

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

PICCADILLY CIRCUS LLC
d/b/a PICCADILLY CIRCUS PUB,
RESTAURANT

1104 1ST STREET
SNOHOMISH, WA 98290-2911

LICENSEE

LICENSE NO. 079464-3F
AVN NO. 3Y1351A

LCB NO. 23,940
OAH NO. 2012-LCB-0021

FINAL ORDER OF THE BOARD

The above-captioned matter coming on regularly before the Board, and it appearing that:

1. The Liquor Control Board issued a complaint dated April 16, 2012, alleging that on December 17, 2011 the above-named Licensee, or employee(s) thereof did consume liquor while working on the licensed premises, contrary to WAC 314-11-015(3)(d).
2. The Licensee made a timely request for a hearing.
3. An administrative hearing was held on October 9, 2012 before Administrative Law Judge Lisa N.W. Dublin with the Office of Administrative Hearings. The hearing took place the Office of the Attorney General in Everett, Washington.
4. At the hearing, the Education and Enforcement Division of the Board was represented by Assistant Attorney General Timothy D. Ford. LLC Member Geoffrey M. Wall represented the Licensee.
5. On December 10, 2012, Administrative Law Judge Lisa N.W. Dublin entered her Findings of Fact, Conclusions of Law and Initial Order in this matter, which sustained the Complaint.

6. A petition for review was received timely from the Licensee. A reply from the Education and Enforcement Division was received timely.

7. The entire record in this proceeding was presented to the Board for final decision, and the Board having fully considered said record and being fully advised in the premises;

NOW, THEREFORE, IT IS HEREBY ORDERED that that the Administrative Law Judge's Findings of Fact, Conclusions of Law and Initial Order heretofore made and entered in this matter be, and the same hereby are, AFFIRMED and adopted as the Findings of Fact, Conclusions of Law and Final Order of the Board, except for the following change:

The Initial Order is corrected as follows: "The Liquor Control Board shall suspend the liquor license of Piccadilly Circus, LLC d/b/a Piccadilly Circus Pub, Restaurant for five (5) days. In lieu of a license suspension, the Licensee may pay a monetary penalty in the amount of five hundred dollars (\$500.00) within 30 days of this order."

Having affirmed the Initial Order, with correction, IT IS HEREBY ORDERED that the liquor license privileges granted to Piccadilly Circus, LLC d/b/a Piccadilly Circus Pub, Restaurant, License No. 079464, are hereby suspended for a term of five (5) days. In lieu of a license suspension, the Licensee may pay a monetary penalty in the amount of five hundred dollars (\$500.00) due within 30 days of this order. If timely payment is not received, then suspension will take place from 9:00 a.m. on Thursday, March 7, 2013 until 9:00 a.m. on Tuesday, March 12, 2013. Failure to comply with the terms of this order will result in further disciplinary action.

Payment in reference to this order should be sent to:

**Washington State Liquor Control Board
Enforcement and Education Division
PO Box 43085
Olympia, WA 98504-3085**

FINAL ORDER OF THE BOARD
LCB NO. 23,940
PICCADILLY CIRCUS PUB,
RESTAURANT
LICENSE 079464

Page 2 of 4

DATED at Olympia, Washington this 7th day of JANUARY, 2013.

WASHINGTON STATE LIQUOR CONTROL BOARD

Sharon Foster
Ruthann Kurose
John

Reconsideration. Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this Order to file a petition for reconsideration stating the specific grounds on which relief is requested. A petition for reconsideration, together with any argument in support thereof, should be filed by mailing or delivering it directly to the Washington State Liquor Control Board, Attn: Kevin McCarroll, 3000 Pacific Avenue Southeast, PO Box 43076, Olympia, WA 98504-3076, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Board's office. RCW 34.05.010(6). A copy shall also be sent to Mary M. Tennyson, Senior Assistant Attorney General, 1125 Washington St. SE, P.O. Box 40110, Olympia, WA 98504-0110. A timely petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on the petition. An order denying reconsideration is not subject to judicial review. RCW 34.05.470(5). The filing of a petition for reconsideration is not a prerequisite for filing a petition for judicial review.

Stay of Effectiveness. The filing of a petition for reconsideration does not stay the effectiveness of this Order. The Board has determined not to consider a petition to stay the

effectiveness of this Order. Any such request should be made in connection with a petition for judicial review under chapter 34.05 RCW and RCW 34.05.550.

