

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

COLUMBIA CITY BAR, INC
d/b/a ANGIE'S COCKTAILS
4915 RAINIER AVE S
SEATTLE, WA 98116

LICENSEE

LICENSE NO. 352747

LCB NO. 23,587

ORDER DENYING MOTION FOR
RECONSIDERATION

1. On May 20, 2010, the Board issued its Final Order refusing to renew the Liquor License for Columbia City Bar, Inc., d/b/a Angie's Cocktails. The Director of the Board's Licensing Division served a Statement of Intent Not to Renew License on April 12, 2010. The Licensee had until May 3, 2010 to request a hearing on the Statement of Intent Not to Renew License. The Board received no request for hearing and had no other contact with the Licensee or its attorney prior to issuance of its May 20, 2010 Final Order.
2. On May 28, 2010, the Board received the Licensee's Motion for Reconsideration, requesting the Board reconsider and set aside its Final Order and grant the Licensee a hearing on the April 12, 2010 Statement of Intent Not to Renew Liquor License.
3. The Licensee asserts that he intended to file a request for hearing, but that the Licensee and his attorney mis-communicated about who would file the request with the Board, or how it would be filed. The Licensee's attorney was out of town from on or about April 17 to on or about April 28. He states in his declaration that he saw the faxed copy of the Request for Hearing on

his desk when he returned, and simply assumed that his client had filed the request with the Board.

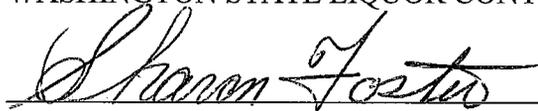
4. The Licensee and its attorney admit they received the Notice of Intent Not to Renew and the Hearing Request Form shortly after it was mailed. The form is clear that it must be RECEIVED by the Board no later than 20 days after the date of the April 12, 2010 notice, and the Board's mailing address is provided on the form. The Board did not receive the original signed copy of the Hearing Request Form until May 28, 2010, with the Motion for Reconsideration.
5. Failure to comply with procedural deadlines due to miscommunication or carelessness is not "good cause" as required to grant a Motion for Reconsideration and grant a hearing. An opportunity to request a hearing was provided to the above-stated licensee and a copy was provided to their attorney. No request was timely received by the Board.

The Board has reviewed the Motion and all documents submitted in support of the Motion.

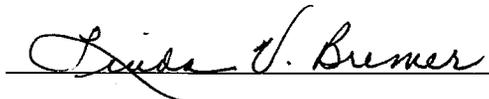
IT IS ORDERED THAT Licensee's Motion for Reconsideration is denied.

DATED at Olympia, Washington this 9 day of June, 2010.

WASHINGTON STATE LIQUOR CONTROL BOARD







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 the Board's Final Order refusing to renew the liquor license must be filed with the appropriate court and served on the Board, the Office of the Attorney General, and all parties 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**

June 9, 2010

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

Columbia City Bar, Inc., Licensee
d/b/a Angie's Cocktails
PO Box 659
Kent, WA 98035-0659

John McGoodwin, Assistant City Attorney, City of Seattle
South Precinct Liaison
PO Box 94667
Seattle, WA 98124-4667

Gordon Karg, AAG
GCE Division, Office of Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100

**RE: ORDER DENYING MOTION FOR RECONSIDERATION
LICENSE NON-RENEWAL
LICENSEE: Columbia City Bar, Inc
TRADE NAME: Angie's Cocktails
LOCATION: 4915 Rainier Ave S, Seattle, WA 98116
LICENSE NO. 352747
LCB HEARING NO. 23,587
UBI: 602 874 769 001 0001**

Dear Parties:

Enclosed please find a Declaration of Service by Mail and a copy of the Order Denying Motion for Reconsideration.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin McCarroll".

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (2)

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

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

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3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

LCB NOS. 23,587

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6 d/b/a ANGIE'S COCKTAILS
7 4915 RAINIER AVE S
8 SEATTLE, WA 98116

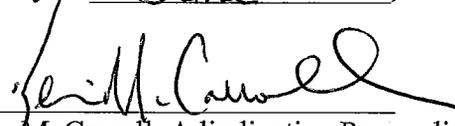
DECLARATION OF SERVICE BY
MAIL

9 LICENSEE

10 LICENSE NO. 352747

11 I declare under penalty of perjury under the laws of the state of Washington that on
12 June 9, 2010, I served a true and correct copy of the FINAL ORDER OF THE BOARD in the
13 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 9th day of June, 2010, at Olympia, Washington.

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17 
18 Kevin McCarroll, Adjudicative Proceedings Coordinator

19 DAVID OSGOOD, ATTORNEY FOR
20 LICENSEE
21 1411 4TH AVE STE 1506
22 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

23 COLUMBIA CITY BAR, INC., LICENSEE
24 d/b/a ANGIE'S COCKTAILS
25 PO BOX 659
26 KENT, WA 98035-0659

JOHN MCGOODWIN, ASSISTANT CITY
ATTORNEY
CITY OF SEATTLE
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SEATTLE, WA 98124-4667