

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

REBECCA'S FOOD ENTERPRISES, INC.
d/b/a BOB'S RUBATTINO'S

804 - 808 SOUTH THIRD STREET
RENTON, WA 98055

LICENSE NO. 351676
AVN NO's. 2M1238A & 2M1356A

LCB NO. 23,889
LCB NO. 23,952

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) represented by its attorneys, ROBERT M. MCKENNA, Attorney General, and TIMOTHY D. FORD, Assistant Attorney General, and the Licensee, REBECCA'S FOOD ENTERPRISES, INC. d/b/a BOB'S RUBATTINO'S, through its representative, ROBERT DELANCEY, 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 above-captioned matters for LCB No. 23,889 and LCB No. 23,952. Further, the violation set forth in the Complaint dated November 16, 2011 for LCB No. 23,889 (associated with AVN

1 No. 2M1238A), and also the two additional violations set forth in AVN No. 2M1356A for
2 LCB No. 23,952 are sustained. The Licensee shall pay a monetary penalty of three hundred
3 dollars (\$300.00) for AVN 2M1238A and a monetary penalty of two thousand, fifty dollars
4 (\$2,050.00) for both violations cited in AVN 2M1356A with the grand total for both AVN's of
5 two thousand, three hundred fifty dollars (\$2,350.00). **Payment shall be made in full within**
6 **thirty (30) days of entry of this Final Order and sent to:**

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

10 In the event the Licensee fails to make a full and timely payment for any installment as
11 set forth in this Final Order, the Licensee shall be deemed to be in violation of the Final Order
12 and shall serve a five (5) day suspension of its liquor license for LCB No. 23,889/AVN No.
13 2M1238A; and ~~pay a five hundred (\$500) fine~~ ^{shall serve a five (5) day suspension of its liquor license} and also serve a seven (7) day suspension of its
14 liquor license for LCB No. 23,952/AVN No. 2M1356A, the dates and time of which shall be
15 set by the Washington State Liquor Control Board.

16 DATED this 17 day of April, 2012.

17 WASHINGTON STATE LIQUOR CONTROL BOARD

18 Sharon Foster

19 Ruthann Kuvoze

20 _____
21 _____
22 _____
23 _____
24 _____
25 _____
26 _____

RECEIVED

APR 17 2012

Liquor Control Board
Board Administration

1
2
3
4
5
6
7 **BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

8 IN THE MATTER OF:

9 REBECCA'S FOOD ENTERPRISES, INC.
10 d/b/a BOB'S RUBATTINO'S

11 804 - 808 SOUTH THIRD STREET
RENTON, WA 98055

12 LICENSE NO. 351676
13 AVN NO. 2M1238A

LCB NO. 23,889
LCB NO. 23,952

STIPULATED SETTLEMENT
AGREEMENT

14 The Washington State Liquor Control Board Education and Enforcement Division
15 (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney General and
16 TIMOTHY D. FORD, Assistant Attorney General, and the Licensee REBECCA'S FOOD
17 ENTERPRISES, INC d/b/a BOB'S RUBATTINO'S represented by owner Robert Delancey,
18 hereby enter into this stipulated settlement agreement for Liquor Control Board Case
19 Nos. 23,889 and 23,952.

20 **I. INTRODUCTION**

21 **FIRST CITATION:**

22 The Washington State Liquor Control Board, Enforcement and Education Division
23 served upon the above-named Licensee on September 6, 2011, Administrative Violation
24 Notice (AVN) No. 2M1238A, alleging that the Licensee or employee thereof sold and/or
25 supplied liquor to an apparently intoxicated person. The AVN reflects a two (2) year violation
26 history and is cited as the first violation of its kind which reflects a penalty of five hundred

1 dollars (\$500) or a five (5) day suspension of the license. The Liquor Control Board issued an
2 administrative Complaint dated November 16, 2011, based on the above-referenced AVN.
3 The Complaint charges the Licensee with the following alleged violation of the Washington
4 State Liquor Control Board rules and regulations:

5 On or about August 16, 2011, the above-named Licensee, or employee(s) thereof,
6 sold, allowed, and/or permitted an apparently intoxicated person(s) to consume
7 liquor and/or possess liquor on the licensed premises, contrary to RCW 66.44.200
and/or WAC 314-16-150.

8 **SECOND CITATION:**

9 The Washington State Liquor Control Board, Enforcement and Education Division
10 served upon the above-named Licensee on January 12, 2012, Administrative Violation Notice
11 (AVN) No. 2M1356A, alleging that the Licensee or employee thereof sold and/or supplied
12 liquor to an apparently intoxicated person. The AVN reflects a two (2) year violation history
13 and is cited as the second violation for sale or service to an intoxicated person which is a
14 penalty of a seven (7) day suspension of the license. The AVN alleges an additional violation
15 for an employee without the required mandatory alcohol server training (MAST) permit. The
16 AVN reflects a two (2) year violation history and is cited as the first violation for an employee
17 without a MAST permit which is a penalty of a five (5) day suspension of the license or a five
18 hundred dollar (\$500) fine.

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

21 **II. AGREEMENT OF THE PARTIES**

22 Enforcement and the Licensee agree to the following:

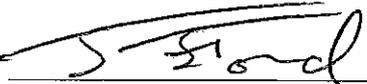
23 1. Enforcement and the Licensee enter into this agreement to avoid the time and
24 expense of further litigation. The Licensee explicitly waives the right of further administrative
25 review of all matters related to the above-referenced violations and AVN's. The Licensee
26 hereby voluntarily withdraws its requests for hearings in these matters.

1 7. The undersigned parties declare that the terms of this Settlement Agreement are
2 completely read, wholly understood, and voluntarily accepted for the purpose of making a full
3 and final compromise and settlement of any and all claims arising from the above referenced
4 AVN's.

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

7 STIPULATED AND AGREED TO by:

8
9 ROBERT M. MCKENNA
Attorney General

10 

11 TIMOTHY D. FORD, WSBA #29254
Assistant Attorney General
12 Attorneys for Washington State
Liquor Control Board Education and
13 Enforcement Division

4/17/12
Date

15 

16 ROBERT DELANCY, Representative for
REBECCA'S FOOD ENTERPRISES, INC.
17 d/b/a BOB'S RUBATTINO'S, Licensee

4-16-2012
Date



**Washington State
Liquor Control Board**

April 19, 2012

Robert Delancey, Representative of
Rebecca's Food Enterprises, Inc.
d/b/a Bob's Rubattino's
808 S 3rd Street
Renton, WA 98057-2736

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: Rebecca's Food Enterprises, Inc.
TRADE NAME: Bob's Rubattino's
LOCATION: 804-808 S 3rd Street, Renton, WA 98057
LICENSE NO. 351676-2M
ADMINISTRATIVE VIOLATION NOTICE NOS. 2M1238A & 2M1356A
LCB HEARING NOS. 23,889 & 23,952
UBI: 6002489420010001

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 May 21, 2012. If payment is not received timely then a seventeen (17) day suspension will take place from 6:00 p.m. on June 12, 2012 until 6:00 p.m. on June 29, 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,

A handwritten signature in black ink, appearing to read "Kevin McCarrroll".

Kevin McCarrroll
Adjudicative Proceedings Coordinator

Enclosures

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