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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

BLVD HOUSE OF MUSIC, LLC, d/b/a
BLVD HOUSE OF MUSIC

230 W RIVERSIDE AVE
SPOKANE, WA 99201

LICENSEE

LICENSE NO. 084231

LCB NO. 23,582; 23,659

FINAL ORDER OF THE BOARD
APPROVING STIPULATED
SETTLEMENT AGREEMENT

~~[PROPOSED]~~

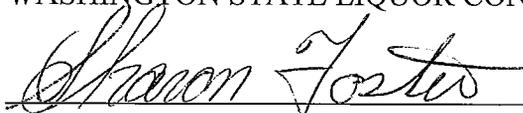
THIS MATTER having come before the Washington State Liquor Control Board (Board) and the Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney General and GORDON KARG, Assistant Attorney General and the Licensee, Blvd. House of Music LLC d/b/a Blvd House of Music (Licensee) represented by DAVID J. GROESBECK, Attorney at Law, and the Board having considered the stipulated settlement agreement and Enforcement’s memorandum recommending acceptance of the settlement agreement, and the Board having had the opportunity to review the file materials maintained in these cases, now therefore:

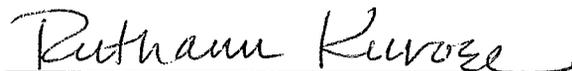
IT IS HEREBY ORDERED that the Stipulated Settlement Agreement for Case No’s. 23,582 and 23,659 is approved and adopted in its entirety; the Complaint and AVN No. 4O9351B in the above-captioned cases are sustained, and the Licensee’s cessation of business operations and voluntarily relinquishing of its liquor license shall act in lieu of the standard penalty.

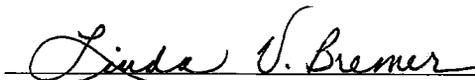
1 FURTHERMORE The Licensee agrees that if it has failed to relinquish its liquor
2 license, for any reason, the standard combined penalties for the two violations of a thirty five
3 (35) day suspension **or** a monetary penalty of two thousand five hundred dollars (\$2500) and a
4 thirty (30) day suspension of the liquor license shall be imposed.

5 DATED this 22 day of JUNE, 2010.

6 WASHINGTON STATE LIQUOR CONTROL BOARD

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RECEIVED

JUN 21 2010

LIQUOR CONTROL BOARD
BOARD ADMINISTRATION

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

BLVD HOUSE OF MUSIC, LLC,
d/b/a
BLVD HOUSE OF MUSIC

230 W RIVERSIDE AVE
SPOKANE, WA 99201

LICENSEE

LICENSE NO. 084231

LCB NO's. 23,582; 23,659

STIPULATED SETTLEMENT
AGREEMENT

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney General and GORDON KARG, Assistant Attorney General and the Licensee, Blvd. House of Music LLC d/b/a Blvd House of Music (Licensee) represented by DAVID J. GROESBECK, Attorney at Law, hereby enter into this stipulated settlement agreement (Agreement) for Liquor Control Board Case Nos. 23,582 and 23,659.

I. INTRODUCTION

On November 17, 2009, the Washington State Liquor Control Board issued a complaint, based upon Administrative Violation Notice (AVN) No. 4L9144A, charging the Licensee with the following alleged violation of the Washington State Liquor Act:

1 That on or about May 24, 2009, the above-named Licensee, or an employee(s) thereof,
2 permitted a person apparently under the influence of liquor to physically possess and/or
3 consume liquor on the licensed premise in violation of WAC 314-16-150(2); **and**

4 Enforcement charged the above-named Licensee, in Administrative Violation Notice
5 (AVN) No. 4O9351B, with the following alleged violations of the Washington State Liquor
6 Act:

7 That on or about December 17, 2009, the above-named Licensee, or an employee(s)
8 thereof, permitted a person apparently under the influence of liquor to physically possess
9 and/or consume liquor on the licensed premise in violation of WAC 314-16-150(2).

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

12 II. AGREEMENT OF THE PARTIES

13 Enforcement and the Licensee agree to the following:

14 1. Enforcement and the Licensee enter into this Agreement to avoid the time and
15 expense of further litigation. The Licensee explicitly waives the right of further administrative
16 review of all matters related to the above-referenced violations, Complaint and AVN. The
17 Licensee hereby voluntarily withdraws its requests for a hearing in these matters.

18 2. This Agreement constitutes the final written expression of all the terms of this
19 Agreement and is a complete and exclusive statement of these terms and shall not be deemed
20 an admission in any other forum or proceeding or used as evidence of an admission of liability
21 pertaining to the allegations contained in the above referenced Complaint and AVN No.
22 4O9351B

23 3. The Licensee denies the allegations contained in the above referenced
24 Complaint and AVN No. 4O9351B and specifically denies admission of liability contained in
25 the above referenced Complaint and AVN No. 4O9351B. However, in order to take advantage
26 of Enforcement's offer of settlement, to avoid legal expenses attendant with further

1 proceedings, and in recognition of the fact that if this matter were to proceed to a hearing there
2 is a risk to the Licensee that an administrative proceeding would result in the conclusion that:

3 a. on or about May 24, 2009, the above-named Licensee, or an
4 employee(s) thereof, permitted a person apparently under the influence of liquor to physically
5 possess and/or consume liquor on the licensed premise in violation of WAC 314-16-150(2);
6 **and**

7 b. that on or about December 17, 2009, the above-named Licensee, or an
8 employee(s) thereof, permitted a person apparently under the influence of liquor to physically
9 possess and/or consume liquor on the licensed premise in violation of WAC 314-16-150(2).

10 Therefore, the Licensee agrees to stipulate to the violations set forth in the above-
11 referenced Complaint and AVN, solely to take advantage of Enforcement's offer of settlement.

12 4. The parties stipulate that for purposes of this Agreement, the Washington State
13 Liquor Control Board will consider that the alleged violations set forth in the above referenced
14 Complaint and AVN No. 4O9351B, as specified at Part II, ¶3 (a)-(b), have been sustained and
15 will have the full force and affect in law as any other violation of a liquor law or regulation.

16 5. The parties stipulate that for purposes of this Agreement, this is the Licensee's
17 second and third violation, respectively, within a twenty-four month period, for permitting a
18 person apparently under the influence of liquor to physically possess and/or consume liquor on
19 the licensed premise in violation of WAC 314-16-150(2) which have a standard penalty of a
20 five (5) day suspension of the Licensee's liquor license or a monetary penalty of two thousand
21 five hundred dollars (\$2500) and a thirty (30) day suspension of the liquor license,
22 respectively.

23 6. As additional consideration for entering into this Agreement, the Licensee
24 acknowledges it has terminated its business operations, voluntarily relinquished its liquor
25 license and no longer has an interest in the license at issue and therefore has elected to not
26 incur the time and expense of litigation.

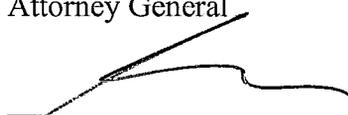
1 7. The parties agree that the Licensee's cessation of business operations and
2 voluntarily relinquishing of its liquor license has effectively mooted Enforcement's actions and
3 shall act in lieu of the standard penalty.

4 8. The Licensee agrees that if it has failed to relinquish its liquor license, for any
5 reason, the standard combined penalties for the two violations of a thirty five (35) day
6 suspension or a monetary penalty of two thousand five hundred dollars (\$2500) and a thirty
7 (30) day suspension of the liquor license shall be imposed.

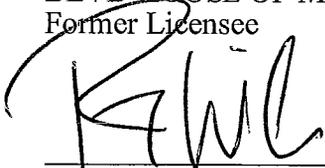
8 9. The parties recognize that this Agreement is subject to approval by the
9 Washington State Liquor Control Board.

10 STIPULATED AND AGREED this 8 day of June 2010.

11 ROBERT M. MCKENNA
12 Attorney General

13 
14 GORDON KARG, WSBA #37178
15 Assistant Attorney General
16 Attorneys for Washington State
17 Liquor Control Board Education and
18 Enforcement Division

19 
20 DAVID J. GROESBECK, WSBA #24749
21 Attorney at Law for,
22 BLVD HOUSE OF MUSIC LLC, d/b/a
23 BLVD HOUSE OF MUSIC
24 Former Licensee

25 
26 RAYMOND WILSON
27 Governing Member,
28 BLVD HOUSE OF MUSIC LLC, d/b/a
29 BLVD HOUSE OF MUSIC
30 Former Licensee



**Washington State
Liquor Control Board**

June 24, 2010

David Groesbeck, Attorney for Licensee
313 W Riverside Ave
Spokane, WA 99201-0209

Raymond Wilson, Licensee
Blvd House of Music, LLC
d/b/a Blvd House of Music
333 W Spokane Blvd
Spokane, WA, 99201-0211

Gordon Karg, 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. 4L9144A & 4O9351B
LICENSEE: Blvd House of Music, LLC
TRADE NAME: Blvd House of Music
LOCATION: 230 W Riverside Ave, Spokane, WA 99201
LICENSE NO. 084231-40
LCB HEARING NO. 23,582 & 23,659
UBI: 602 405 751 001 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: Spokane Enforcement and Education Division, WSLCB
Amber Harris, WSLCB

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WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

BLVD HOUSE OF MUSIC, LLC
d/b/a BLVD HOUSE OF MUSIC
230 W RIVERSIDE AVE
SPOKANE, WA 99201

LICENSEE

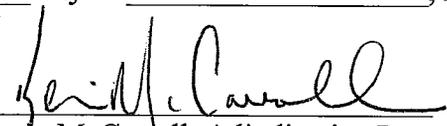
LICENSE NO. 084231

LCB NOS. 23,582
23,659

DECLARATION OF SERVICE BY
MAIL

I declare under penalty of perjury under the laws of the state of Washington that on June 24, 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 24th day of June, 2010, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator

DAVID GROESBECK,
ATTORNEY FOR LICENSEE
313 W RIVERSIDE AVE
SPOKANE, WA 99201-0209

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

RAYMOND WILSON, LICENSEE
BLVD HOUSE OF MUSIC, LLC
d/b/a BLVD HOUSE OF MUSIC
333 W SPOKANE BLVD
SPOKANCE, WA, 99201-0211