Judicial Review. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. The petition for judicial review of this Order shall be filed with the appropriate court and served on the Board, the Office of the Attorney General, and all parties within thirty days after service of the final order, as provided in RCW 34.05.542.

Service. This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).



Washington State
Liquor Control Board

January 9, 2013

Piccadilly Circus, LLC
d/b/a Piccadilly Circus Pub, Restaurant
1104 1st Street
Snohomish, WA 98290-2911

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: Piccadilly Circus, LLC
TRADE NAME: Piccadilly Circus Pub, Restaurant
LOCATION: 1104 1st Street, Snohomish, WA 98290-2911
LICENSE NO. 079464-3F
ADMINISTRATIVE VIOLATION NOTICE NO: 3Y1351A
LCB HEARING NO. 23,940
OAH NO. 2012-LCB-0021
UBI: 6025163930010001

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.

The applicable monetary penalty is due by Friday, February 8, 2013. If payment is not received timely, then suspension will take place during the dates listed in the final order. 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 (2)

cc: Mt. Vernon Enforcement and Education Division, WSLCB
Teresa Young, WSLCB

1 **WASHINGTON STATE LIQUOR CONTROL BOARD**

2 IN THE MATTER OF:

3 PICCADILLY CIRCUS, LLC
4 d/b/a PICCADILLY CIRCUS PUB,
5 RESTAURANT
6 1104 1ST STREET
7 SNOHOMISH, WA 98290-2911

8 LICENSEE

9 LICENSE NO. 079464-3F
10 AVN NO. 3Y1351A

LCB NO. 23,940
OAH NO. 2012-LCB-0021

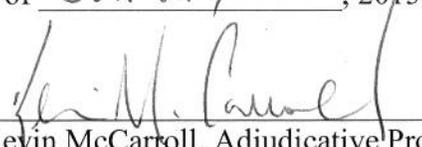
DECLARATION OF SERVICE BY
MAIL

11 I certify that I caused a copy of the FINAL ORDER OF THE BOARD in the above-
12 referenced matter to be served on all parties or their counsel of record by US Mail Postage
13 Prepaid via Consolidated Mail Service for applicants and licensees, by campus mail for state
14 offices, on the date below to:

15 GEOFFREY WALL
16 PICCADILLY CIRCUS, LLC
17 d/b/a PICCADILLY CIRCUS PUB,
18 RESTAURANT
1104 1ST STREET
SNOHOMISH, WA 98290-2911

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

19 DATED this 9th day of January, 2013, at Olympia, Washington.

20
21 
22 Kevin McCarroll, Adjudicative Proceedings Coordinator
23
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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

DEC 19 2012

STATE OF WASHINGTON
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE LIQUOR CONTROL BOARD

Liquor Control Board
Board Administration

In The Matter Of:

PICCADILLY CIRCUS, LLC d/b/a
PICCADILLY CIRCUS PUB,
RESTAURANT,

Appellant.

OAH Docket No. 2012-LCB-0021
LCB No. 23,940

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND
INITIAL ORDER

I. ISSUES PRESENTED

- 1.1 Whether, on December 17, 2011, the Appellant and/or its employee(s) consumed liquor while working on the licensed premises?
- 1.2 If so, whether the Appellant violated WAC 314-11-015(3)(d)?
- 1.3 If so, whether the Liquor Control Board properly assessed a five-day suspension of the Appellant's liquor license?

II. ORDER SUMMARY

- 2.1 On December 17, 2011, the Appellant consumed liquor while working on the licensed premises.
- 2.2 Accordingly, the Appellant violated WAC 314-11-015(3)(d).
- 2.3 Therefore, the Liquor Control Board properly assessed a five-day suspension of the Appellant's liquor license.

