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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:
BAYSIDE ENTERPRISES LLC d/b/a
BEACH SIDE GRILL & BAR
1604 BAY ST.
PORT ORCHARD, WA 98366
LICENSEE
LICENSE NO. 361468
AVN NO. 1U1303B

LCB NO. 23,921
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 MARISA E. BROGGEL, Assistant Attorney General and BAYSIDE ENTERPRISES LLC d/b/a BEACH SIDE GRILL & BAR, Licensee, 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 that the allegation set forth in AVN No. 1U1303B, to wit: that the Licensee or employee thereof supplied liquor to an apparently intoxicated person, is

1 sustained. IT IS FURTHER ORDERED that the Licensee shall relinquish liquor license
2 No. 361468 within thirty (30) days of the entry of this Final Order, in lieu of payment of a
3 monetary penalty or suspension of the liquor license.

4 DATED this 3 day of April, 2012.

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6 WASHINGTON STATE LIQUOR CONTROL BOARD

7 Sharon Foster

8 Rutger Kuresse

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10 Chris

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Liquor Control Board
Board Administration

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,921

BAYSIDE ENTERPRISES LLC d/b/a
BEACH SIDE GRILL & BAR

STIPULATED SETTLEMENT
AGREEMENT

1604 BAY ST
PORT ORCHARD, WA 98366

LICENSEE

LICENSE NO. 361468
AVN NO. 1U1303B

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by through its attorneys, ROBERT M. MCKENNA, Attorney General and MARISA E. BROGGEL, Assistant Attorney General and BAYSIDE ENTERPRISES LLC d/b/a BEACH SIDE GRILL & BAR, Licensee, represented by and through SOOK HE BOWEN, Member, hereby enter into this stipulated settlement agreement for Washington State Liquor Control Board (Board) Case No. 23,921, arising from Administrative Violation Notice No. 1U1303B.

I. INTRODUCTION

On or around November 2, 2011, The Washington State Liquor Control Board Enforcement and Education Division (Enforcement) issued AVN No. 1U1303B to the Licensee, alleging that on or around October 30, 2011, the Licensee or employee(s) thereof,

1 gave, sold or otherwise supplied liquor to an apparently intoxicated person, in violation of
2 WAC 314-16-150.

3 **II. AGREEMENT OF THE PARTIES**

4 Prior to scheduling an administrative hearing in this matter, Enforcement and the
5 Licensee have agreed to enter into the following Stipulated Settlement Agreement (Agreement)
6 concerning the above-referenced AVN. Enforcement and the Licensee agree to the following:

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

9 2. The Licensee explicitly waives the right to further administrative review of all
10 matters related to the above-referenced AVN No. 1U1303B. Furthermore, the Licensee hereby
11 voluntarily withdraws its request for a hearing in this matter.

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

14 4. The Licensee stipulates to the violation set forth in the above-referenced AVN.
15 Specifically, Licensee stipulates that on or around October 30, 2011, the Licensee or
16 employee(s) thereof gave, sold or supplied liquor to an apparently intoxicated person in
17 violation of WAC 314-16-150.

18 5. The Licensee acknowledges that it ceased business operations in December
19 2011 and that it shall voluntarily relinquish its liquor license with no further interest remaining
20 in the license.

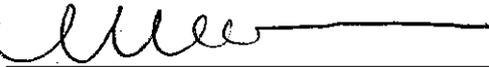
21 6. The parties agree that in consideration of the Licensee's stipulation to the
22 above-referenced violation, and in consideration of the Licensee's voluntary surrender of its
23 liquor license, no monetary penalty shall be due from the Licensee for the above-referenced
24 violation.
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1 7. The parties recognize that this Agreement is subject to approval by the Board.

2 8. The undersigned parties declare that the terms of this Agreement are completely
3 read, wholly understood, and voluntarily accepted for the purpose of making a full and final
4 compromise and settlement of any and all violations arising from the above-referenced AVN.
5

6 STIPULATED AND AGREED to by:

7 ROBERT M. MCKENNA
8 Attorney General

9 

10 MARISA E. BROGGEL, WSBA #41767
11 Assistant Attorney General
12 Attorneys for Washington State
13 Liquor Control Board Education and
14 Enforcement Division

3/26/12
Date

14 

15 SOOK HE BOWEN
16 For BAYSIDE ENTERPRISES LLC d/b/a
17 BEACH SIDE GRILL & BAR
18 Licensee

3/23/12
Date



Washington State
Liquor Control Board

April 4, 2012

Bayside Enterprises LLC
d/b/a Beach Side Grill & Bar
8402 59th Ave SW
Lakewood, WA 98499-2910

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: Bayside Enterprises LLC
TRADE NAME: Beach Side Grill & Bar
LOCATION: 1604 Bay St, Port Orchard, WA 98366
LICENSE NO. 361468-1U
ADMINISTRATIVE VIOLATION NOTICE NO. 1UI303B
LCB HEARING NO. 23,921
UBI: 602 720 729 001 0001

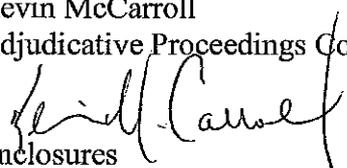
Dear Parties:

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,

Kevin McCarroll
Adjudicative Proceedings Coordinator



Enclosures

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

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 23,921

BAYSIDE ENTERPRISES LLC
d/b/a BEACH SIDE GRILL & BAR
1604 BAY ST
PORT ORCHARD, WA 98366-5108

DECLARATION OF SERVICE BY MAIL

LICENSEE

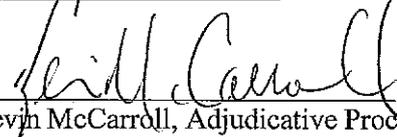
LICENSE NO. 361468-1U
AVN NO. 1U1303B

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:

BAYSIDE ENTERPRISES LLC
d/b/a BEACH SIDE GRILL & BAR
8402 59TH AVE SW
LAKEWOOD, WA 98499-2910

OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100, GCE DIVISION
MARISA E. BROGGEL, ASSISTANT
ATTORNEY GENERAL

DATED this 4th day of April, 2012, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator