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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,875

TUSCAN SANDS LLC d/b/a
TUSCAN SANDS CASINO

FINAL ORDER OF THE BOARD
~~PROPOSED~~

1002 VINTAGE VALLEY PKWY
ZILLA, WA 98953-9671

LICENSE NO. 080536
AVN NO. 4D1173B

THIS MATTER having come before the Washington State Liquor Control Board (Board) and the Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by its attorneys, ROBERT M. MCKENNA, Attorney General, and TIMOTHY D. FORD, Assistant Attorney General, and the Licensee, TUSCAN SANDS LLC d/b/a TUSCAN SANDS CASINO, 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:

IT IS HEREBY ORDERED the Board accepts, adopts, and incorporates herein by reference the Stipulated Settlement Agreement between Enforcement and the Licensee in the

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1 above-captioned matter and that the agreement is accepted in lieu of any penalty, and further
2 that the violation set forth in the Administrative Violation Notices (4D1173B) is sustained.

3 DATED this 23 day of February, 2012.

4 WASHINGTON STATE LIQUOR CONTROL BOARD

5 Sharon Foster

6 Ruthann Kuose

7 _____
8
9

RECEIVED

FEB 23 2012

Liquor Control Board
Board Administration

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

NO. 23,875

TUSCAN SANDS LLC d/b/a
TUSCAN SANDS CASINO

STIPULATED SETTLEMENT
AGREEMENT

1002 VINTAGE VALLEY PKWY
ZILLA, WA 98953-9671

LICENSE NO. 080536
AVN NO. 4D1173B

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney General and TIMOTHY D. FORD, Assistant Attorney General, and the Licensee TUSCAN SANDS LLC d/b/a TUSCAN SANDS CASINO hereby enter into this stipulated settlement agreement for Liquor Control Board Case No. 23,875.

I. INTRODUCTION

The Washington State Liquor Control Board, Enforcement and Education Division charged the above-named Licensee, in Administrative Violation Notice (AVN) No. 4D1173B, with the following alleged violation of the Washington State Liquor Control Board rules and regulations:

On or about July 5, 2011, the above-named Licensee failed to ensure that an employee who engages in the sale or service of liquor has a current and valid class 12 or 13 permit while working on the licensed premises contrary to WAC 314-17-030.

TUSCAN SANDS LLC d/b/a
TUSCAN SANDS CASINO

1

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

STIPULATED SETTLEMENT
AGREEMENT
23,875

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

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

9 2. 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 3. The Licensee admits the violation set forth above and referenced in the
12 Complaint: On or about July 5, 2011, the above-named Licensee failed to ensure that an
13 employee who engages in the sale or service of liquor has a current and valid class 12 or 13
14 permit while working on the licensed premises contrary to WAC 314-17-030.

15 4. The Licensee acknowledges this is the Licensee's first violation of this type
16 within a twenty-four (24) month period, which carries a standard monetary penalty of five
17 hundred dollars (\$500) or a five (5) day suspension of the license.

18 5. In consideration for the admission of the violation set forth above, there shall be
19 no monetary penalty imposed for this violation.

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

24 ///

25 ///

26 ///

TUSCAN SANDS LLC d/b/a
TUSCAN SANDS CASINO

STIPULATED SETTLEMENT
AGREEMENT
23,875



Washington State
Liquor Control Board

February 23, 2012

Jamie Muffett
Tuscan Sands LLC
d/b/a Tuscan Sands
1002 Vintage Valley Pkwy
Zillah, WA 98953-9672

Tim Ford, 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: Tuscan Sands LLC
TRADE NAME: Tuscan Sands
LOCATION: 1002 Vintage Valley Pkwy, Zillah, WA 98953
LICENSE NO. 080536
ADMINISTRATIVE VIOLATION NOTICE NO: 4D1173B
LCB HEARING NO. 23,875
UBI: 602 740 200 001 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, as well as a copy of the Stipulated Settlement Agreement.

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

Sincerely,

A handwritten signature in black ink that reads "Kevin McCarrell".

Kevin McCarrell
Adjudicative Proceedings Coordinator

Enclosures (3)

cc: Spokane and Pasco Enforcement and Education Divisions, WSLCB
Teresa Young, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,875

TUSCAN SANDS LLC
d/b/a TUSCAN SANDS
1002 VINTAGE VALLEY PKWY
ZILLAHA, WA 98953-9672

DECLARATION OF SERVICE BY MAIL

LICENSEE

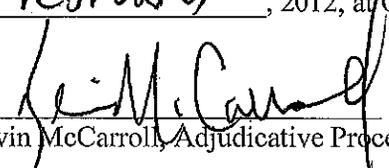
LICENSE NO. 080536
AVN NO. 4D1173B

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:

TUSCAN SANDS LLC
d/b/a TUSCAN SANDS
1002 VINTAGE VALLEY PKWY
ZILLAHA, WA 98953-9672

OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100, GCE DIVISION
TIMOTHY FORD, ASSISTANT ATTORNEY
GENERAL

DATED this 23rd day of February, 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