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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

TUSCAN SANDS LLC d/b/a  
TUSCAN SANDS

1002 VINTAGE VALLEY PKWY  
ZILLAHA, WA 98953-9671

LICENSE NO. 080536  
AVN NO. 4D1272A & 4D1245A

LCB NO. 23,913  
LCB NO. 23,943

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, TUSCAN SANDS LLC d/b/a TUSCAN SANDS, through its representative, JAMIE MUFFET, and the Board having considered the Stipulated Settlement Agreements and Enforcement's memorandum recommending acceptance of the Settlement Agreements, and the Board having had the opportunity to review the file materials maintained in these cases, now therefore:

IT IS HEREBY ORDERED the Board accepts, adopts, and incorporates herein by reference the Stipulated Settlement Agreements between Enforcement and the Licensee in the above-captioned matters for LCB No. 23,913 and LCB No. 23,943. Further, the violation set forth in the Complaint dated April 16, 2012 for LCB No. 23,913 (associated with AVN No. 4D1272A) is sustained. Also, the violation set forth in the Complaint dated April 16, 2012 for

1 LCB No. 23,943 (associated with AVN No. 4D1245A) is sustained. An additional alleged  
2 violation not set forth in the Complaint for LCB No. 23,943 but included in the AVN No.  
3 4D1245A for permitting disorderly conduct on the licensed premises is withdrawn.

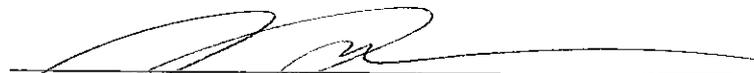
4 The Licensee shall pay a monetary penalty of seventy five dollars (\$75.00) for AVN  
5 4D1272A and three hundred dollars (\$300.00) for AVN 4D1245A with the grand total for both  
6 AVN's of three hundred seventy five dollars (\$375.00). **Payment shall be made in full**  
7 **within thirty (30) days of entry of this Final Order and sent to:**

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

11 In the event the Licensee fails to make a full and timely payment for any installment as  
12 set forth in this Final Order, the Licensee shall be deemed to be in violation of the Final Order  
13 and shall serve the standard penalties for the violations set forth in the Complaints for LCB No.  
14 23,913 & LCB No. 23,943 the dates and time of which shall be set by the Washington State  
15 Liquor Control Board.

16 DATED this 25 day of MAY, 2012.

17 WASHINGTON STATE LIQUOR CONTROL BOARD

18   
19 JUSTIN NORDHORN, CHIEF  
20 ENFORCEMENT AND EDUCATION DIVISION  
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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:  
  
TUSCAN SANDS LLC d/b/a  
TUSCAN SANDS  
  
1002 VINTAGE VALLEY PKWY  
ZILLA, WA 98953-9671  
  
LICENSE NO. 080536  
AVN NO. 4D1272A

NO. 23,913  
  
STIPULATED SETTLEMENT  
AGREEMENT

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, through its representative, JAMIE MUFFETT, hereby enter into this stipulated settlement agreement for Liquor Control Board Case No. 23,913.

**I. INTRODUCTION**

The Washington State Liquor Control Board, Enforcement and Education Division charged the above-named Licensee, in Administrative Violation Notice (AVN) No. 4D1272A, and Complaint dated April 16, 2012, with the following alleged violation of the Washington State Liquor Control Board rules and regulations:

On or about September 29, 2011, the above-named Licensee failed to obtain prior board approval for alterations to the licensed premises in violation of WAC 314-02-130.

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. The Licensee explicitly waives the right of further administrative  
7 review of all matters related to the above-referenced violation and Complaint. The Licensee  
8 hereby 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 stipulates to the violation set forth above and referenced in the  
12 Complaint: On or about September 29, 2011, the above-named Licensee failed to obtain prior  
13 board approval for alterations to the licensed premises in violation of WAC 314-02-130.

14 4. The Licensee acknowledges this is the Licensee's first violation of this type  
15 within a twenty-four (24) month period, which carries a standard monetary penalty of one  
16 hundred dollars (\$100.00) or a five (5) day suspension of the license.

17 5. The Licensee agrees to pay a monetary penalty of seventy-five dollars (\$75.00)  
18 for the above-referenced violation.

19 6. The Licensee shall pay the monetary penalty of seventy-five dollars (\$75.00) no  
20 later than thirty (30) days after the date of the Final Order of the Board. **Payment shall be**  
21 **sent to:**

22 **Washington State Liquor Control Board**  
23 **P.O. Box 43085**  
24 **Olympia, WA 98504-3085**

25 7. In the event that the Licensee fails to make a full and timely payment of the  
26 monetary penalty as required in Section II, Paragraph 5, then the standard penalty in Section II,  
Paragraph 4 shall be imposed.

1           8.     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 Complaint.

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

7  
8                   STIPULATED AND AGREED by:

9  
10           ROBERT M. MCKENNA  
11           Attorney General

12 

13           TIMOTHY D. FORD, WSBA #29254  
14           Assistant Attorney General  
15           Attorneys for Washington State  
16           Liquor Control Board Education and  
17           Enforcement Division

18                   5/18/12  
19                   \_\_\_\_\_  
20                   DATE

21 

22           JAMIE MUFFETT, Representative for  
23           TUSCON SANDS LLC d/b/a  
24           TUSCAN SANDS, Licensee

25                   5-7-12  
26                   \_\_\_\_\_  
                  DATE

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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:  
  
TUSCAN SANDS LLC d/b/a  
TUSCAN SANDS  
  
1002 VINTAGE VALLEY PKWY  
ZILLAHA, WA 98953-9671  
  
LICENSE NO. 080536  
AVN NO. 4D1245A

NO. 23,943  
  
STIPULATED SETTLEMENT  
AGREEMENT

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, through its representative, JAMIE MUFFETT hereby enter into this stipulated settlement agreement for Liquor Control Board Case No. 23,943.