III. HEARING

- 3.1 **Hearing Date:** October 9, 2012
- 3.2 **Administrative Law Judge:** Lisa N. W. Dublin
- 3.3 **Appellant:** Piccadilly Circus, LLC d/b/a PICCADILLY CIRCUS PUB, RESTAURANT

3.3.1 **Witnesses:**

3.3.1.1 Geoffrey Wall, owner

3.3.1.2 Marion Wall, co-owner

3.3.1.3 Shawndy Mabery, employee (bartender/manager)

3.3.1.4 John Young, customer

3.4 **Agency:** Liquor Control Board

3.4.1 **Representative:** Timothy D. Ford, Assistant Attorney General

3.4.2 **Witnesses:**

3.4.2.1 Captain Thomas A. Dixon, Liquor Control Board

3.4.2.2 Lieutenant Blair Smith, Liquor Control Board

IV. FINDINGS OF FACT

I find the following facts by a preponderance of the evidence:

Jurisdiction

4.1 On or around December 29, 2011, Captain Thomas Dixon served Administrative Violation Notice (AVN) No. 3Y1351A on Geoffrey Wall, owner of Piccadilly Circus, LLC dba Piccadilly Circus Pub, Restaurant (hereafter, "Piccadilly Circus").

4.2 On or about January 3, 2012, Mr. Wall requested an administrative hearing if the matter could not be resolved through settlement.

Geoffrey Wall

4.3 Mr. Wall has conducted business on the property currently occupied by Appellant Piccadilly Circus, LLC, for approximately 26 years. For about the first two decades, Mr. Wall operated a gift shop on the premises. In December 2005, Mr. Wall on behalf of Appellant opened a bar on the premises with his wife, and conducts business there as Piccadilly Circus Pub, Restaurant.

4.4 Mr. Wall spends approximately 50 hours per week at the pub. Mr. Wall is largely retired, although he fills in as bartender from time to time between shifts,

or otherwise as needed, and counts cash whenever an employee gives it to him. While at the pub, when not working, Mr. Wall generally reads the paper, watches sporting events on television, visits with his wife Marion who works in the kitchen, socializes with customers, and sends emails.

December 17, 2011

4.5 On the evening of December 17, 2011, Mr. Wall sat at his table on the premises, drank beer, and watched customers. It was a busy night at the bar. A waitress approached Mr. Wall sitting at his table, with a folder full of receipts and cash. Mr. Wall proceeded to count the cash to make sure she gave him the right amount, gave the waitress some of the cash, and then told her to take the folder back to his wife for processing. Later, Mr. Wall checked the following day's game time(s) on the POS system.

4.6 After Mr. Wall talked to his wife in the kitchen, a customer approached him and told him that his beer tasted flat. Mr. Wall then went behind the bar, poured himself half a pounder-glass full of the beer, came out in front of the bar, and drank it.

4.7 These events were observed by Lieutenant Smith of the Liquor Control Board (herein "LCB") who was seated approximately 7-8 feet away from Mr. Wall. Mr. Smith then contacted Captain Dixon, also from the Liquor Control Board, who came into the establishment and approached Mr. Wall. Mr. Wall admitted drinking approximately three beers that evening, and serving himself beer because the staff was too busy.

December 29, 2011

4.8 On December 29, 2011, Captain Dixon served Mr. Wall with an Administrative Violation Notice (AVN) for drinking alcohol while working, in violation of WAC 314-11-015(3)(d).

V. CONCLUSIONS OF LAW

Based upon the foregoing Findings of Fact, I make the following Conclusions of Law:

Jurisdiction

5.1 I have jurisdiction to hear and decide this matter under WAC 314-29-010(1)(c); chapter 34.05 RCW, and chapter 10-08 WAC.

Mr. Wall Consumed Liquor While Working on the Licensed Premises.

5.2 "Licensee" means any person or entity that holds a liquor license or permit, or any person or entity who is a true party of interest in a liquor license or permit, as outlined in WAC 314-07-035. WAC 314-07-010. "True parties of interest" include all members of an LLC with more than 10% interest in the LLC and spouses. WAC 314-07-035.

5.3 Licensees have the responsibility to control their conduct and the conduct of employees and patrons on the premises at all times. Except as otherwise provided by law, licensees or employees may not consume liquor of any kind while working on the licensed premises. WAC 314-11-015(3)(d).

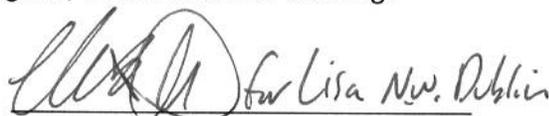
5.4 Mr. Wall, as licensee, performed work on the licensed premises of Piccadilly Pub, Restaurant, on December 17, 2011, when he counted company cash and receipts his employee gave him to ensure their accuracy, and gave his employee cash. While doing so, Mr. Wall was in the process of consuming alcohol. Although Mr. Wall may have felt justified in counting the company's cash and paying his staff at that time, Mr. Wall's alcohol consumption while working violated WAC 314-11-015(3)(d).

