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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

CONLEY AND RIVERA, LLC d/b/a
ROCK REACTOR

117 W. KENNEWICK AVENUE
KENNEWICK, WA 98336

LICENSEE

LICENSE NO. 356117
AVN NO. 4J2004A

LCB NO. 24,062

FINAL ORDER OF THE BOARD
APPROVING STIPULATED
SETTLEMENT AGREEMENT

~~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 CONLEY AND RIVERA, LLC d/b/a ROCK REACTOR, Licensee, represented by and through CARLOS RIVERA, Member, and the parties having voluntarily entered into a stipulated settlement agreement for Administrative Violation Notice (AVN) No. 4J2004A, Case No. 24,062, 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 allegations set forth in AVN No. 4J2004A, to wit: that on or before January 4, 2012, the above-named Licensee made alterations to the licensed

1 premise, and the Licensee failed to notify the Board about the alterations and/or failed to obtain
2 the approval of the Board for the alterations, in violation of WAC 314-02-130, is sustained.

3 IT IS FURTHER ORDERED that the Licensee's cessation of business operations and
4 voluntarily relinquishing of its liquor license shall act in lieu of the standard penalty for this
5 violation, which is a five (5) day suspension of the Licensee's liquor license or a monetary
6 penalty of five hundred dollars (\$500).

7 DATED this 16th day of October, 2012.

8
9 WASHINGTON STATE LIQUOR CONTROL BOARD

10 Sharon Foster

11 Rutanya Kurose

12 Chm

RECEIVED

OCT 15 2012

Liquor Control Board
Board Administration

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 24,062

CONLEY AND RIVERA, LLC d/b/a
ROCK REACTOR

STIPULATED SETTLEMENT
AGREEMENT

117 W. KENNEWICK AVENUE
KENNEWICK, WA 98336

LICENSEE

LICENSE NO. 356117
AVN NO. 4J2004A

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 CONLEY AND RIVERA, LLC d/b/a ROCK REACTOR, Licensee, represented by and through CARLOS RIVERA, Member, hereby enter into this stipulated settlement agreement for Washington State Liquor Control Board (Board) Case No. 24,062, arising from Administrative Violation Notice No. 4J2004A.

I. INTRODUCTION

On or around January 23, 2012, The Washington State Liquor Control Board Enforcement and Education Division (Enforcement) issued AVN No. 4J2004A to the Licensee, alleging that on or before January 4, 2012, the Licensee had made alterations to the

ORIGINAL

1 licensed premise without notifying the Board about or obtaining the approval of the Board for
2 the alterations, in violation of WAC 314-02-130.

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. 4J2004A. 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 before January 4, 2011, the Licensee had made
16 alterations to the licensed premise, and the Licensee failed to notify the Board about the
17 alterations and/or failed to obtain the approval of the Board for the alterations, in violation of
18 WAC 314-02-130.

19 5. The Licensee admits that this is the Licensee's second violation of this type
20 within a twenty-four month period, for which the standard penalty is a five (5) day suspension
21 of the Licensee's liquor license or a monetary penalty of five hundred dollars (\$500).

22 5. The Licensee stipulates that it ceased business operations on or around
23 February 25, 2012, and voluntarily relinquished its liquor license with no further interest
24 remaining in the license.

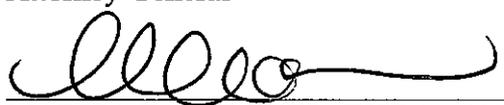
1 7. The parties agree that the Licensee's cessation of business operations and
2 voluntarily relinquishing of its liquor license has effectively mooted Enforcement's actions and
3 shall act in lieu of the standard penalty.

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

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

9 STIPULATED AND AGREED to by:

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

10/9/2012
Date

17 
18 CARLOS RIVERA
19 CONLEY AND RIVERA, LLC d/b/a
20 ROCK REACTOR
21 Licensee

10/2/12
Date



Washington State
Liquor Control Board

October 17, 2012

Carlos Rivera
Conley and Rivera, LLC
d/b/a Rock Reactor
7716 Three Rivers Drive
Pasco, WA 99301-6826

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 APPROVING STIPULATED SETTLEMENT AGREEMENT

LICENSEE: Conley and Rivera, LLC

TRADE NAME: Rock Reactor

LOCATION: 117 W Kennewick Ave, Kennewick, WA 99336-3831

LICENSE NO. 356117-4J

ADMINISTRATIVE VIOLATION NOTICE NO. 4J2004A

LCB HEARING NO. 24,062

UBI: 603 021 487 001 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,

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

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 24,062

CONLEY AND RIVERA, LLC
d/b/a ROCK REACTOR

117 W KENNEWICK AVE
KENNEWICK, WA 99336-3831

LICENSEE

LICENSE NO. 356117
AVN NO. 4J2004A

DECLARATION OF SERVICE BY
MAIL

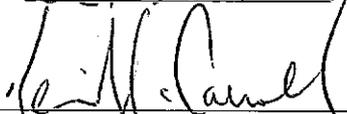
I certify that I caused a copy of the FINAL ORDER OF THE BOARD APPROVING
STIPULATED SETTLEMENT AGREEMENT in the above-referenced matter to be served on
all parties or their counsel of record by US Mail Postage Prepaid via Consolidated Mail
Service for applicants and licensees, by campus mail for state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

CARLOS RIVERA
CONLEY AND RIVERA, LLC
d/b/a ROCK REACTOR
7716 THREE RIVERS DRIVE
PASCO, WA 99301-6826

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

CARLOS RIVERA
CONLEY AND RIVERA, LLC
d/b/a ROCK REACTOR
117 W KENNEWICK AVE
KENNEWICK, WA 99336-3831

DATED this 17th day of October, 2012, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator