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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 24,053

RYAN DAVIS

FINAL ORDER OF THE BOARD
[PROPOSED]

2126 W. PACIFIC AVE.
SPOKANE, WA 99201

PERMIT HOLDER.

PERMIT NO. 120 368 703
AVN NO. 4O2013E

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 RYAN DAVIS, Mandatory Alcohol Server Training (MAST) Permit Holder (Permit Holder), and the parties having voluntarily entered into a stipulated settlement agreement for Administrative Violation Notice (AVN) No. 4O2013E, Case No. 24,053, 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 allegation set forth in AVN No. 4O2013E, to wit: Permit Holder or employee thereof gave, sold, and/or otherwise supplied liquor to a person

1 under twenty-one (21) years of age in violation of RCW 66.44.270 and WAC 314-11-020(1),
2 is sustained.

3 IT IS FURTHER ORDERED that the Permit Holder shall pay a monetary penalty of
4 one hundred dollars (\$100) within 30 days of the date of this order. Payment shall be sent to:

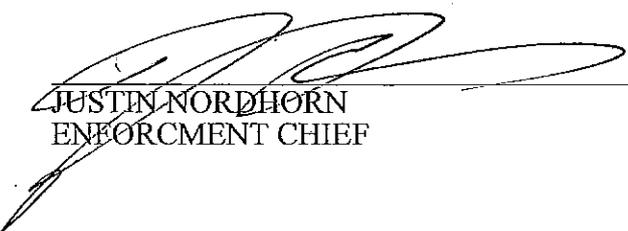
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6 **Washington State Liquor Control Board**
7 **Enforcement and Education Division**
8 **3000 Pacific Ave. SE**
9 **PO Box 43085**
10 **Olympia, WA 98504-3085**

11 IT IS FURTHER ORDERED that within sixty (60) days of the date of this order, the
12 Permit Holder will participate in a Responsible Liquor Sales Training (RLST) class through
13 Enforcement. The Permit Holder is responsible for coordinating the date, time and location of
14 the training class through its assigned Liquor Enforcement Officer.

15 In the event the Permit Holder fails to make full and timely payment of the monetary
16 penalty, and/or in the event the Permit Holder fails to attend a Responsible Liquor Sales
17 Training (RLST) class as required, the Permit Holder shall serve a five (5) day suspension of
18 its MAST Permit, the dates and time of which shall be set by the Washington State Liquor
19 Control Board.

20 DATED this 29 day of NOVEMBER, 2012.

21 WASHINGTON STATE LIQUOR CONTROL BOARD

22 
23 JUSTIN NORDHORN
24 ENFORCEMENT CHIEF

NOV 28 2012

Liquor Control Board
Board Administration

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 24,053

RYAN DAVIS

STIPULATED SETTLEMENT
AGREEMENT

2126 W. PACIFIC AVE.
SPOKANE, WA 99201

PERMIT HOLDER.

PERMIT NO. 120 368 703
AVN NO. 4O2013E

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 RYAN DAVIS, Mandatory Alcohol Server Training (MAST) Permit Holder (Permit Holder), hereby enter into this stipulated settlement agreement for Liquor Control Board Case No. 24,053, arising from AVN No. 4O2013E.

I. INTRODUCTION

On or around January 17, 2012, Enforcement issued AVN No. 4O2013E to the Permit Holder, alleging that on or around January 13, 2012, the Permit Holder gave, sold, and/or supplied liquor to a person or persons under the age of twenty-one (21), in violation of RCW 66.44.270 and WAC 314-11-020(1).

///

ORIGINAL

1 **II. AGREEMENT OF THE PARTIES**

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

6 1. The parties enter into this agreement to avoid the time and expense of further
7 litigation.

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

11 3. The Permit Holder stipulates to the violation set forth in AVN No. 4O2013E.
12 Specifically, the Permit Holder admits that on or around January 13, 2012, he gave, sold,
13 and/or supplied liquor to a person or persons under the age of twenty-one (21).

14 4. The parties agree that this is the Permit Holder's first violation of this type
15 within a twenty-four (24) month period, which carries a standard penalty of a five (5) day
16 suspension of the Permit Holder's MAST Permit or a monetary penalty of two hundred dollars
17 (\$200).

18 5. The parties agree that the Permit Holder will pay a monetary penalty of one
19 hundred dollars (\$100) within 30 days of the date of the Final Order of the Board. Payment
20 shall be sent to:

21 **Washington State Liquor Control Board**
22 **Enforcement and Education Division**
23 **3000 Pacific Ave. SE**
PO Box 43085
Olympia, WA 98504-3085

24 6. In the event that the Permit Holder fails to make full and timely payment of the
25 monetary penalty as required in Section II, Paragraph 5, the Permit Holder shall serve a five (5)
26 day suspension of his MAST Permit, the dates and time of which shall be set by the Board.

1 7. The Permit Holder further agrees that within sixty (60) days of the date of the
2 Final Order of the Board, the Permit Holder will participate in a Responsible Liquor Sales
3 Training (RLST) class through Enforcement. The Permit Holder is responsible for
4 coordinating the date, time and location of the training class through its assigned Liquor
5 Enforcement Officer.

6 8. The Permit Holder agrees that failure to fully and timely comply with the RLST
7 requirement as set out in Section II, Paragraph 7, is grounds under which the Board may
8 impose a five (5)-day suspension of the Permit Holder's MAST Permit, the dates and times of
9 suspension to be determined by the Board.

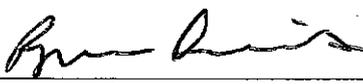
10 9. This agreement constitutes the final written expression of all the terms of this
11 agreement and is a complete and exclusive statement of these terms.

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

14
15 ROBERT M. MCKENNA
16 Attorney General

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19 _____
20 MARISA E. BROGGEL, WSBA #41767
21 Assistant Attorney General
22 Attorneys for Washington State
23 Liquor Control Board
24 Enforcement Division

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18 11/8/2012
19 _____
20 DATE

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24 _____
25 RYAN DAVIS
26 MAST Permit Holder

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23 11-2-12
24 _____
25 DATE



Washington State
Liquor Control Board

November 30, 2012

Ryan Davis,
MAST Permit Holder
2126 W Pacific Ave
Spokane, WA 99201

Marisa E. 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
MAST Permit Holder: Ryan Davis
Permit No. 120 368 703
ADMINISTRATIVE VIOLATION NOTICE NO.402013E
LCB HEARING NO. 24,053

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 December 31, 2012. If payment is not received timely, then suspension will take place from 1:00 p.m. on January 24, 2013 until 1:00 p.m. on January 29, 2013. The address for payments is WSLCB, P.O. Box 43085, Olympia, WA 98504-3085. Please label the check with your Permit 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 Wenatchee Enforcement and Education Divisions, WSLCB
Teresa Young, WSLCB