INITIAL ORDER

IT IS HERBY ORDERED THAT:

The Liquor Control Board shall suspend the liquor license of Piccadilly Circus, LLC dba Piccadilly Circus Pub, Restaurant for five (5) days.

Signed and Issued at Tacoma, Washington, on the date of mailing.



Lisa N. W. Dublin
Administrative Law Judge
Office of Administrative Hearings

NOTICE OF APPEAL RIGHTS – PLEASE READ CAREFULLY

Petition for Review of Initial Order

Either the licensee or permit holder or the assistant attorney general may file a petition for review of the initial order with the Liquor Control Board

within twenty (20) days of the date of service of the initial order.
RCW 34.05.464; WAC 10-08-211; WAC 314-42-095.

The petition for review must:

- (i) Specify the portions of the initial order to which exception is taken;
- (ii) Refer to the evidence of record which is relied upon to support the petition;
and
- (iii) Be filed with the liquor control board within twenty (20) days of the date of service of the initial order.

A copy of the petition for review must be mailed to all of the other parties and their representatives at the time the petition is filed. **Within ten (10) days after service of the petition for review, any of the other parties may file a response to that petition with the Liquor Control Board.** WAC 314-42-095(2)(a) and (b). Copies of the reply must be mailed to the all other parties and their representatives at the time the reply is filed.

Address for filing a petition for review with the board:

Washington State Liquor Control Board
Attention: Kevin McCarroll
3000 Pacific Avenue, PO Box 43076
Olympia, Washington 98504-3076.

Final Order and Additional Appeal Rights: The administrative record, the initial order, any petitions for review, and any replies filed by the parties will be circulated to the board members for review. WAC 314-42-095(3).

Following this review, the board will enter a final order. WAC 314-42-095(4). Within ten days of the service of a final order, any party may file a petition for reconsideration with the board, stating the specific grounds upon which relief is granted. RCW 34.05.470; WAC 10-08-215.

The final decision of the board is appealable to the Superior Court under the provisions of RCW 34.05.510 through 34.05.598 (Washington Administrative Procedure Act).

CERTIFICATION OF MAILING IS ATTACHED

Certificate of Service – OAH Docket No. 2012-LCB-0021

I certify that true copies of this document were served from Tacoma, Washington upon the following as indicated:

<p>Geoffrey Wall Picadilly Circus, LLC d/b/a Picadilly Circus Pub, Restaurant 1104 1st Street Snohomish WA 98290</p>	<p><input checked="" type="checkbox"/> First Class US mail, postage prepaid <input type="checkbox"/> Certified mail, return receipt <input type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> 1st Class, postage prepaid, Certified mail, return receipt</p>
<p>Gordon Karg Assistant Attorney General Office of the Attorney General PO Box 40100 Olympia WA 98504-0100</p>	<p><input checked="" type="checkbox"/> First Class US mail, postage prepaid <input type="checkbox"/> Certified mail, return receipt <input type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> 1st Class, postage prepaid, Certified mail, return receipt</p>
<p>Kevin McCarroll Adjudicative Proceedings Coordinator Washington State Liquor Control Board PO Box 43076 Olympia WA 98504-3076</p>	<p><input checked="" type="checkbox"/> First Class US mail, postage prepaid <input type="checkbox"/> Certified mail, return receipt <input type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> 1st Class, postage prepaid, Certified mail, return receipt</p>

Date: December 10, 2012


 Cyndi Michelena
 Office of Administrative Hearings

RECEIVED

DEC 13 2012

Liquor Control Board
Board Administration

Piccadilly Circus



*British Tea Garden
Imported Gifts & Collectibles*

December 11, 2012

Kevin McCarroll
Washington State Liquor Control Board
P.O. Box 43075
Olympia, WA 98504

RE: Piccadilly Circus, LLC d/b/a/ Piccadilly Circus Pub, Restaurant
LCB No. 23, 940
OAH No. 2012-LCB-0021

