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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:
CHAPMAN ENTERPRISES, INC. d/b/a
FIZZIE MULLIGANS
331 West Hastings Rd.
Spokane, WA 99218

LICENSEE.

LICENSE No. 360043
AVN No. 4L9345B

LCB NO. 23,630

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, CHAPMAN ENTERPRISES, INC. d/b/a FIZZIE MULLIGANS (Licensee) through its representative, SARAH CHAPMAN, and the parties having voluntarily entered into a stipulated settlement agreement for LCB No. 23,630, arising from Administrative Violation Notice (AVN) No. 4L9345B, 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 AVN No. 4L9345B is
2 sustained and the Licensee shall pay a monetary penalty of three hundred dollars (\$300.00) to:

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

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

9 DATED this 17th day of March, 2010.

10 WASHINGTON STATE LIQUOR CONTROL BOARD

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12 PAT WILSON PARMER, CHIEF
13 ENFORCEMENT AND EDUCATION DIVISION
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RECEIVED

MAR 15 2010

LIQUOR CONTROL BOARD
BOARD ADMINISTRATION

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,630

CHAPMAN ENTERPRISES, INC. d/b/a
FIZZIE MULLIGANS

331 West Hastings Rd.
Spokane, WA 99218

STIPULATED SETTLEMENT
AGREEMENT

LICENSEE.

LICENSE No. 360043
AVN No. 4L9345B

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney General, and BRIAN J. CONSIDINE, Assistant Attorney General, and the Licensee, CHAPMAN ENTERPRISES, INC. d/b/a FIZZIE MULLIGANS (Licensee) through its representative, SARAH CHAPMAN, hereby enter into this stipulated settlement agreement for Liquor Control Board Case Number 23,630.

I. INTRODUCTION

1. Enforcement issued Administrative Violation Notice No. 4L9345B (AVN) alleging that on or about December 11, 2009, the Licensee or an employee thereof, gave, sold, and/or supplied liquor to a person under the age of 21, contrary to WAC 314-11-020(1).

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

1 **II. AGREEMENT OF THE PARTIES**

2 Enforcement and the Licensee agree to the following:

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

5 2. The Licensee explicitly waives the right of further administrative review of all
6 matters related to both of the above-referenced cases and AVN's. Furthermore, the Licensee
7 hereby voluntarily withdraws its request for a hearing in this matter.

8 3. The Licensee admits to the violation set forth in AVN No. 4L9345B.
9 Specifically, on or about December 11, 2009, the Licensee or an employee thereof, gave, sold,
10 and/or supplied liquor to a person under the age of 21.

11 4. The parties agree that the standard penalty for a first violation for selling,
12 giving, supplying liquor to a person under the age of 21 is a five (5) day suspension of its
13 liquor license or a five-hundred dollar (\$500) monetary penalty.

14 5. Pursuant to this settlement agreement, the parties agree to an imposition of a
15 three (3) day suspension of the liquor license or a three-hundred dollar (\$300) monetary
16 penalty. The Licensee hereby chooses to pay the monetary penalty of three-hundred dollars
17 (\$300). Payment shall be sent to:

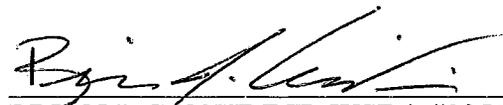
18 Washington State Liquor Control Board
19 PO Box 43085
Olympia, WA 98504-3085

20 6. In the event that the Licensee fails to make full and timely payment of the
21 monetary penalty as required in Section II, Paragraph 5, the Licensee shall serve a three (3) day
22 suspension of its liquor license, the dates and time of which shall be set by the Washington
23 State Liquor Control Board.

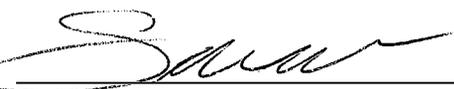
24 7. The parties recognize that this settlement agreement is subject to approval by
25 the Washington State Liquor Control Board.

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

4 ROBERT M. MCKENNA
5 Attorney General

6
7 
8 BRIAN J. CONSIDINE, WSBA #39517
9 Assistant Attorney General
10 Attorneys for LCB Enforcement

3/10/10
DATE

11 
12 SARAH CHAPMAN
13 Vice President, Chapman Enterprises, Inc.

3/8/10
DATE



Washington State
Liquor Control Board

March 20, 2010

Sarah Chapman
Chapman Enterprises, Inc.
d/b/a Fizzie Mulligans
124 E Pine Needle Ave
Colbert, WA 99005-7201

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. 4L9345B
LICENSEE: Chapman Enterprises, Inc.
TRADE NAME: Fizzie Mulligans
LOCATION: 331 W Hastings Rd, Spokane, WA 99218-2814
LICENSE NO. 360043-4Q
LCB HEARING NO. 23,630
UBI: 602 796 802 001 0001**

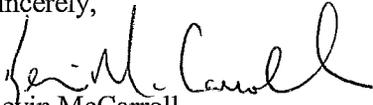
Dear Parties:

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 April 19, 2010 or suspension will take place from 2:00 pm on April 30, 2010 until 2:00 pm on May 3, 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: Spokane and 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 NO. 23,630

5 CHAPMAN ENTERPRISES, INC.
6 d/b/a FIZZIE MULLIGANS
7 331 W HASTINGS RD
8 SPOKANE, WA 99218-2814

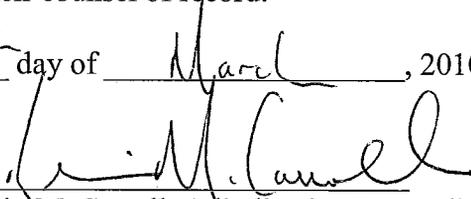
DECLARATION OF SERVICE BY
MAIL

LICENSEE

9 LICENSE NO. 360043-4Q
10 AVN NO. 4L9345B

11 I declare under penalty of perjury under the laws of the state of Washington that on
12 March 20, 2010, I served a true and correct copy of the FINAL ORDER OF THE BOARD in
13 the 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 20th day of March, 2010, at Olympia, Washington.

16
17 
18 Kevin McCarroll, Adjudicative Proceedings Coordinator

19 CHAPMAN ENTERPRISES, INC.
20 d/b/a FIZZIE MULLIGANS
21 124 E PINE NEEDLE AVE
22 COLBERT, WA 99005-7201

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

23 CHAPMAN ENTERPRISES, INC.
24 d/b/a FIZZIE MULLIGANS
25 331 W HASTINGS RD
26 SPOKANE, WA 99218-2814

DECLARATION OF SERVICE BY
MAIL