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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,897

MANUEL JUAN PRECIADO d/b/a
LA TROPICANA

FINAL ORDER OF THE BOARD
~~PROPOSED~~

101 W. COLUMBIA ST.
PASCO, WA 99301

LICENSEE

LICENSE NO. 083766
AVN NO. 4J1219A

THIS MATTER having come before the Washington State Liquor Control Board (Board) and the Washington State Liquor Control Board Education and Enforcement Division (Enforcement) by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and MARISA E. BROGGEL, Assistant Attorney General, and MANUEL JUAN PRECIADO d/b/a LA TROPICANA (Licensee), and the parties having voluntarily entered into a stipulated settlement agreement for Administrative Violation Notice (AVN) No. 4J1219A, Case No. 23,897, 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:

IT IS HEREBY ORDERED that the allegations set forth in AVN No. 4J1219A and Enforcement's Complaint dated January 11, 2012, to wit: that on or about August 6 to

1 August 7, 2011, the above-named Licensee, or employee(s) thereof, permitted an apparently
2 intoxicated person to possess and/or consume liquor on the licensed premises contrary to
3 WAC 314-16-150, is sustained.

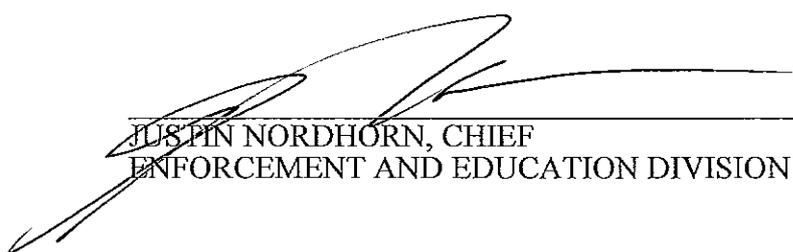
4 IT IS FURTHER ORDERED that the Licensee shall pay a monetary penalty of five
5 hundred dollars (\$500) within thirty (30) days of this order, to:

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

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

14 DATED this 13 day of AUGUST, 2012.

15 WASHINGTON STATE LIQUOR CONTROL BOARD

16 
17 JUSTIN NORDHORN, CHIEF
18 ENFORCEMENT AND EDUCATION DIVISION
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AUG 09 2012

Liquor Control Board
Board Administration

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,97 (23,897)

MANUEL JUAN PRECIADO d/b/a
LA TROPICANA

STIPULATED SETTLEMENT
AGREEMENT

101 W. COLUMBIA ST.
PASCO, WA 99301

LICENSEE

LICENSE NO. 083766
AVN NO. 4J1219A

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement), by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and MARISA E. BROGGEL, Assistant Attorney General, and MANUEL JUAN PRECIADO d/b/a LA TROPICANA (Licensee), hereby enter into this stipulated settlement agreement for Washington State Liquor Control Board (Board) Case No. 23,897, arising from Administrative Violation Notice (AVN) No. 4J1219A.

I. INTRODUCTION

The Washington State Liquor Control Board Enforcement and Education Division (Enforcement) charged the licensee with the following violation of Title 66 RCW and/or Title 314 WAC by its complaint dated January 11, 2012:

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

STIPULATED SETTLEMENT
AGREEMENT
MANUEL JUAN PRECIADO D/B/A
LA TROPICANA
23,897

1
ORIGINAL

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

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

3
4 **II. AGREEMENT OF THE PARTIES**

5 Enforcement and the Licensee agree to the following:

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

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

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

13 4. The Licensee stipulates to the violation set forth in the Complaint.
14 Specifically, the Licensee admits that or around August 6 to August 7, 2011, the Licensee or
15 employee(s) thereof permitted an apparently intoxicated person to possess and/or consume
16 liquor on the licensed premises, in violation of WAC 314-16-150.

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

20 6. The Licensee agrees to pay a monetary penalty of five hundred dollars (\$500)
21 within thirty (30) days of the date of the Final Order of the Board, no later than 4:00 p.m. on
22 the applicable date, for the violation stipulated to in Section II, Paragraph 4. Payment shall be
23 sent to:

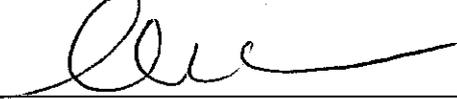
24 **Washington State Liquor Control Board**
25 **Enforcement and Education Division**
26 **3000 Pacific Ave. SE**
PO Box 43085
Olympia, WA 98504-3085

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

5 8. The parties recognize that this Agreement is subject to approval by the Board.

6 9. The undersigned parties declare that the terms of this Agreement are
7 completely read, wholly understood, and voluntarily accepted for the purpose of making a full
8 and final compromise and settlement of any and all violations arising from the above-
9 referenced Complaint.

10
11 ROBERT M. MCKENNA
12 Attorney General

13 

14 MARISA E. BROGGEL, WSBA #41767
15 Assistant Attorney General
16 Attorneys for Washington State
17 Liquor Control Board Education and
18 Enforcement Division

19 DATE

7/25/2012

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7/25/12



**Washington State
Liquor Control Board**

August 14, 2012

Manuel Juan Preciado, Licensee
d/b/a La Tropicana
222105 E Bowles Rd
Kennewick, WA 99337-8604

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: Manuel Juan Preciado
TRADE NAME: La Tropicana
LOCATION: 101 W Columbia St, Pasco, WA 99301
LICENSE NO. 083766-4C
ADMINISTRATIVE VIOLATION NOTICE NO. 4J1219A
LCB HEARING NO. 23,897
UBI: 6021409860010001

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 September 13, 2012. If payment is not received timely, then suspension will take place from 11:00 a.m. on Friday, Oct 12, 2012 until 11:00 a.m. on Wednesday, October 17, 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 McCarroll".

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures

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

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

1
2
3 **WASHINGTON STATE LIQUOR CONTROL BOARD**

4 IN THE MATTER OF:

LCB NO. 23,897

5 MANUEL JUAN PRECIADO
6 d/b/a LA TROPICANA
7 101 W COLUMBIA ST
8 PASCO, WA 99301-5630

DECLARATION OF SERVICE BY
MAIL

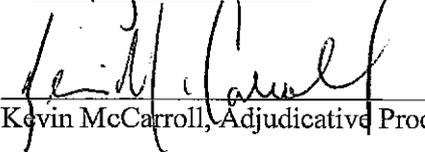
LICENSEE

9 LICENSE NO. 083766-4C
10 AVN NO. 4J1219A

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

16 MANUEL JUAN PRECIADO, LICENSEE 17 d/b/a LA TROPICANA 18 222105 E BOWLES RD KENNEWICK, WA 99337-8604	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION MARISSA BROGGEL, ASSISTANT ATTORNEY GENERAL
19 MANUEL JUAN PRECIADO 20 d/b/a LA TROPICANA 101 W COLUMBIA ST PASCO, WA 99301-5630	

21
22 DATED this 14th day of August, 2012, at Olympia, Washington.

23
24 
Kevin McCarroll, Adjudicative Proceedings Coordinator

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