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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,762

VASHON INVESTMENT INC., d/b/a
RED BICYCLE BISTRO & SUSHI
17618 VASHON HWY SW
VASHON, WA 98070

FINAL ORDER OF THE BOARD
APPROVING STIPULATED
SETTLEMENT AGREEMENT

~~PROPOSED~~

LICENSEE

LICENSE NO. 350076
AVN NO. 2C0260A

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 GORDON KARG, Assistant Attorney General, and the Licensee, VASHON INVESTMENT INC., d/b/a RED BICYCLE BISTRO & SUSHI (Licensee), by and through their counsel MARK D. KIMBALL, Attorney at Law, and the Board having considered the Stipulated Settlement Agreement and Enforcement'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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///

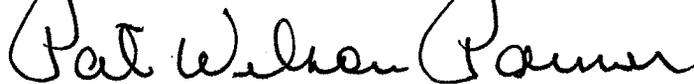
FINAL ORDER OF THE BOARD
APPROVING STIPULATED
SETTLEMENT AGREEMENT
~~PROPOSED~~
LCB CAUSE NO. 23,762

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IT IS HEREBY ORDERED that the Stipulated Settlement Agreement for Case No. 23,762 is approved, that the violation charged in Administrative Violation Notice No. 2C0260A is sustained, and the Licensee shall pay a monetary penalty of three hundred dollars (\$300.00) within thirty (30) days of the date of this Final Order.

DATED this 2nd day of June, 2011.

WASHINGTON STATE LIQUOR CONTROL BOARD



PAT WILSON PARMER
Chief of Enforcement

RECEIVED

MAY 24 2011

LIQUOR CONTROL BOARD
BOARD ADMINISTRATION

ATTORNEY GENERAL
OF WASHINGTON

MAY 19 2011

GOVERNMENT COMPLIANCE
& ENFORCEMENT

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

VASHON INVESTMENT INC., d/b/a
RED BICYCLE BISTRO & SUSHI
17618 VASHON HWY SW
VASHON, WA 98070

LICENSEE

LICENSE NO. 350076
AVN NO. 2C0260A

LCB NO. 23,762

STIPULATED SETTLEMENT
AGREEMENT

The Washington State Liquor Control Board, Education and Enforcement Division (Enforcement), by and through its attorneys, ROBERT M. MCKENNA, Attorney General and GORDON KARG, Assistant Attorney General, and the Licensee, VASHON INVESTMENT INC., d/b/a RED BICYCLE BISTRO & SUSHI (Licensee) hereby enter into this Stipulated Settlement Agreement for LCB Case No. 23,762.

I. INTRODUCTION

Enforcement issued Administrative Violation Notice (AVN) No. 2C0260A alleging that on or about September 17, 2010 the above named licensee, or employee(s) thereof consumed liquor while working on the licensed premise in violation of WAC 314-11-015(3)(d).

STIPULATED SETTLEMENT
AGREEMENT

1

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

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II. AGREEMENT OF THE PARTIES ⁸

Enforcement and the Licensee have agreed to enter into the following Stipulated Settlement Agreement concerning the above-referenced case. 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.

2. The Licensee explicitly waives the right of further administrative review of all matters related to the above-referenced case. Furthermore, the Licensee hereby voluntarily withdraws its request for a hearing on this matter.

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

4. The Licensee disputes the truth of the allegations contained in the above-referenced AVN No. 2C0260A. However, in order to take advantage of Enforcement's offer of settlement, to avoid legal expenses attendant with further proceedings, and in recognition of the fact that if this matter were to proceed to a hearing there is a risk to the Licensee that an administrative proceeding would result in the conclusion that: on or about September 17, 2010 the above named licensee, or employee(s) thereof consumed liquor while working on the licensed premise in violation of WAC-314-11-015(3)(d). Therefore, the Licensee agrees to this stipulated settlement agreement, solely to take advantage of Enforcement's offer of settlement.

5. The parties agree that the Washington State Liquor Control Board will consider that the violation set forth in the above referenced AVN No. 2C0260A, as specified at Part II, ¶4, has been sustained.

6. The Licensee acknowledges this is the Licensee's first violation of this type within a twenty-four (24) month period; which carries a standard penalty of a five (5) day suspension of the liquor license or a five hundred dollar (\$500.00) monetary penalty.

