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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF THE HEARING OF:

V-BAR INC. d/b/a
V-BAR - NOODLE BAR AND LOUNGE
2122 2nd AVE
SEATTLE, WA 98121-2208

LICENSEE

LICENSE NO. 082277

OAH NO. 2010-LCB-0087
LCB NO. 23, 749

FINAL ORDER OF THE BOARD
APPROVING SETTLEMENT
AGREEMENT
[PROPOSED]

The above-titled matter having come before the Board upon a Settlement Agreement between the Enforcement Division of the Washington State Liquor Control Board and the Licensee, and the Board having reviewed the Settlement Agreement:

IT IS HEREBY ORDERED that the Settlement Agreement for Case Number 23,749 is approved.

DATED this 11 day of January, 2011.

WASHINGTON STATE LIQUOR CONTROL BOARD

Sharon Foster

Rutnam Kurose

RECEIVED

JAN 10 2011

LIQUOR CONTROL BOARD
BOARD ADMINISTRATION

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF THE HEARING
OF:

LCB NO. 23,749

SETTLEMENT AGREEMENT

V-BAR INC. d/b/a
V-BAR - NOODLE BAR AND
LOUNGE

2122 2nd AVE
SEATTLE , WA 98121-2208

LICENSEE

LICENSE NO. 082277

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 Licensee V-Bar Inc d/b/a V-Bar – Noodle Bar and Lounge (Licensee), represented by CHLOE R. ANDERSON, Attorney at Law, hereby enter into this stipulated settlement agreement for Liquor Control Board Case No. 23,749.

I. INTRODUCTION

On October 8, 2010 the Washington State Liquor Control Board (Board) issued a Complaint and Emergency Suspension of the Licensee’s liquor license. The Complaint alleged that:

(1) On or about September 9, 2010, the above-named Licensee, or an employee thereof engaged in or allowed behavior that provokes conduct which presents a threat to public safety contrary to WAC 314-11-015(3)(c); and

1 (2) On or about September 9, 2010, the above-named Licensee, or an employee
2 thereof, engaged in or permitted conduct on the licensed premise that is prohibited by RCW
3 9A.76.020, to wit: obstructing a law enforcement officer, contrary to WAC 314-11-015(3)(e);
4 and

5 (3) On or about September 9, 2010, the above-named Licensee, or an employee
6 thereof, engaged in or permitted conduct on the licensed premise that is prohibited by RCW
7 9A.76.175, to wit: making a false or misleading statement to a public servant, contrary to
8 WAC 314-11-015(3)(e).

9 The Board seeks cancellation of the license based on the presence of aggravating
10 factors. The Licensee submitted a timely request for a formal administrative hearing to
11 challenge the Complaint. The Parties are entering into this settlement agreement as a full
12 resolution of the above-referenced Complaint.

13 II. AGREEMENT OF THE PARTIES

14 The Parties agree to the following:

15 1. The Parties enter into this agreement to avoid the time and expense of further
16 litigation. The Licensee explicitly waives the right of further administrative review of all
17 matters related to the above-referenced Complaint and the violations alleged therein. The
18 Licensee hereby voluntarily withdraws its request for a hearing in this matter.

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

21 3. The Licensee admits to the violations set forth in the above-referenced
22 Complaint. Specifically, that:

23 (1) On or about September 9, 2010, an employee of the above-named Licensee
24 engaged in or allowed behavior that provoked conduct which presented a threat to public safety
25 contrary to WAC 314-11-015(3)(c); and
26

1 (2) On or about September 9, 2010, an employee of the above-named Licensee
2 engaged in or permitted conduct on the licensed premise that is prohibited by RCW 9A.76.020,
3 to wit: obstructing a law enforcement officer, contrary to WAC 314-11-015(3)(e); and

4 (3) On or about September 9, 2010, an employee of the above-named Licensee, or
5 an employee thereof, engaged in or permitted conduct on the licensed premise that is
6 prohibited by RCW 9A.76.175, to wit: making a false or misleading statement to a public
7 servant, contrary to WAC 314-11-015(3)(e).

8 4. The Licensee admits that the Complaint in this matter resulted in issuance of an
9 Order of Emergency Suspension that became effective October 8, 2010, at 4:00 p.m. The
10 Licensee further admits that during the period of emergency suspension, it has suspended all
11 operations under the liquor license.

12 5. In lieu of the immediate cancellation of the Licensee's liquor license, the
13 Licensee agrees:

- 14 a. To remove Ms. Trinh Cam Le as a corporate officer from V-Bar Inc.;
- 15 b. To submit the requisite paperwork to the Liquor Control Board Licensing
16 Division for change of corporate officer and receive approval for any new corporate officer(s)
17 or majority stockholder;
- 18 c. To not sell, gift or otherwise supply stock in V-Bar Inc. to Ms. Trinh Cam Le;
- 19 d. That Ms Trinh Cam Le will immediately divest herself of any stock or any
20 other ownership interest in V-Bar Inc.;
- 21 e. To not allow Ms. Trinh Cam Le to have any ownership interest, or act as a
22 manager, director, employee or volunteer for V-Bar Inc. or V-Bar – Noodle Bar and Lounge;
- 23 f. To not create for or assign to Ms. Trinh Cam Le a right to receive any profit
24 or asset, monetary or otherwise, of V-Bar Inc.; and,
- 25 g. That Ms. Trinh Le shall not be a "true party in interest" to V-Bar Inc., as that
26 term is defined in WAC 314-07-035 and WAC 314-12-030.

