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7 **BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

8 IN THE MATTER OF:

LCB NO. 23,872

9 MT. SI PUB, INC. d/b/a MT. SI PUB

FINAL ORDER OF THE BOARD

10 45530 SE NORTH BEND WAY
11 NORTH BEND, WA 98045

[PROPOSED]

LICENSEE

12 LICENSE NO. 354099

13 AVN NO. 2M1194B

14 THIS MATTER having come before the Washington State Liquor Control Board
15 (Board) and the Washington State Liquor Control Board Education and Enforcement Division
16 (Enforcement) by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and
17 MARISA E. BROGGEL, Assistant Attorney General, and MT. SI PUB, INC. d/b/a MT. SI
18 PUB (Licensee) by and through its representative, JANET THIBEAULT, and the parties
19 having voluntarily entered into a stipulated settlement agreement for Administrative Violation
20 Notice (AVN) No. 2M1194B, Case No. 23,872, and the Board having considered the stipulated
21 settlement agreement and Enforcement's memorandum recommending acceptance of the
22 stipulated settlement agreement, and the Board having had the opportunity to review the file
23 materials maintained in this case, now, therefore:

24 IT IS HEREBY ORDERED that the allegations set forth in AVN No. 2M1194B and
25 Enforcement's Complaint dated September 14, 2011, to wit: that on or about July 13, 2011, the
26 above-named Licensee, or employee(s) thereof, gave, sold, and/or supplied liquor to an

1 apparently intoxicated person and/or permitted an apparently intoxicated person to possess
2 and/or consume liquor, contrary to RCW 66.44.200 and/or WAC 314-16-150, is sustained.

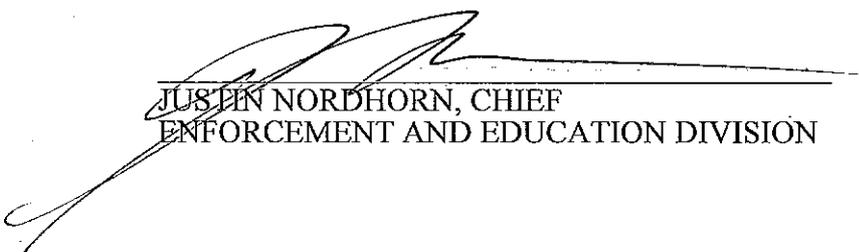
3 IT IS FURTHER ORDERED that the Licensee shall pay a monetary penalty of three
4 hundred dollars (\$300) within thirty (30) days of this order, to:

5 **Washington State Liquor Control Board**
6 **Enforcement and Education Division**
7 **3000 Pacific Ave. SE**
8 **PO Box 43085**
9 **Olympia, WA 98504-3085**

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

13 DATED this 27 day of MARCH, 2012.

14 WASHINGTON STATE LIQUOR CONTROL BOARD

15 
16 JUSTIN NORDHORN, CHIEF
17 ENFORCEMENT AND EDUCATION DIVISION
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RECEIVED

MAR 22 2012

Liquor Control Board
Board Administration

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,872

MT. SI PUB, INC. d/b/a MT. SI PUB
45530 SE NORTH BEND WAY
NORTH BEND, WA 98045

STIPULATED SETTLEMENT
AGREEMENT

LICENSEE

LICENSE NO. 354099
AVN NO. 2M1194B

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and MARISA E. BROGGEL, Assistant Attorney General, and the Licensee, MT. SI PUB, INC. d/b/a MT. SI PUB (Licensee), represented by and through JANET THIBEAULT, hereby enter into this stipulated settlement agreement for Washington State Liquor Control Board (Board) Case Number 23,872.

I. INTRODUCTION

The Washington State Liquor Control Board charged the Licensee with the following alleged violation of Title 66 RCW and/or Title 314 WAC by its complaint dated September 14, 2011:

That on or around July 13, 2011, the above-named Licensee or employee(s) thereof gave, sold and/or supplied liquor to an apparently intoxicated person(s), and/or permitted an apparently intoxicated person to possess and/or consume liquor on the licensed premises, contrary to RCW 66.44.200(1) and/or WAC 314-16-150.

ORIGINAL

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

3 **II. AGREEMENT OF THE PARTIES**

4 Enforcement and the Licensee agree to the following:

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

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

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

12 4. The Licensee stipulates to the violation set forth in the Complaint, specifically:
13 On or around July 13, 2011, the Licensee or employee(s) thereof gave, sold, and/or supplied
14 liquor to an apparently intoxicated person, and and/or permitted an apparently intoxicated
15 person to possess and/or consume liquor on the licensed premises, contrary to
16 RCW 66.44.200(1) and/or WAC 314-16-150.

