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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

ERZULIE, LLC d/b/a WAID'S

1212 JEFFERSON STREET
SEATTLE, WA 98122

LICENSEE

LICENSE NO. 076837
AVN NO. 2D0232B

LCB NO. 23,774

OAH NO. 2011-LCB-0004

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 the Licensee, ERZULIE, LLC d/b/a WAID'S of Seattle, Washington, represented by RAYMOND CONNELL, attorney for Licensee, and the parties having voluntarily entered into a stipulated settlement agreement for the Complaint in Case Number 23,774, 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 violation of giving, selling, and/or supplying, liquor to a person(s) under the age of twenty-one (21), and/or allowing a person under twenty-

1 one (21) years of age to enter and remain in an area classified as off-limits to a person under
2 the age of twenty-one (21), is sustained.

3 IT IS FURTHER ORDERED that the Licensee shall serve a twenty-five (25) day
4 suspension of its liquor license, effective October 3, 2011, at 10:00 a.m. through October 28,
5 2011, at 10:00 a.m.

6 DATED this 10th day of AUGUST, 2011.

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8 WASHINGTON STATE LIQUOR CONTROL BOARD

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25 **WAID'S**
26 **LCB NO. 23,774**
LICENSE 076837
AVN 2D0232B

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

ERZULIE, LLC d/b/a WAID'S

1212 JEFFERSON STREET
SEATTLE, WA 98122

LICENSEE

LICENSE NO. 076837
AVN NO. 2D0232B

OAH NO. 2011-LCB-0004
LCB NO. 23,774

STIPULATED SETTLEMENT
AGREEMENT

The Washington State Liquor Control Board (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, ERZULIE, LLC d/b/a WAID'S of Seattle, Washington, represented by RAYMOND CONNELL, attorney for Licensee, hereby enter into this stipulated settlement agreement for Liquor Control Board Case Number 23,774.

I. INTRODUCTION

1. The Board issued an amended Complaint on March 24, 2011, alleging that on or about August 20, 2010, the above-named Licensee, or an employee(s) thereof, gave, sold and/or supplied liquor to a person(s) under the age of twenty-one (21), contrary to RCW 66.44.270 and WAC 314-11-020(1) and/or allowed a person under twenty-one (21) years of age to enter and remain in an area classified as off-limits to a person under the age of twenty-one (21), contrary to RCW 66.44.310 and WAC 314-11-020(2).

WAID'S 23,774

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

3 **II. AGREEMENT OF THE PARTIES**

4 Enforcement and the Licensee agree to the following:

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

7 2. The Licensee explicitly waives the right of further administrative review of all
8 matters related to the above-referenced Complaint and AVN. Furthermore, the Licensee
9 hereby voluntarily withdraws its request for a hearing in this matter.

10 3. The Licensee admits to the violation set forth in the above-referenced
11 Complaint. Specifically, on or about August 20, 2010, the above-named Licensee, or an
12 employee(s) thereof, gave, sold and/or supplied liquor to a person(s) under the age of twenty-
13 one (21), contrary to RCW 66.44.270 and WAC 314-11-020(1) and/or allowed a person under
14 twenty-one (21) years of age to enter and remain in an area classified as off-limits to a person
15 under the age of twenty-one (21), contrary to RCW 66.44.310 and WAC 314-11-020(2).

16 4. The parties agree that the violation identified in Section II, Paragraph 3 is one
17 violation and the third violation of its kind within a two-year period. The standard penalty for
18 a third violation for sale/service to a minor and/or minor frequenting is a thirty (30) day
19 suspension of the Licensee's liquor license.

20 5. The parties agree that the Licensee will have its liquor license suspended for
21 twenty-five (25) days with no monetary penalty. The suspension shall be effective October 3,
22 2011, at 10:00 a.m. through October 28, 2011, at 10:00 a.m.

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

1 and final compromise and settlement of any and all violations arising from the above-
2 referenced Complaint.

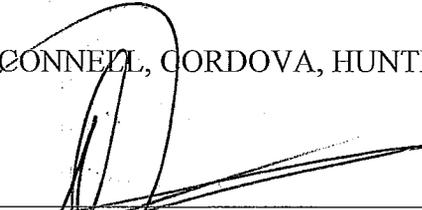
3 7. The parties recognize that this settlement agreement is subject to approval by
4 the Washington State Liquor Control Board.

5
6 ROBERT M. MCKENNA
7 Attorney General

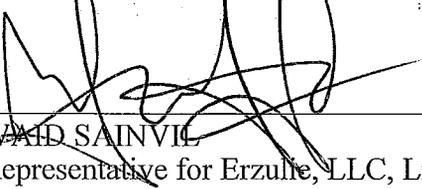
8
9 
10 BRIAN J. CONSIDINE, WSBA #39517
11 Assistant Attorney General
12 Attorneys for LCB Enforcement

8/5/11
13 _____
14 DATE

12 CONNELL, CORDOVA, HUNTER & GAUTSCHI, PLLC

13
14 
15 RAYMOND CONNELL, WSBA #16119
16 Attorneys for Licensee

Aug 1, 2011
17 _____
18 DATE

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18 WAID SAINVIL
19 Representative for Erzulte, LLC, Licensee

Aug 15 2011
20 _____
21 DATE



**Washington State
Liquor Control Board**

August 11, 2011

Raymond Connell
Sonnell Cordova Hunter & Gautschi
1325 4th Ave Ste 1500
Seattle, WA 98101-2540

Erzulie, LLC
d/b/a Waid's
11814 12th Ave S
Seattle, WA 98168-2134

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
LICENSEE: Erzulie, LLC
TRADE NAME: Waid's
LOCATION: 1212 E Jefferson St, Seattle, WA 98122-5536
LICENSE NO. 076837-2D
ADMINISTRATIVE VIOLATION NOTICE NO: 2D0232B
LCB HEARING NO. 23,774
OAH NO. 2011-LCB-0004
UBI: 602 600 646 001 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.

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

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (3)

cc: Tukwila and Seattle Enforcement and Education Divisions, WSLCB
Amber Harris, WSLCB

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

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3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

5 ERZULIE, LLC
6 d/b/a WAID'S
7 1212 E JEFFERSON ST
8 SEATTLE, WA 98122-5536

9 LICENSEE

10 LICENSE NO. 076837-2D
11 AVN NO. 2D0232B

LCB NO. 23,774
OAH NO. 2011-LCB-0004

DECLARATION OF SERVICE BY
MAIL

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

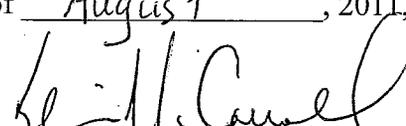
17 ERZULIE, LLC
18 d/b/a WAID'S
19 11814 12TH AVE S
20 SEATTLE, WA 98168-2134

BRIAN CONSIDINE, ASSISTANT ATTORNEY
GENERAL, GCE DIVISION
OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100

21 ERZULIE, LLC
22 d/b/a WAID'S
23 1212 E JEFFERSON ST
24 SEATTLE, WA 98122-5536

RAYMOND CONNELL
SONNELL CORDOVA HUNTER &
GAUTSCHI
1325 4TH AVE STE 1500
SEATTLE, WA 98101-2540

25 DATED this 11th day of August, 2011, 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