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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

FRANKLIN COUNTY AUDITOR d/b/a
TRAC

6600 Burden Blvd
Pasco, WA 99301

LICENSEE

LICENSE NO. 074647
AVN NO. 4J1015A

LCB NO. 23,819

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 the Licensee, FRANKLIN COUNTY AUDITOR d/b/a TRAC (Licensee) through its General Manager, Troy Woody, and the parties having voluntarily entered into a stipulated settlement agreement for Liquor Control Board Case No. 22,819 (AVN No. 4J1015A), 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:

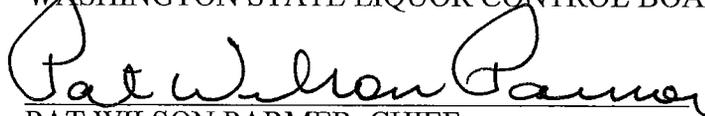
1 IT IS HEREBY ORDERED that the allegation set forth in AVN No. 4J1015A is
2 sustained and the Licensee shall pay a monetary penalty of three hundred dollars (\$300.00) to:

3 Washington State Liquor Control Board
4 PO Box 43085
5 Olympia, WA 98504-3085

6 In the event the Licensee fails to make full and timely payment of the monetary
7 penalty, the Licensee shall serve a three (3) day suspension of its liquor license, the dates and
8 time of which shall be set by the Washington State Liquor Control Board.

9 DATED this 3rd day of May, 2011.

10 WASHINGTON STATE LIQUOR CONTROL BOARD

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12 PAT WILSON PARMER, CHIEF
13 ENFORCEMENT AND EDUCATION DIVISION

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24 FRANKLIN COUNTY AUDITOR
25 d/b/a TRAC
26 LICENSE 074647
AVN 4J1015A
LCB NO 23,819

RECEIVED

APR 27 2011

LIQUOR CONTROL BOARD
BOARD ADMINISTRATION

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

FRANKLIN COUNTY AUDITOR d/b/a
TRAC

6600 Burden Blvd
Pasco, WA 99301

LICENSEE

LICENSE NO. 074647
AVN NO. 4J1015A

LCB NO. 23,819

STIPULATED SETTLEMENT
AGREEMENT

The Washington State Liquor Control 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, FRANKLIN COUNTY AUDITOR d/b/a TRAC (Licensee) through its General Manager, Troy Woody, hereby enter into this stipulated settlement agreement for Liquor Control Board Case No. 23,819.

I. INTRODUCTION

1. On February 9, 2011, Enforcement issued Administrative Violation Notice (AVN) No. 4J1015A, alleging that on or about January 15, 2011, the above-named Licensee or employee(s) thereof, sold/served liquor to an apparently intoxicated person on the licensed premises, contrary to RCW 66.44.200.

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

STIPULATED SETTLEMENT
AGREEMENT

TRAC
LCB NO. 23,819

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

1 **II. AGREEMENT OF THE PARTIES**

2 Prior to the issuance of a Complaint, Enforcement and the Licensee agree to the
3 following:

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

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

9 3. 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 4. The Licensee admits to the violation in AVN No. 4J1015A that it sold/served
12 liquor to an apparently intoxicated person on the licensed premises on January 15, 2011,
13 contrary to RCW 66.44.200.

14 5. The parties agree that this is the Licensee's first violation of this kind within a
15 two-year period, and it has a standard penalty of a five (5) day suspension of the Licensee's
16 liquor license or a monetary penalty of five hundred dollars (\$500).

17 7. The parties agree that the Licensee will pay a monetary penalty of three hundred
18 dollars (\$300) within 30 days of the date of the Final Order of the Board. Payment shall be
19 sent to:

20 Washington State Liquor Control Board
21 PO Box 43085
22 Olympia, WA 98504-3085

23 8. In the event that the Licensee fails to make full and timely payment of the
24 monetary penalty as required in Section II, Paragraph 7, the Licensee shall serve a three (3) day
25 suspension of its liquor license, the dates and time of which shall be set by the Washington
26 State Liquor Control Board.

1 9. This settlement agreement constitutes the final written expression of all the
2 terms of this agreement and is a complete and exclusive statement of these terms, and shall be
3 effective when signed by all parties and/or their legal representatives.

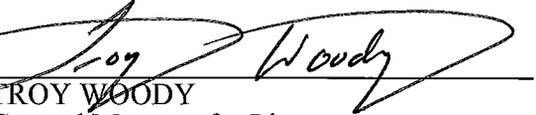
4 10. The parties recognize that this settlement agreement is subject to approval by
5 the Washington State Liquor Control Board.

6
7 ROBERT M. MCKENNA
8 Attorney General

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

4/26/11

DATE

14
15 
16 TROY WOODY
17 General Manager for Licensee

4/19/2011

DATE



Washington State
Liquor Control Board

May 4, 2011

Franklin County Auditor
d/b/a TRAC
6600 Burden Blvd
Pasco, WA 99301-9040

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: Franklin County Auditor
TRADE NAME: TRAC
LOCATION: 6600 Burden Blvd, Pasco, WA 99301
LICENSE NO. 074647-4J
ADMINISTRATIVE VIOLATION NOTICE NO: 4J1015A
LCB HEARING NO. 23,819
UBI: 1130031940010003

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 applicable monetary penalty is due by June 3, 2011. If payment is not received timely then suspension will take place from 11:00 a.m. on June 17, 2011 until 11:00 a.m. on June 20, 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: Spokane and Pasco 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. 23,819

5 FRANKLIN COUNTY AUDITOR
6 d/b/a TRAC
7 6600 BURDEN BLVD
8 PASCO, WA 99301-9040

DECLARATION OF SERVICE BY
MAIL

9 LICENSEE

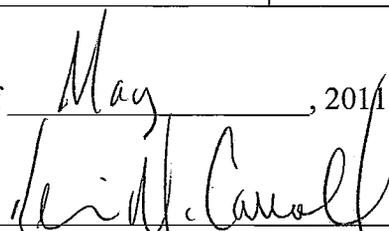
10 LICENSE 074647-4J
11 AVN NO. 4J1015A

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 FRANKLIN COUNTY AUDITOR
18 d/b/a TRAC
19 6600 BURDEN BLVD
20 PASCO, WA 99301-9040

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

21 DATED this 4th day of May, 2011, at Olympia, Washington.

22 
23 Kevin McCarroll, Adjudicative Proceedings Coordinator

24
25
26
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