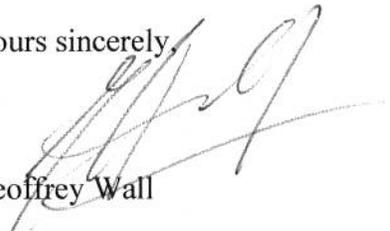
Dear Mr. McCarroll:

In regard to above referenced, I would like to appeal the verdict in this case, as I believe the Judge seemed misinformed on several points:

- 4.7 I did not admit to serving myself because the staff was too busy. I never served myself. I poured a taste of beer to sample as a customer, Mr. John Young, had complained it was flat. I did this in front of him and came to the conclusion it was fine.
- 5.3 As stated, I was not working, so I am therefore able to drink on the premises.
- 5.4 I was given money, which I counted, as I would do if I was given change in a store or any other business, and I did not pay the staff or anyone, as I have no reason to pay them. Their tips come out of their turn-in automatically and they get paid on Tuesday of the following week.

And finally, the suspension of the Liquor License for 5 days for a first time offense is above normal sentencing, which usually is \$500.00.

Yours sincerely,



Geoffrey Wall

cc: Gordon Karg, Assist. Attorney General

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

PICCADILLY CIRCUS, LLC d/b/a
PICCADILLY CIRCUS PUB,
RESTAURANT
1104 FIRST ST.
SNOHOMISH, WA 98290-2911

LICENSEE

LICENSE NO. 079464
AVN 3Y1351A

OAH NO. 2012-LCB-0021
LCB NO. 23,940

ENFORCEMENT DIVISION'S
REPLY TO LICENSEE'S PETITION
FOR REVIEW OF THE INITIAL
ORDER.

The Washington State Liquor Control Board's Education & Enforcement Division (Enforcement), by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and TIMOTHY D. FORD, Assistant Attorney General, and pursuant to RCW 34.05.464 and WAC 314-29-010, submits the following reply to the Licensee's petition for review to the Initial Order issued by Administrative Law Judge (ALJ) LISA DUBLIN, on December 10, 2012, in the above-captioned case.

I. PROCEDURAL BACKGROUND

The Board issued a Complaint to the Licensee, Piccadilly Circus, LLC, d/b/a Piccadilly Circus Pub, Restaurant (Licensee) dated April 16, 2012, alleging that on or about December 17, 2011, the above-named Licensee, or employee(s) thereof, did consume liquor while working on the licensed premises, contrary to WAC 314-11-015(3)(d).

1 This case was heard and considered by the ALJ in Everett, Washington on October 9,
2 2012. After a full evidentiary hearing, the ALJ entered Findings of Fact and Conclusions of
3 Law, in its Initial Order issued on December 10, 2012. In the Initial Order, the ALJ concluded
4 that the Licensee consumed liquor while working on the licensed premises in violation of
5 WAC 314-11-015(3)(d) and ordered that the Liquor Control Board shall suspend the license for
6 five (5) days.

7 The Licensee timely petitions for review from the initial order and succinctly argues that
8 "...I was not working, so I am therefore able to drink on the premises." Enforcement
9 respectfully takes exception to the Licensee's characterization of the facts and statement of the
10 law.

11 II. DISCUSSION

12 A. The Preponderance Of The Evidence Demonstrates That Mr. Wall Was Working.

13 It is undisputed that Mr. Wall performed certain duties such as counting cash and receipts
14 his employee gave him to ensure their accuracy. These are routine work duties of any business
15 that an employee, manager, or licensee might perform. The Board's administrative rules don't
16 need to specify all duties that are considered "work." As the governing Individual of
17 PICCADILLY CIRCUS, LLC (Licensee) it is clear from the record that Mr. Wall performs
18 supervisory work evidenced by the occasional assistance he provides when called upon by his
19 employees or patrons.

20 As an owner it is in Mr. Wall's financial interest to supervise the licensed premises even
21 when he is sitting on the patron's side of the bar. Moreover it is his legal duty to supervise his
22 premises and employees. Licensees have the responsibility to control their conduct and the
23 conduct of employees and patrons on the premises at all times. WAC 314-11-015. The legal
24 duty exists whether Mr. Wall is behind the bar, or on the patron's side of the bar, or even if
25 Mr. Wall is absent from the licensed premises. Mr. Wall may delegate the supervisory work
26 when he is absent, but as a Licensee he is still responsible. As evidenced by the record

1 Mr. Wall's presence at the licensed premises is supervisory because he admits to assisting
2 employees with specific services as needed. The mere fact that he does not perform specific
3 duties of an employee at all times does not have any relevance as to whether he is working in a
4 supervisory role as an owner.

