BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF: KEN AND SUK ENTERPRISE, INC. d/b/a PAC 40 LOUNGE & RESTAURANT 3850 PACIFIC AVE TACOMA, WA 98418-7828 LICENSEE LICENSE NO. 353538 AVN NO. 1S0134A	LCB NO. 23,709 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) represented by its attorneys ROBERT M. MCKENNA, Attorney General and TIMOTHY D. FORD, Assistant Attorney General and the Licensee, KEN AND SUK ENTERPRISE, INC. d/b/a PAC 40 LOUNGE & RESTAURANT (Licensee), and the Board having considered the Stipulated Settlement Agreement and Licensing's memorandum recommending acceptance of the settlement agreement, and the Board having had the opportunity to review the file materials maintained in this case, now therefore:

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

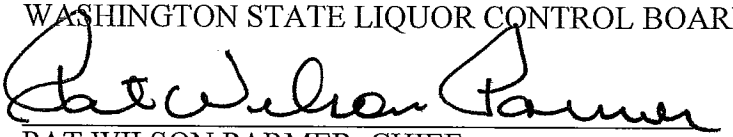
IT IS HEREBY ORDERED the Board accepts, adopts and incorporates herein by reference the Stipulated Settlement Agreement between Enforcement and the Licensee in the above-captioned matter and further that the violation set forth and charged in the Complaint dated July 14, 2010, issued by the Board in the above-captioned matter is sustained and the Licensee shall pay a total monetary penalty of two hundred seventy-five dollars ($275) for the above-referenced violation. The Permit holder shall pay the monetary penalty within thirty (30) days of the date of the Final Order of the Board. All payments shall be sent to:

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

In the event the Licensee fails to make a full and timely payment, the Licensee shall serve a five (5) day suspension of its liquor license, the dates and time of which shall be set by the Washington State Liquor Control Board.

DATED this 28th day of September, 2010.

WASHINGTON STATE LIQUOR CONTROL BOARD



PAT WILSON PARMER, CHIEF
ENFORCEMENT AND EDUCATION DIVISION

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

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LIQUOR CONTROL BOARD
BOARD ADMINISTRATION

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF: KEN AND SUK ENTERPRISE, INC. d/b/a PAC 40 LOUNGE & RESTAURANT 3850 PACIFIC AVE TACOMA, WA 98418-7828 LICENSEE. LICENSE NO. 1S0134A AVN NO. 1S0134A	LCB NO. 23,709 STIPULATED SETTLEMENT AGREEMENT

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney General, and TIMOTHY D. FORD, Assistant Attorney General, and the Licensee, KEN AND SUK ENTERPRISE, INC. d/b/a PAC 40 RESTAURANT AND LOUNGE hereby enter into this Stipulated Settlement Agreement for Liquor Control Board Case No. 23,709.

I. INTRODUCTION

The Washington State Liquor Control Board, Enforcement and Education Division charged the above-named Licensee, in Administrative Violation Notice (AVN) No. 1S0134A, with the following alleged violation of the Washington State Liquor Control Board rules and regulations:

That on or about May 14, 2010, the above-named Licensee, sold, gave or otherwise supplied liquor to a person apparently under the influence of liquor in violation of RCW 66.44.200 and WAC 314-16-150.

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

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

II. AGREEMENT OF THE PARTIES

Enforcement and the Licensee agree to the following:

1. Enforcement and the Licensee enter into this agreement to avoid the time and expense of further litigation. The Licensee explicitly waives the right of further administrative review of all matters related to the above-referenced violation and AVN. The Licensee hereby voluntarily withdraws her request for a hearing in this matter.

2. This agreement constitutes the final written expression of all the terms of this agreement and is a complete and exclusive statement of these terms.

3. The Licensee admits the violation set forth above and referenced in the complaint: that on or about May 14, 2010, the above-named Licensee, sold, gave or otherwise supplied liquor to a person apparently under the influence of liquor in violation of RCW 66.44.200 and WAC 314-16-150.

4. The Licensee acknowledges this is the Licensee's first violation of this type within a twenty-four (24) month period, which caries a standard monetary penalty of five hundred dollars ($500) or a five (5) day suspension of the license.

5. The Licensee agrees to pay a total monetary penalty of three hundred dollars ~~($300)~~ $275 and training (TF) for the above-referenced violation. The amount shall be paid within thirty (30) days of the date of the Final Order of the Washington State Liquor Control Board. Payment shall be made to the Washington State Liquor Control Board no later than 4:00 p.m. on the applicable date.

6. In the event that the Licensee does not make a timely payment, as required by Section II, ¶5, the Licensee shall serve a five (5) day suspension, pursuant to WAC 314-17-105; the dates and times of which shall be set by the Washington State Liquor Control Board.

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7. The undersigned parties declare that the terms of this Settlement Agreement are completely read, wholly understood, and voluntarily accepted for the purpose of making a full and final compromise and settlement of any and all claims arising from the above referenced Complaint.

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

STIPULATED AND AGREED this 9 day of Sep. 2010.

ROBERT M. MCKENNA
Attorney General

Gordon Kay WSBA 5718 for

TIMOTHY D. FORD, WSBA #29254
Assistant Attorney General
Attorneys for Washington State
Liquor Control Board Education and
Enforcement Division

KEN AND SUK ENTERPRISE, INC. d/b/a
PAC 40 RESTAURANT & LOUNGE
Licensee

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

Washington State
Liquor Control Board

October 1, 2010

Ken and Suk Enterprises, Inc.
d/b/a PAC 40 Lounge and Restaurant
3850 Pacific Ave
Tacoma, WA 98418-7828

Timothy D. Ford, AAG
GCE Division, Office of Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100

RE: ***FINAL ORDER OF THE BOARD***
LICENSEE: Ken and Suk Enterprises, Inc.
TRADE NAME: PAC 40 Lounge and Restaurant
LOCATION: 3850 Pacific Ave, Tacoma, WA 98418-7828
LICENSE NO. 353538-1S
AVN NO. 1S0134A
LCB HEARING NO. 23,709
UBI: 601 947 706 001 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 the Settlement Agreement.

The applicable monetary penalty was received on 9/23/2010.

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

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (3)

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

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF: KEN AND SUK ENTERPRISES, INC. d/b/a PAC 40 LOUNGE AND RESTAURANT 3850 PACIFIC AVE TACOMA, WA 98418-7828 LICENSEE LICENSE NO. 353538-1S	LCB NO. 23,709 DECLARATION OF SERVICE BY MAIL

I certify that I caused a copy of the FINAL ORDER OF THE BOARD in the above-referenced matter to be served on all parties or their counsel of record by US Mail Postage Prepaid via Consolidated Mail Service for Licensees; by Campus Mail for the Office of Attorney General, on the date below to:

KEN AND SUK ENTERPRISES, INC. d/b/a PAC 40 LOUNGE AND RESTAURANT 3850 PACIFIC AVE TACOMA, WA 98418-7828	TIMOTHY D. FORD, ASSISTANT ATTORNEY GENERAL, GCE DIVISION OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100

DATED this 1st day of October, 2010, at Olympia, Washington.

Kevin McCarroll, Adjudicative Proceedings Coordinator

Washington State Liquor Control Board
3000 Pacific Avenue SE
PO Box 43076
Olympia, WA 98504-3076
(360) 664-1602