**I. INTRODUCTION**

The Washington State Liquor Control Board, Enforcement and Education Division charged the above-named Licensee, in Administrative Violation Notice (AVN) No. 4D1245A, with the following two alleged violations of the Washington State Liquor Control Board rules and regulations:

**FIRST VIOLATION**

On or about September 2, 2011, the above-named Licensee or employee(s) thereof allowed person(s) to enter and/or remain in the licensed premises classified by the board as off-limits to person(s) under the age of twenty-one years in violation of RCW 66.44.310(1)(a).

**SECOND VIOLATION**

On or about September 2, 2011, the above-named Licensee or employee(s) thereof permitted disorderly conduct on the licensed premises in violation of WAC 314-11-015(3)(a).

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 violations and AVN. The Licensee  
8 hereby 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 stipulates to the first violation set forth above and referenced in  
12 the AVN and Complaint dated April 16, 2012: On or about September 2, 2011, the above-  
13 named Licensee or employee(s) thereof allowed person(s) to enter and/or remain in the  
14 licensed premises classified by the board as off-limits to person(s) under the age of twenty-one  
15 years in violation of RCW 66.44.310(1)(a).

16 4. The Licensee denies the second violation set forth above and referenced in the  
17 AVN: On or about September 2, 2011, the above-named Licensee or employee(s) thereof  
18 permitted disorderly conduct on the licensed premises in violation of WAC 314-11-015(3)(a).

19 5. The Licensee acknowledges that allowing a minor to remain on the licensed  
20 premises is the Licensee's first violation of this type within a twenty-four (24) month period,  
21 which carries a standard monetary penalty of five hundred dollars (\$500.00) or a five (5) day  
22 suspension of the license.

23 6. The Licensee agrees to pay a monetary penalty of three-hundred dollars  
24 (\$300.00) for the first violation of allowing a minor to remain on the licensed premises as set  
25 forth above. Enforcement agrees to withdraw the alleged second violation of disorderly  
26 conduct on the licensed premises.

1           7.     The Licensee shall pay the monetary penalty of three-hundred dollars (\$300.00)  
2 no later than thirty (30) days after the date of the Final Order of the Board. **Payment shall be**  
3 **sent to:**

4                   **Washington State Liquor Control Board**  
5                   **P.O. Box 43085**  
6                   **Olympia, WA 98504-3085**

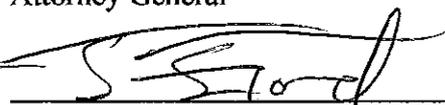
7           8.     In the event that the Licensee fails to make a full and timely payment of the  
8 monetary penalty as required in Section II, Paragraph 6, then the standard penalty in Section II,  
9 Paragraph 5 shall be imposed.

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 AVN.

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

16                   STIPULATED AND AGREED by:

17                   ROBERT M. MCKENNA  
18                   Attorney General

19   
20 \_\_\_\_\_

21                   TIMOTHY D. FORD, WSBA #29254  
22                   Assistant Attorney General  
23                   Attorneys for Washington State  
24                   Liquor Control Board Education and  
25                   Enforcement Division

26                   5/18/12  
27 \_\_\_\_\_  
28                   DATE

29   
30 \_\_\_\_\_

31                   JAMIE MUFFETT, Representative for  
32                   TUSCON SANDS LLC d/b/a  
33                   TUSCAN SANDS, Licensee

34                   5-7-12  
35 \_\_\_\_\_  
36                   DATE



Washington State  
**Liquor Control Board**

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May 29, 2012

Jamie Muffett, Representative  
Tuscan Sands, LLC  
d/b/a Tuscan Sands  
1002 Vintage Valley Pkwy  
Zillah, WA 98953-9671

Timothy 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 98953-9671**

**LICENSE NO. 080536-4E**

**ADMINISTRATIVE VIOLATION NOTICE NOS. 4D1272A and 4D1245A**

**LCB HEARING NOS. 23, 913 and 23,943**

**UBI: 6027402000010001**

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 for the cases listed above is due by June 28, 2012.**

**If payment for case 4D1272A is not received timely, then suspension will take place from 10:00 a.m. on July 20, 2012 until 10:00 a.m. on July 25, 2012.**

**If payment for case 4D1245S is not received timely, then suspension will take place from 10:00 a.m. on July 25, 2012 until 10:00 a.m. on July 30, 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 Numbers listed above. If you have any questions, please contact me at (360) 664-1602.

Sincerely,

Kevin McCarroll  
Adjudicative Proceedings Coordinator

Enclosures

cc: Spokane and Wenatchee 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](http://www.liq.wa.gov)

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NOS. 23,913  
23,943

TUSCAN SANDS, LLC  
d/b/a TUSCAN SANDS  
1002 VINTAGE VALLEY PKWY  
ZILLAHA, WA 98953-9671

DECLARATION OF SERVICE BY MAIL

LICENSEE

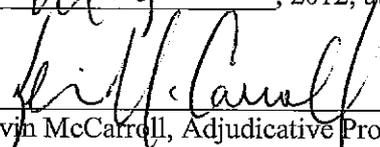
LICENSE NO. 080536-4E  
AVN NOS 4D1272A and 4D1245A

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:

JAMIE MUFFETT, REPRESENTATIVE  
TUSCAN SANDS, LLC  
d/b/a TUSCAN SANDS  
1002 VINTAGE VALLEY PKWY  
ZILLAHA, WA 98953-9671

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

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

  
Kevin McCarroll, Adjudicative Proceedings Coordinator