5 **B. There Are Recurring Public Safety Concerns With This Case.**

6 In a prior case, Mr. Wall was cited with consuming liquor on the premises. See
7 LCB Docket #23,631/OAH Docket #2010-LCB-0026. The purpose of addressing that prior case
8 in this pleading is solely to provide some history and to allow the Board to take notice of a
9 recurring public safety concern. The Enforcement Division is not requesting the Board to reopen
10 that prior case. Mr. Wall testified in that case, as in this case, that he consumes liquor on the
11 licensed premises. In the prior case the ALJ found that the evidence was not clear whether
12 Mr. Wall consumed liquor while simultaneously performing specific work duties. In that prior
13 case, the ALJ concluded that Mr. Wall was on a break while consuming liquor. There are
14 ongoing concerns with the consumption of liquor by Mr. Wall on the licensed premises.
15 Moreover, there is a public safety concern when any employee, manager, or licensee consumes
16 liquor on the premises.

17 The general public safety concern is simple. Consumption of alcohol has a debilitating
18 physical and mental effect over time. Even if consumed while a licensee is not performing any
19 specific task, alcohol stays in an individual's blood, and it continues to have a deleterious effect
20 on conduct. This general public safety concern is reflected in the Board's rule prohibiting the
21 consumption of liquor on the licensed premises while working. It should be of no relevance that
22 the consumption of liquor may occur during a break, or while the licensee is sitting on the
23 patron's side of the bar apparently doing nothing.

24 **C. The Board Should Address The Broader Public Safety Issue.**

25 The Board should affirm the ALJ's initial order on the facts that the Licensee was
26 consuming liquor while performing specific services or work such as counting cash. The Board

1 should also recognize that this is a recurring issue and that these specific services were a function
2 of the supervisory role of the Licensee, and that supervisory services or work of a licensee are
3 not always the same as an employee.

4 Within the context of the facts of this case, the Board should address the broader public
5 safety issue regarding whether liquor may be consumed on the licensed premises by an employee
6 or licensee during a break. These public safety issues may likely recur in future cases until the
7 Board addresses the broader legal issue.

8 **III. CONCLUSION**

9 Enforcement has demonstrated by a preponderance of the evidence, that Mr. Wall
10 consumed liquor while working on the licensed premises. The ALJ properly concluded that the
11 Licensee violated WAC 314-11-015(3)(d). Due to this recurring public safety concern with this
12 Licensee the Enforcement Division requested and the ALJ ordered a five (5) day suspension of
13 the license. Enforcement firmly believes a five (5) day suspension is merited and necessary to
14 convey the importance of this violation to the Licensee. Therefore, the Enforcement Division
15 respectfully requests that the Initial Order be adopted in this matter, that the complaint be
16 sustained, and that a five (5) day suspension of the license be imposed.

17 DATED this 20th day of December, 2012.

18 ROBERT M. MCKENNA
19 Attorney General

20 
21 _____
22 TIMOTHY D. FORD, WSBA #29254
23 Assistant Attorney General
24 Attorneys for the Washington State Liquor
25 Control Board Enforcement Division
26

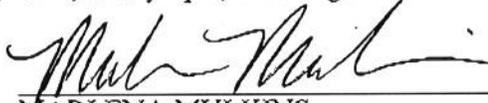
PROOF OF SERVICE

1 I certify that I served a true and correct copy of this document on all parties or their
2 counsel of record on the date below by placing same in the U.S. mail via state Consolidated Mail
3 Service with proper postage affixed to:

4 GEOFFREY WALL
5 PICCADILLY CIRCUS PUB, RESTAURANT
6 1104 - 1ST STREET
7 SNOHOMISH, WA 98290

8 I declare under penalty of perjury under the laws of the state of Washington that the
9 foregoing is true and correct.

10 DATED this 20th day of December, 2012, at Olympia, Washington.



11 MARLENA MULKINS
12 Legal Assistant

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