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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

HAPPY AT THE BAY, INC. d/b/a 54<sup>TH</sup>  
SPORTS BAR

5415 SOUTH TACOMA WAY  
TACOMA, WA 98409

LICENSEE

LICENSE NO. 361523  
AVN NOS. 1S9107G and 1S9163A

LCB NO. 23,566  
23,567

FINAL ORDER OF THE BOARD

~~PROPOSED~~

THIS MATTER having come before the Washington State Liquor Control Board (Board) and 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 HAPPY AT THE BAY, INC. d/b/a 54<sup>TH</sup> SPORTS BAR (Licensee) of Tacoma, Washington, through its attorney, DAVID OSGOOD and the parties having voluntarily entered into a stipulated settlement agreement for Liquor Control Board (LCB) case numbers 23,566 and 23,567 and 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:

IT IS HEREBY ORDERED that the Complaints for Case Numbers 23,566 and 23,567 are sustained.

IT IS FURTHER ORDERED that the penalty in LCB Case Number 23,566 is waived.

1 IT IS FURTHER ORDERED that in LCB Case No. 23,567, the Licensee will have its  
2 liquor license suspended for twenty (20) days with no monetary penalty. The suspension shall  
3 be effective June 3, 2010, at 10 a.m. through June 23, 2010, at 10 a.m.

4  
5 DATED this 1st day of June, 2010.

6 WASHINGTON STATE LIQUOR CONTROL BOARD

7  
8 Leah J. Bremer

9  
10  
11 Putnam Kewes

RECEIVED

MAY 18 2010

LIQUOR CONTROL BOARD  
BOARD ADMINISTRATION

STATE OF WASHINGTON  
LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,566  
23,567

HAPPY AT THE BAY, INC. d/b/a 54<sup>TH</sup>  
SPORTS BAR

STIPULATED SETTLEMENT  
AGREEMENT

5415 SOUTH TACOMA WAY  
TACOMA, WA 98409

LICENSEE

LICENSE NO. 361523  
AVN NOS. 1S9107G and 1S9163A

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 HAPPY AT THE BAY, INC. d/b/a 54<sup>TH</sup> SPORTS BAR (Licensee) of Tacoma, Washington, through its attorney, DAVID OSGOOD, hereby enter into this stipulated settlement agreement for Liquor Control Board (LCB) case numbers 23,566 and 23,567, arising from Administrative Violation Notices (AVNs) 1S9107G and 1S9163A.

I. INTRODUCTION

1. In LCB No. 23,566, The Washington State Liquor Control Board, by Complaint dated January 4, 2010, alleged that the above-named Licensee or employee(s) thereof, gave, sold and/or supplied liquor to a person under the age of twenty-one (21) on April 17, 2009, in violation of RCW 66.44.270 and/or WAC 314-11-020(1).

2. In LCB No. 23,567, The Washington State Liquor Control Board, by Complaint dated January 4, 2010, alleged that the above-named Licensee or employee(s) thereof, gave, sold and/or supplied liquor to a person under the age of twenty-one (21) on June 12, 2009, in violation of RCW 66.44.270 and/or WAC 314-11-020(1).

54<sup>th</sup> SPORTS BAR, LCB NOS. 23,566  
AND 23,567

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

STIPULATED SETTLEMENT  
AGREEMENT



1           b.     A third violation for giving, selling, and/or supplying liquor to a  
2 person(s) under the age of twenty-one (21) is a thirty (30) day suspension of its liquor license.

3           6.     The parties agree that:

4           a.     In LCB No. 23,566, the penalty will be waived due to an error in the  
5 penalty assessed in AVN No. 1S9051A. The Licensee was assessed a penalty for a second  
6 violation of sale of liquor in AVN No. 1S9051A, but the violation should have been a first  
7 violation of this kind.

8           b.     In LCB No. 23,567, the Licensee will have its liquor license suspended  
9 for fifteen (20) days. The suspension shall be effective June 3, 2010, at 10 a.m. through June  
10 23, 2010, at 10 a.m.

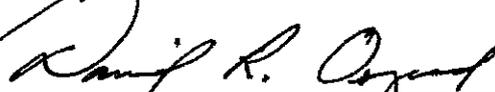
11          7.     The parties recognize that this settlement agreement is subject to approval by  
12 the Washington State Liquor Control Board.

13          8.     The undersigned parties declare that the terms of this Settlement Agreement are  
14 completely read, wholly understood, and voluntarily accepted for the purpose of making a full  
15 and final compromise and settlement of any and all violations arising from the above-  
16 referenced AVN's.

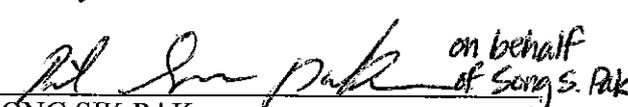
17  
18 ROBERT M. MCKENNA  
19 Attorney General

20   
21 BRIAN J. CONSIDINE, WSBA #39517  
22 Assistant Attorney General  
23 Attorneys for LCB Enforcement

5/17/10  
DATE

24   
25 DAVID OSGOOD, WSBA # 26104  
26 Attorney for the Licensee

5/13/10  
DATE

27  on behalf  
28 of Song S. Pak  
29 SONG SIK PAK  
30 Representative for Licensee

5-11-10  
DATE



**Washington State  
Liquor Control Board**

---

June 2, 2010

David Osgood, Attorney for Licensee  
1411 4th Ave Ste 1506  
Seattle, WA 98101-2247

Happy at the Bay, Inc., Licensee  
d/b/a 54<sup>th</sup> Sports Bar  
34464 9<sup>th</sup> Ave SW  
Federal Way, WA 98023-8412

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. 1S9107G and 1S9163A  
LICENSEE: Happy at the Bay, Inc.  
TRADE NAME: 54<sup>th</sup> Sport Bar  
LOCATION: 5415 S. Tacoma Way, Tacoma, WA 98409  
LICENSE NO. 361523 – 1S  
LCB HEARING NO. 23,566 & 23,567  
UBI: 602 063 433 001 0002**

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.

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

Sincerely,

  
Kevin McCarroll  
Adjudicative Proceedings Coordinator

Enclosures (3)

cc: Tacoma Enforcement and Education Division, WSLCB  
Amber Harris, WSLCB

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2  
3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

LCB NOS. 23,566 & 23,567

5 HAPPY AT THE BAY, INC.  
6 D/B/A 54<sup>TH</sup> SPORT BAR  
7 5415 S. TACOMA WAY  
8 TACOMA, WA 98409

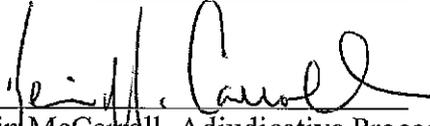
DECLARATION OF SERVICE BY  
MAIL

9 LICENSEE

10 LICENSE NO. 361523  
11 AVN NOS. 1S9107G and 1S9163A

12 I declare under penalty of perjury under the laws of the state of Washington that on  
13 June 2, 2010, I served a true and correct copy of the FINAL ORDER OF THE BOARD in the  
14 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 2nd day of June, 2010, at Olympia, Washington.

17   
18 Kevin McCarrall, Adjudicative Proceedings Coordinator  
19

20 DAVID OSGOOD, ATTORNEY FOR  
21 LICENSEE  
22 1411 4TH AVE STE 1506  
23 SEATTLE, WA 98101-2247

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

24 HAPPY AT THE BAY, INC., LICENSEE  
25 D/B/A 54<sup>TH</sup> SPORTS BAR  
26 34464 9<sup>TH</sup> AVE SW  
FEDERAL WAY, WA 98023-8412

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