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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

TRACY ARNOLD MOODY d/b/a STUDIO SEVEN

110 S. Horton Street
Seattle, WA 98134

LICENSEE

LICENSE NO. 085082
AVN NOS. 2E0354A and 2E1008A

LCB NOS. 23,817
23,818

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) having been represented by its attorneys, ROBERT M. MCKENNA, Attorney General and BRIAN J. CONSIDINE, Assistant Attorney General and TRACY ARNOLD MOODY d/b/a STUDIO SEVEN (Licensee) of Seattle, Washington, and the parties having voluntarily entered into a settlement agreement for Liquor Control Board Case Nos. 23,817 (AVN No. 2E0354A) and 23,818 (AVN No. 2E1008A), and the Board having considered the 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:

1 IT IS HEREBY ORDERED that the allegation set forth in AVN No. 2E1008A is
2 sustained and the Licensee shall pay a monetary penalty of one thousand dollars (\$1,000). The
3 Licensee may pay the monetary penalty in two installments. The first payment shall be made
4 within 30 days of the date of the Final Order of the Board. The second payment shall be made
5 within 60 days of the date of the Final Order of the Board. Payment shall be sent to:

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

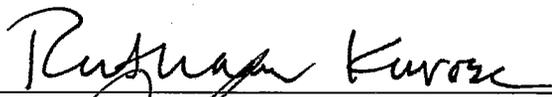
9 In the event the Licensee fails to make full and timely payment of the monetary
10 penalty, the Licensee shall serve a five (5) day suspension of its liquor license, the dates and
11 time of which shall be set by the Washington State Liquor Control Board.

12 IT IS HEREBY FURTHER ORDERED that AVN No. 2E0354A be converted into a
13 written warning. The Seattle Enforcement Office shall issue the written warning upon receipt
14 of this order.

15 DATED this 17 day of May, 2011.

16 WASHINGTON STATE LIQUOR CONTROL BOARD

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RECEIVED

MAY 11 2011

LIQUOR CONTROL BOARD
BOARD ADMINISTRATION

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NOS. 23,817
23,818

TRACY ARNOLD MOODY d/b/a
STUDIO SEVEN

110 S. Horton Street
Seattle, WA 98134

STIPULATED SETTLEMENT
AGREEMENT

LICENSEE

LICENSE NO. 085082
AVN NOS. 2E0354A and 2E1008A

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 TRACY ARNOLD MOODY d/b/a STUDIO SEVEN (Licensee) of Seattle, Washington, hereby enter into this stipulated settlement agreement for Liquor Control Board (LCB) case numbers 23,817 and 23,818, arising from Administrative Violation Notices (AVNs) 2E0354A and 2E1008A.

I. INTRODUCTION

1. In LCB No. 23,817, Enforcement issued to the Licensee AVN No. 2E0354A alleging that on or about December 30, 2010, the above-named Licensee, or an employee(s) thereof, failed to be open to the public for the required number of hours, contrary to WAC 314-02-015(2).

2. In LCB No. 23,818, Enforcement issued to the Licensee AVN No. 2E1008A alleging that on or about January 8, 2011, the above-named Licensee, or an employee(s)

1 thereof, failed to have the required food service, contrary to RCW 66.44.175 and WAC 314-
2 02-035(6).

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

5 **II. AGREEMENT OF THE PARTIES**

6 Prior to issuance of administrative complaints, Enforcement and the Licensee agree to
7 the following:

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

10 2. The Licensee explicitly waives the right of further administrative review of all
11 matters related to both of the above-referenced violations and AVNs. Furthermore, the
12 Licensee hereby voluntarily withdraws its request for a hearing in these matters.

13 3. The Licensee admits to the violation set forth in AVN No. 2E1008A.
14 Specifically, it admits that on or about January 8, 2011, he failed to have the required food
15 service, contrary to RCW 66.44.175 and WAC 314-02-035(6).

16 4. The parties agree that the violation set forth in AVN No. 2E1008A is the second
17 violation of this kind within a two-year period, and it carries with it a standard penalty of a five
18 (5) day suspension of the Licensee's liquor license or a monetary penalty of one thousand, five
19 hundred dollars (\$1,500).

20 5. The parties agree that the Licensee will pay a monetary penalty of one thousand
21 dollars (\$1,000). Enforcement agrees that the Licensee can pay the monetary penalty in two
22 (2) installments. The first payment shall be made within 30 days of the date of the Final Order
23 of the Board. The second payment shall be made within 60 days of the date of the Final Order
24 of the Board. Payment shall be sent to:

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

1 6. In the event that the Licensee fails to make full and timely payment of the
2 monetary penalty as required in Section II, Paragraph 5, the Licensee shall serve a five (5) day
3 suspension of its liquor license, the dates and time of which shall be set by the Washington
4 State Liquor Control Board.

5 7. In consideration for the Licensee's willingness to enter into this agreement, the
6 parties agree that AVN No. 2E0354A issued for an alleged violation of WAC 314-02-015(2)
7 on December 20, 2010, will be converted into a written warning. Enforcement will issue the
8 written warning upon receipt of the Board's Final Order

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

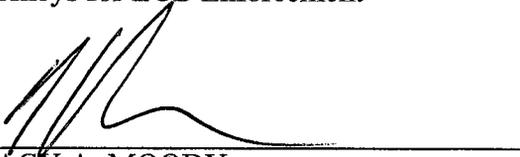
11 9. The parties recognize that this settlement agreement is subject to approval by
12 the Washington State Liquor Control Board.

13
14 ROBERT M. MCKENNA
15 Attorney General

16 
17 _____
18 BRIAN J. CONSIDINE, WSBA #39517
19 Assistant Attorney General
20 Attorneys for LCB Enforcement

21 _____
22 DATE

5/6/11

23
24 
25 _____
26 TRACY A. MOODY
Licensee

DATE

MAY 2, 2011



**Washington State
Liquor Control Board**

May 18, 2011

Tracy Arnold Moody
d/b/a Studio Seven
7349 California Ave SW
Seattle, WA 98136-2112

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: Tracy Arnold Moody
TRADE NAME: Studio Seven
LOCATION: 110 S Horton St, Seattle, WA 98134
LICENSE NO. 085082-2E
ADMINISTRATIVE VIOLATION NOTICE NO: 2E0354A and 2E1008A
LCB HEARING NO. 23,817 and 23,818
UBI: 602 222 267 001 0001

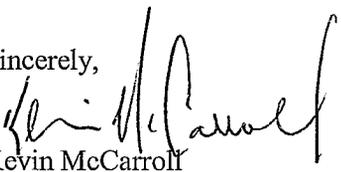
Dear Parties:

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

The first payment of the monetary penalty is due by June 17, 2011. The second payment of the monetary penalty is due by July 18, 2011. If payment is not received timely then suspension will take place from 1:00 p.m. on July 29, 2011 until 1:00 p.m. on August 3, 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,


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:

LCB NO. 23,817
23,818

5 TRACY ARNOLD MOODY
6 d/b/a STUDIO SEVEN
7 110 S HORTON ST
8 SEATTLE, WA 98134-1812

DECLARATION OF SERVICE BY
MAIL

9 LICENSEE

10 LICENSE 085082
11 AVN NO. 2E0354A and 2E1008A

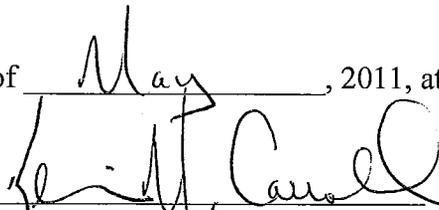
12 I certify that I caused a copy of the *FINAL ORDER OF THE BOARD* in the above-
13 referenced matter to be served on all parties or their counsel of record by US Mail Postage
14 Prepaid via Consolidated Mail Service for Licensees, by Campus Mail for the Office of
15 Attorney General, on the date below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

16
17 TRACY ARNOLD MOODY
18 d/b/a STUDIO SEVEN
19 7349 CALIFORNIA AVE SW
20 SEATTLE, WA 98136-2112

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

21 TRACY ARNOLD MOODY
22 d/b/a STUDIO SEVEN
23 110 S HORTON ST
24 SEATTLE, WA 98134-1812

25 DATED this 18th day of May, 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