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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

R.P.M. INVESTMENTS, INC. d/b/a
CROW'S NEST

1125 Broadway North
Everett, WA 98201

LICENSEE.

LICENSE NO. 352986
AVN NO. 3E9176A

LCB NO. 23,575

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), having been represented by its attorneys, ROBERT M. MCKENNA, Attorney General, and BRIAN J. CONSIDINE, Assistant Attorney General, and the Licensee, R.P.M. INVESTMENTS, INC. d/b/a CROW'S NEST (Licensee) through its representative, CHERYL UCENY, and the parties having voluntarily entered into a Stipulated Settlement Agreement for LCB No. 23,575, arising from an Administrative Complaint in this matter, 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 the Complaint is sustained
2 and the Licensee shall pay a monetary penalty of one thousand five-hundred dollars (\$1500.00)
3 within 30 days of the date of the Final Order of the Board. Payment shall be sent to:

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

7 In the event the Licensee fails to make full and timely payment of the monetary
8 penalty, the Licensee shall serve a three (3) day suspension of its liquor license, the dates and
9 time of which shall be set by the Washington State Liquor Control Board.

10 DATED this 20 day of July, 2010.

11
12 WASHINGTON STATE LIQUOR CONTROL BOARD

13 Sharon Foster

14 Ruthann Kurose

15
16 Linda V. Bremer

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7 **BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

8 IN THE MATTER OF:

LCB NO. 23,575

9 R.P.M. INVESTMENTS, INC. d/b/a
10 CROW'S NEST

STIPULATED SETTLEMENT
AGREEMENT

11 1125 Broadway North
12 Everett, WA 98201

LICENSEE.

13 LICENSE NO. 352986
14 AVN NO. 3E9176A

15 The Washington State Liquor Control Board Education and Enforcement Division
16 (Enforcement) represented by its attorneys, ROBERT M. MCKENNA, Attorney General, and
17 BRIAN J. CONSIDINE, Assistant Attorney General, and R.P.M. INVESTMENTS, INC. d/b/a
18 CROW'S NEST (Licensee) through its representative, CHERYL UCENY, hereby enter into
19 this Stipulated Settlement Agreement (Agreement) for Liquor Control Board Case Number
20 23,575.

21 **I. INTRODUCTION**

22 1. The Washington State Liquor Control Board, by Complaint, alleged on or about
23 May 13, 2009, the Licensee, or an employee thereof, allowed an apparently intoxicated person
24 to purchase, consume, and/or possess liquor on the licensed premises, contrary to RCW
25 66.44.200 and/or WAC 314-16-150(2).
26

1 suspension of its liquor license, the dates and time of which shall be set by the Washington
2 State Liquor Control Board.

3 7. The parties recognize that this Agreement is subject to approval by the
4 Washington State Liquor Control Board.

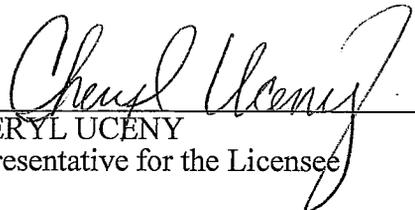
5 8. This Agreement constitutes the final written expression of all the terms of this
6 agreement and is a complete and exclusive statement of these terms, and shall be effective
7 when signed by all parties and/or their legal representatives.

8
9 ROBERT M. MCKENNA
Attorney General

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

7/6/10

Date

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16 _____
CHERYL UCENY
Representative for the Licensee

6.30.10

Date

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WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,575

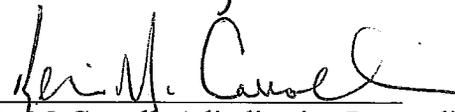
R.P.M. INVESTMENTS, INC.
d/b/a CROW'S NEST
1125 N BROADWAY
EVERETT, WA 98201-1411

DECLARATION OF SERVICE BY
MAIL

LICENSEE
LICENSE NO. 352986-3E

I declare under penalty of perjury under the laws of the state of Washington that on July 21, 2010, I served a true and correct copy of the FINAL ORDER OF THE BOARD in the above-referenced matter, by placing a copy of said documents in the U.S. mail, postage prepaid, to all parties or their counsel of record.

DATED this 21st day of July, 2010, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator

CHERYL UCENY, REPRESENTATIVE FOR
LICENSEE
R.P.M. INVESTMENTS, INC.
d/b/a CROW'S NEST
1125 N BROADWAY
EVERETT, WA 98201-1411

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



Washington State
Liquor Control Board

July 21, 2010

Cheryl Uceny, Representative for Licensee
R.P.M. Investments, Inc.
d/b/a Crow's Nest
1125 N Broadway
Everett, WA 98201-1411

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. 3E9176A
LICENSEE: R.P.M. Investments, Inc.
TRADE NAME: Crow's Nest
LOCATION: 1125 N Broadway, Everett, WA 98201-1411
LICENSE NO. 352986-3E
LCB HEARING NO. 23,575
UBI: 601 178 496 001 0001**

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 August 20, 2010 or suspension will take place from 10:00 am on September 10, 2010 until 10:00 am on September 13, 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,


Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (3)

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