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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

B.G.S. 00, LLC d/b/a
BOOMERS SPORTS BAR GRILL

611 MAIN STREET
VANCOUVER, WA 98660

LICENSEE.

LICENSE No. 080505
AVN No. 1L2077A

LCB NO. 24,076

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) by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and STEPHANIE U. HAPPOLD, Assistant Attorney General, and B.G.S.00, LLC d/b/a BOOMERS SPORTS BAR GRILL (Licensee) through its authorized representatives, GLORIA DENNY and ROBERT PONTIUS, and the parties having voluntarily entered into a stipulated settlement agreement for case number 24,076, 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 AVN for Case Number 24,076 is sustained and the Licensee shall pay a monetary penalty of three hundred dollars (\$300), to be paid within thirty

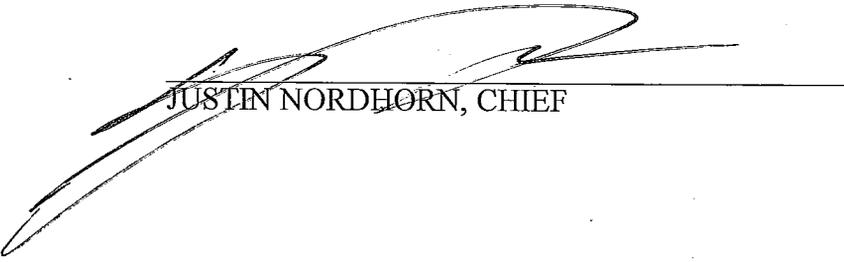
1 (30) days of the date of this final order of the Washington State Liquor Control Board. The
2 payments shall be sent to:

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

6 In the event that the Licensee fails to make full and timely payment of the three
7 hundred dollar (\$300) monetary penalty, a five (5) day suspension of the Licensee's liquor
8 license will go into effect, the dates and time of which shall be set by the Washington State
9 Liquor Control Board.

10 DATED this 26 day of october, 2012.

11 WASHINGTON STATE LIQUOR CONTROL BOARD

12 
13 JUSTIN NORDHORN, CHIEF

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25 BOOMER'S SPORTS BAR & GRILL
26 LICENSE 080505
LCB NO. 24,076

OCT 19 2012

Liquor Control Board
Board Administration

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 24,076

B.G.S. 00, LLC d/b/a
BOOMERS SPORTS BAR GRILL
611 MAIN STREET
VANCOUVER, WA 98660

STIPULATED SETTLEMENT
AGREEMENT

LICENSEE.

LICENSE No. 080505
AVN No. 1L2077A

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by its attorneys ROBERT M. MCKENNA, Attorney General, and STEPHANIE U. HAPPOLD, Assistant Attorney General, and the Licensee, B.G.S. 00, LLC d/b/a BOOMERS SPORTS BAR GRILL (Licensee) through its authorized representatives, GLORIA DENNY and ROBERT PONTIUS, hereby enter into this stipulated settlement agreement for Liquor Control Board Case Number 24,076.

I. INTRODUCTION

1. The Washington State Liquor Control Board Enforcement Division issued to the Licensee, Administrative Violation Notice (AVN) No. 1L2077A, alleging that on or about March 17, 2012, the above-named Licensee, or an employee thereof, sold, allowed, and/or

1 permitted an apparently intoxicated person(s) to consume liquor and/or possess liquor on the
2 licensed premises, contrary to WAC 314-16-150.

3 2. Enforcement and the Licensee wish to enter into a settlement agreement
4 concerning the above-referenced AVN.

5 II. AGREEMENT OF THE PARTIES

6 Enforcement and the Licensee agree to the following:

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

9 2. The Licensee explicitly waives the right of further administrative review of all
10 matters related to the above-referenced AVN. Furthermore, the Licensee hereby voluntarily
11 withdraws its request for a hearing in this matter.

12 3. This settlement agreement constitutes the final written expression of all the
13 terms of this agreement and is a complete and exclusive statement of these terms, and shall be
14 effective when signed by all parties and/or their legal representatives.

15 4. The Licensee admits to the violation in AVN 1L2077A; that is, the Licensee or
16 an employee thereof, sold, allowed, and/or permitted an apparently intoxicated person(s) to
17 consume liquor and/or possess liquor on the licensed premises on or about March 17, 2012.

18 5. The parties agree that this violation would be the first violation pursuant to
19 WAC 314-29-020 within a twenty-four (24) month period, which carries a standard penalty of a
20 five (5) day suspension of the liquor license, or five hundred dollars (\$500) monetary penalty.

