL BARAJAS SANDOVAL  
6 CASA AQUILA RESTAURANT AND  
7 LOUNGE  
8 6980 170<sup>TH</sup> RD  
9 BASIN CITY, WA 99343

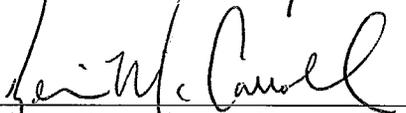
DECLARATION OF SERVICE  
BY MAIL

LICENSEE

10 LICENSE NO. 360397  
11 AVN NO. 4K9066A

12 I declare under penalty of perjury under the laws of the state of Washington that on  
13 February 24, 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 24<sup>th</sup> day of February, 2010, at Olympia, Washington.

17   
18 Kevin McCarroll, Adjudicative Proceedings Coordinator

19 SHAWN SANT,  
20 ATTORNEY FOR LICENSEE  
21 7135 W HOOD PL  
22 KENNEWICK, WA 99336-6704

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

23 EZEQUIEL BARAJAS SANDOVAL,  
24 LICENSEE  
25 d/b/a CASA AQUILA RESTAURANT AND  
26 LOUNGE  
400 BAILIE BLVD  
MESA, WA 99343-9510

DECLARATION OF SERVICE BY  
MAIL

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