1 7. The Licensee agrees to pay a total monetary penalty of three hundred dollars
2 (\$300.00) for the above-referenced Complaint. This amount shall be paid within thirty (30)
3 days of the date of the Final Order of the Washington State Liquor Control Board. Payment
4 shall be made to the Washington State Liquor Control Board no later than 4:00 p.m. on the
5 applicable date. Payments shall be sent to:

6 Washington State Liquor Control Board
7 3000 Pacific Avenue SE
8 P.O. Box 43094
9 Olympia, WA 98504-3085

10 8. In the event that the Licensee does not pay the agreed upon monetary penalty, as
11 required by Section II, Paragraph 7, the Licensee shall be subject to further penalties to be
12 determined by the Washington State Liquor Control Board.

13 9. The undersigned parties declare that the terms of this Settlement Agreement are
14 completely read, wholly understood, and voluntarily accepted for the purpose of making a full
15 and final compromise and settlement of any and all claims arising from the above-referenced
16 AVN No. 2C0260A.

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1 10. The parties recognize that this Settlement Agreement is subject to approval by
2 the WASHINGTON STATE LIQUOR CONTROL BOARD.

3 DATED this 16 day of May, 2011.

4
5 
6 _____
7 GORDON KARG, WSBA #37178
8 Assistant Attorney General
9 Attorneys for Washington State
10 Liquor Control Board Education and
11 Enforcement Division

12
13 
14 _____
15 MARK D. KIMBALL, WSBA #13146
16 Attorney at Law
17 Attorney for Vashon Investment Inc., d/b/a
18 Red Bicycle Bistro & Sushi

19
20 
21 _____
22 MAG N. CHOI
23 Governing Officer
24 Vashon Investment Inc. d/b/a
25 Red Bicycle Bistro and Sushi
26



**Washington State
Liquor Control Board**

June 6, 2011

Mark D. Kimball, Attorney for Licensee
10900 NE 4th St Ste 2030
Bellevue, WA 98004-8360

Vashon Investment Inc, Licensee
Red Bicycle Bistro & Sushi
PO Box 1446
Vashon, WA 98070-1446

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 STIPULATED SETTLEMENT AGREEMENT

LICENSEE: Vashon Investment Inc

TRADE NAME: Red Bicycle Bistro & Sushi

LOCATION: 17618 Vashon Hwy SW, Vashon, WA 98070

LICENSE NO. 350076-2K

ADMINISTRATIVE VIOLATION NOTICE NO: 2C0260A

LCB HEARING NO. 23,762

UBI: 602 784 633 001 0001

Dear Parties:

Please find the enclosed Declaration of Service by Mail and a copy of the Final Order of the Board in the above-referenced matter along with a copy of the Stipulated Settlement Agreement.

The applicable monetary penalty is due by July 6, 2011.

The address for payments is WSLCB, P.O. Box 43085, Olympia, WA 98504-3085. Please label the check with your License Number and Administrative Violation Notice Number listed above. 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: Tukwila and Seattle Enforcement and Education Divisions, WSLCB
Amber Harris, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,762

VASHON INVESTMENT INC d/b/a
RED BICYCLE BISTRO & SUSHI
17618 VASHON HWY SW,
VASHON, WA 98070

DECLARATION OF SERVICE BY
MAIL

LICENSEE

LICENSE 350076-2K
ANV 2C0260A

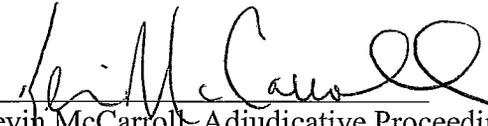
I certify that I caused a copy of the FINAL ORDER OF THE BOARD APPROVING
STIPULATED SETTLEMENT AGREEMENT in the above-referenced matter to be served on all
parties or their counsel of record by US Mail Postage Prepaid via Consolidated Mail Service
for Licensees, by Campus Mail for the Office of Attorney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

MARK D. KIMBALL, ATTORNEY FOR
LICENSEE
10900 NE 4TH ST STE 2030
BELLEVUE, WA 98004-8360

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

VASHON INVESTMENT INC, LICENSEE
RED BICYCLE BISTRO & SUSHI
PO BOX 1446
VASHON, WA 98070-1446

DATED this 6th day of June, 2011, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator

DECLARATION OF SERVICE BY
MAIL