1 6. The Licensee further agrees that:
2 a. On any Thursday, Friday, Saturday and Sunday the licensed premise is open
3 for business, the Licensee shall employ and post two (2) security guards, on the Licensee's
4 premise, to check patron identification, monitor patron sobriety and patron conduct from 9:00
5 p.m. until close of business.
6 b. On any Monday, Tuesday and Wednesday the licensed premise is open for
7 business, the Licensee shall employ and post one (1) security guard, on the Licensee's premise,
8 to check patron identification, monitor patron sobriety and patron conduct from 9:00 p.m. until
9 close of business.
10 c. The Licensee shall install a functioning surveillance camera system inside the
11 licensed premise that shall record video that is capable of retrieval or reproduction of video
12 recorded during all of the Licensee's operating hours.
13 7. The Licensee shall complete all terms contained in Section II of this agreement,
14 within sixty (60) days of the date of the Final Order of the Washington State Liquor Control
15 Board approving this stipulated settlement agreement. Failure to meet any of the terms in this
16 stipulated settlement agreement, as required by Section II, shall result in the immediate
17 cancellation of the Licensee's liquor license.
18 8. The parties agree that the current emergency suspension of the Licensee's liquor
19 license shall terminate, and the Licensee's liquor license will be reinstated, upon the Board's
20 approval of this stipulated settlement agreement and the Licensee's completion of all the terms
21 of this agreement.
22 9. The undersigned parties declare that the terms of this Stipulated Settlement
23 Agreement are completely read, wholly understood, and voluntarily accepted for the purpose
24 of making a full and final compromise and settlement of any and all claims arising from the
25 above-referenced Complaint or emergency suspension.
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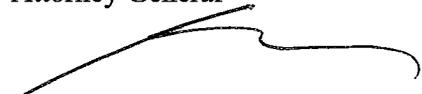
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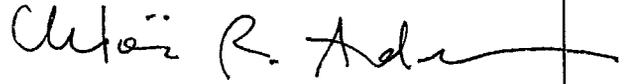
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10. The parties recognize that this settlement agreement is subject to approval by the Washington State Liquor Control Board.

STIPULATED AND AGREED this 28 day of December 2010.

ROBERT M. MCKENNA
Attorney General


GORDON KARG, WSBA #37178
Assistant Attorney General
Attorneys for Washington State
Liquor Control Board
Education and Enforcement Division


CHLOE R. ANDERSON, WSBA #38446
Attorney for Licensee


TRINH CAM LE
Governing Officer V-Bar Inc.
d/b/a V-Bar – Noodle Bar and Lounge



Washington State
Liquor Control Board

January 12, 2011

Chloe R. Anderson, Attorney for Licensee
1325 4th Ave Ste 535
Seattle, WA 98101-2525

V-Bar Inc., Licensee
V-Bar – Noodle Bar and Lounge
12007 9th Ave SW
Seattle, WA 98146-2792

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 APPROVING SETTLEMENT AGREEMENT

LICENSEE: V-Bar Inc.

TRADE NAME: V-Bar – Noodle Bar and Lounge

LOCATION: 2122 2nd Ave, Seattle, WA 98121-2208

LICENSE NO. 082277-2C

AVN: 2S0263A (Emergency Suspension)

LCB HEARING NO. 23,749

OAH NO. 2010-LCB-0087

UBI: 602 929 552 001 0001

Dear Parties:

Enclosed please find a Declaration of Service by Mail and a copy of the Final Order in the above referenced matter along with a copy of the Stipulated Settlement Agreement.

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 (3)

cc: Sharon Hendricks, Licensing Manager, WSLCB
Tukwila and Seattle Enforcement and Education Divisions, WSLCB

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3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

5 V-BAR INC.
6 d/b/a V-BAR – NOODLE BAR AND
7 LOUNGE
8 2122 2ND AVE
9 SEATTLE, WA 98121-2208

10 LICENSEE

11 LICENSE NO. 082277
12 AVN NO. 2S0263A

LCB NO. 23,749
OAH NO. 2010-LCB-0087

DECLARATION OF SERVICE BY
MAIL

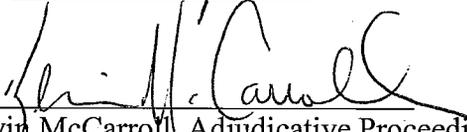
13 I certify that I caused a copy of the *FINAL ORDER OF THE BOARD APPROVING*
14 *SETTLEMENT AGREEMENT* in the above-referenced matter to be served on all parties or their
15 counsel of record by US Mail Postage Prepaid via Consolidated Mail Service for Licensees; by
16 Campus Mail for the Office of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

17 CHLOE R. ANDERSON, ATTORNEY FOR
18 LICENSEE
19 1325 4TH AVE STE 535
20 SEATTLE, WA 98101-2525

GORDON KARG, ASSISTANT ATTORNEY
GENERAL, GCE DIVISION
OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100

21 V-BAR INC., LICENSEE
22 d/b/a V-BAR – NOODLE BAR AND LOUNGE
23 12007 9TH AVE SW
24 SEATTLE, WA 98146-2792

25 DATED this 12th day of January, 2011, at Olympia, Washington.

26 
Kevin McCarroll, Adjudicative Proceedings Coordinator

DECLARATION OF SERVICE BY
MAIL