17 5. The Licensee admits that this is the Licensee's first violation of this type within a
18 twenty-four (24) month period, for which the standard penalty is suspension of the Licensee's
19 liquor license for five (5) days or a monetary penalty of five hundred dollars (\$500).

20 6. The Licensee agrees to pay a three hundred dollar (\$300) monetary penalty for
21 the above-referenced violation. The amount shall be paid within thirty (30) days of the date of
22 the final order of the Washington State Liquor Control Board. Payment shall be made to the
23 Washington State Liquor Control Board no later than 4:00 p.m. on the applicable date.

24 Payments shall be sent to:
25
26

1 **Washington State Liquor Control Board**
2 **Enforcement and Education Division**
3 **3000 Pacific Ave. SE**
PO Box 43085
4 **Olympia, WA 98504-3085**

5 7. In the event that the Licensee fails to make the full payment of the monetary
6 penalty on time as set out in Section II, Paragraph 6, the Licensee shall be subject to a (5) day
7 suspension of its liquor license, the dates and times of which to be determined by the Board.

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

10 9. The undersigned parties declare that the terms of this Settlement Agreement are
11 completely read, wholly understood, and voluntarily accepted for the purpose of making a full
12 and final compromise and settlement of any and all claims arising from the above-referenced
13 Complaint.

14 STIPULATED AND AGREED TO by:

15 ROBERT M. MCKENNA
16 Attorney General

17 
18 MARISA E. BROGGEL, WSBA #41767
19 Assistant Attorney General
20 Attorney for Washington State
21 Liquor Control Board Education and
22 Enforcement Division

3/16/2012
DATE

23 
24 JANET THIBAUT, Representative for
25 MT. SI PUB, INC. d/b/a
26 MT, SI PUB, Licensee

3/14/12
DATE



**Washington State
Liquor Control Board**

March 29, 2012

Janet Thibeault
Mt Si Pub Inc
d/b/a Mt Si Pub
13319 433rd Ct SE
North Bend, WA 98045-9697

Marisa Broggel, 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: Mt Si Pub Inc

TRADE NAME: Mt Si Pub

LOCATION: 45530 SE North Bend Way, North Bend, WA 98045

LICENSE NO. 354099-2G

ADMINISTRATIVE VIOLATION NOTICE NO. 2M1194B

LCB HEARING NO. 23,872

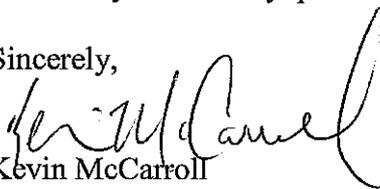
UBI: 65026692740010001

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, as well as a copy of the Stipulated Settlement Agreement.

The applicable monetary penalty is due by April 30, 2012. If payment is not received timely then suspension will take place from 6:00 p.m. on May 17, 2012 until 6:00 p.m. on May 22, 2012. 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

cc: Tukwila Enforcement and Education Division, WSLCB
Teresa Young, WSLCB

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

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,872

JANET THIBEAULT
MT SI PUB INC
d/b/a MT SI PUB
45530 SE NORTH BEND WAY
NORTH BEND, WA 98045-9054
LICENSEE

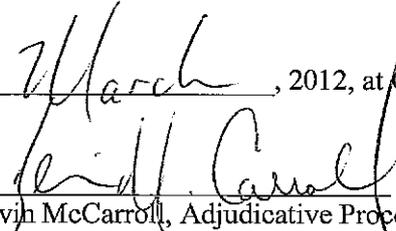
DECLARATION OF SERVICE BY MAIL

LICENSE NO. 354099-2G
AVN NO. 2M1194B

I certify that I caused a copy of the FINAL ORDER OF THE BOARD 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:

JANET THIBEAULT MT SI PUB INC d/b/a MT SI PUB 13319 433 RD CT SE NORTH BEND, WA 98045-9697	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION MARISA E. BROGGEL, ASSISTANT ATTORNEY GENERAL
JANET THIBEAULT MT SI PUB INC d/b/a MT SI PUB 45530 SE NORTH BEND WAY NORTH BEND, WA 98045-9054	

DATED this 29th day of March, 2012, at Olympia, Washington.


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