

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:  
  
BIGELOW'S, INC. d/b/a BIGELOW'S  
TOP HAT PUB AND GRILL  
  
6412 North Division St.  
Spokane, WA 99207  
  
LICENSEE  
  
LICENSE NO. 352518  
AVN NO. 4C0240A

LCB NO. 23,760  
  
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) by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and BRIAN J. CONSIDINE, Assistant Attorney General, and BIGELOW'S, INC. d/b/a BIGELOW'S TOP HAT PUB AND GRIL (Licensee) of Spokane, Washington, through its representative, KAREN BIGELOW, and the parties having voluntarily entered into a stipulated settlement agreement for case number 23,760, and 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:

IT IS HEREBY ORDERED that the AVN for Case Number 23,760 is sustained and the Licensee shall pay a monetary penalty of two thousand dollars (\$2,000) in four (4) installments

1 of: (1) five hundred dollars (\$500) by January 28, 2011; (2) five hundred dollars (\$500) by  
2 February 28, 2011; (3) five hundred dollars (\$500) by March 31, 2011; and (4) five hundred  
3 dollars (\$500) by April 29, 2011. The payments shall be sent to:

4 Washington State Liquor Control Board  
5 P.O. Box 43094  
6 Olympia, WA 98504-3094

7 In the event that the Licensee fails to make full and timely payment of the two thousand  
8 dollar (\$2,000) monetary penalty, the Licensee's installment plan will be revoked, any/all  
9 payments will be refunded, and a seven (7) day suspension of the Licensee's liquor license will  
10 go into effect, the dates and time of which shall be set by the Washington State Liquor Control  
11 Board.

12 DATED this 14 day of December, 2010.

13 WASHINGTON STATE LIQUOR CONTROL BOARD

14 Sharon Foster

15 Ruthann Kuwaga

RECEIVED

DEC 08 2010

LIQUOR CONTROL BOARD  
BOARD ADMINISTRATION

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

LCB NO. 23,760

BIGELOW'S, INC. d/b/a BIGELOW'S  
TOP HAT PUB AND GRILL

STIPULATED SETTLEMENT  
AGREEMENT

6412 North Division St.  
Spokane, WA 99207

LICENSEE

LICENSE NO. 352518  
AVN NO. 4C0240A

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) by and through its attorneys, ROBERT M. MCKENNA, Attorney General and BRIAN J. CONSIDINE, Assistant Attorney General, and BIGELOW'S, INC. d/b/a BIGELOW'S TOP HAT PUB AND GRILL (Licensee) of Spokane, Washington, through its representative, KAREN BIGELOW, hereby enter into this stipulated settlement agreement (Agreement) for Liquor Control Board Case No. 23,760.

**I. INTRODUCTION**

1. The Washington State Liquor Control Board Enforcement Division issued to the Licensee Administrative Violation Notice (AVN) No. 4C0240A, alleging that on or about August 28, 2010, the above-named Licensee, or an employee thereof, allowed a person under twenty-one (21) years of age to enter and remain in an area classified as off-limits to persons under the age of twenty-one (21), contrary to RCW 66.44.310 and WAC 314-11-020(2).

STIPULATED SETTLEMENT  
AGREEMENT

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

BIGELOW'S TOP HAT BAR AND  
GRILL  
LCB NO. 23,760



1 7. The parties agree that the Licensee will pay the two thousand dollar (\$2,000)  
2 monetary in four (4) installments of: (1) five hundred dollars (\$500) by January 28, 2011; (2)  
3 five hundred dollars (\$500) by February 28, 2011; (3) five hundred dollars (\$500) by March  
4 31, 2011; and (4) five hundred dollars (\$500) by April 29, 2011. Payments shall be sent to:

5 Washington State Liquor Control Board  
6 P.O. Box 43085  
7 Olympia, WA 98504-3085

8 8. In the event that the Licensee fails to make full and timely payment of the  
9 monetary penalty as required in Section II, Paragraph 7, the Licensee's installment plan will be  
10 revoked, any/all payments will be refunded, and a seven (7) day suspension of the Licensee's  
11 liquor license will go into effect, the dates and time of which shall be set by the Washington  
12 State Liquor Control Board.

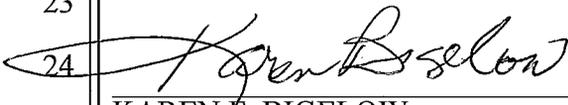
13 9. The parties recognize that this settlement agreement is subject to approval by  
14 the Washington State Liquor Control Board.

15 10. The undersigned parties declare that the terms of this Settlement Agreement are  
16 completely read, wholly understood, and voluntarily accepted for the purpose of making a full  
17 and final compromise and settlement of any and all violations arising from the above-  
18 referenced AVN.

19 ROBERT M. MCKENNA  
20 Attorney General

21   
22 BRIAN J. CONSIDINE, WSBA #39517  
23 Assistant Attorney General  
24 Attorneys for LCB Enforcement

12/3/10  
DATE

25   
26 KAREN F. BIGELOW  
Representative for Licensee

11/29/10  
DATE



Washington State  
Liquor Control Board

---

December 15, 2010

Bigelow's, Inc., Licensee  
d/b/a Bigelow's Top Hat Pub and Grill  
10720 N Kensington Ct  
Spokane, WA 99218-2483

Brian J. 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**

**LICENSEE: Bigelow's, Inc.**

**TRADE NAME: Bigelow's Top Hat Pub and Grill**

**LOCATION: 6412 N Division, Spokane, WA 99207**

**LICENSE NO. 352518-4P**

**AVN NO. 4C0240A**

**LCB HEARING NO. 23,760**

**UBI: 602 529 963 001 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.

**If the applicable monetary penalty payments are untimely paid, then a seven (7) day suspension will take place from 10:00 a.m. on May 13, 2011 until 10:00 am on May 20, 2011.**

When sending in payments, please mail them to the address listed in the 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: Amber Harris, WSLCB  
Spokane Enforcement and Education Division, WSLCB

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

1  
2  
3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

LCB NO. 23,760

5 BIGELOW'S, INC  
6 d/b/a BIGELOW'S TOP HAT PUB  
7 AND GRILL  
8 6412 N DIVISION  
9 SPOKANE, WA 99208-3936

DECLARATION OF SERVICE BY  
MAIL

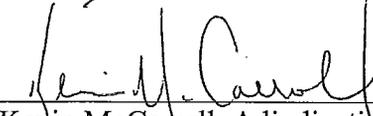
10 LICENSEE

11 LICENSE NO. 352518-4P  
12 AVN NO. 4C0240A

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

|   |  |
|---|--|
| 17 BIGELOW'S, INC., LICENSEE<br>18 d/b/a BIGELOW'S TOP HAT PUB AND GRILL<br>19 10720 N KENSINGTON CT<br>20 SPOKANE, WA 99218-2483 | BRIAN J. CONSIDINE, ASSISTANT<br>ATTORNEY GENERAL, GCE DIVISION<br>OFFICE OF THE ATTORNEY GENERAL<br>MAIL STOP 40100 |
| 21 BIGELOW'S, INC<br>22 d/b/a BIGELOW'S TOP HAT PUB AND GRILL<br>23 6412 N DIVISION<br>24 SPOKANE, WA 99208-3936                  |  |

25 DATED this 15<sup>th</sup> day of December, 2010, at Olympia, Washington.

26   
Kevin McCarroll, Adjudicative Proceedings Coordinator

DECLARATION OF SERVICE BY  
MAIL

1

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