21 6. The parties agree that the five (5) day suspension of the liquor license or five
22 hundred dollars (\$500) monetary penalty will be converted to a three hundred dollars (\$300)
23 monetary penalty with no suspension.

24 7. The Licensee agrees to pay a three hundred dollar (\$300) monetary penalty for
25 the above-referenced violation. The amount shall be paid within thirty (30) days of the date of
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1 the final order of the Washington State Liquor Control Board. Payment shall be made to the
2 Washington State Liquor Control Board no later than 4:00 p.m. on the applicable date.

3 Payments shall be sent to:

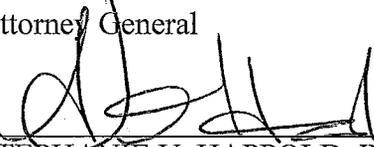
4 Washington State Liquor Control Board
5 P.O. Box 43085
6 Olympia, WA 98504-3085

7 8. In the event that the Licensee fails to make full and timely payment of the
8 monetary penalty as required in Section II, Paragraph 7, the Licensee shall serve a five (5) day
9 suspension of its liquor license, the dates and time of which shall be set by the Washington
10 State Liquor Control Board.

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

13 10. The undersigned parties declare that the terms of this Settlement Agreement are
14 completely read, wholly understood, and voluntarily accepted for the purpose of making a full
15 and final compromise and settlement of any and all violations arising from the above-
16 referenced AVN.

17 ROBERT M. MCKENNA
18 Attorney General

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20 STEPHANIE U. HAPPOLD, WSBA #38112
21 Assistant Attorney General
22 Attorneys for LCB Enforcement

23 10/18/12
24 DATE

25 
26 GLORIA DENNY
27 Representative for Licensee

28 10-9-12
29 DATE

30 
31 ROBERT PONTIUS
32 Representative for Licensee

33 10/12/12
34 DATE



Washington State
Liquor Control Board

October 26, 2012

Gloria Denny, Robert Pontius
BGS LLC
d/b/a Boomers Sports Bar & Grill
611 Main Street
Vancouver, WA 98660-3129

Stephanie U. Happold, 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: BGS LLC
TRADE NAME: Boomers Sports Bar & Grill
LOCATION: 611 Main Street, Vancouver, WA 98660-3129
LICENSE NO. 080505-1L
ADMINISTRATIVE VIOLATION NOTICE NO. 1L2077A
LCB HEARING NO. 24,076
UBI: 602 066 671 001 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.

The applicable monetary penalty is due by November 26, 2012. If payment is not received timely, then suspension will take place from 11:00 a.m. on Thursday, December 13, 2012 until 11:00 a.m. on Tuesday, December 18, 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 Number listed above. If you have any questions, please contact me at (360) 664-1602.

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures

cc: Tacoma and Vancouver Enforcement and Education Divisions, WSLCB
Teresa Young, WSLCB

PO Box 43076, 3000 Pacific Ave. SE, Olympia WA 98504-3076, (360) 664-1602 www.liq.wa.gov

1 **WASHINGTON STATE LIQUOR CONTROL BOARD**

2 IN THE MATTER OF:

LCB NO. 24,076

3 BGS LLC d/b/a BOOMERS
4 SPORTS BAR & GRILL
5 611 MAIN STREET
VANCOUVER, WA 98660-3129

DECLARATION OF SERVICE BY
MAIL

6 LICENSEE

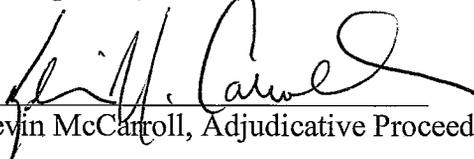
7 LICENSE NO. 080505-1L
8 AVN NO. 1L2077A

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

13
14
15 GLORIA DENNY, ROBERT PONTIUS
16 BGS LLC
17 d/b/a BOOMERS SPORTS BAR & GRILL
611 MAIN STREET
VANCOUVER, WA 98660-3129

OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100, GCE DIVISION
STEPHANIE U. HAPPOLD, ASSISTANT
ATTORNEY GENERAL

18 DATED this 26th day of October, 2012, at Olympia, Washington.

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21 Kevin McCarroll, Adjudicative Proceedings Coordinator
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DECLARATION OF SERVICE BY
MAIL

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Washington State Liquor Control Board
3000 Pacific Avenue SE
PO Box 43076
Olympia, WA 98504-3076
(360) 664-1602