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5 **BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

6 IN THE MATTER OF:

7 MAKE-A-BUCK ENTERPRISES, LLC
8 d/b/a EMPIRE PIZZA

9 12292 SIDNEY ROAD SW
10 PORT ORCHARD, WA 98367

11 LICENSEE

12 LICENSE NO. 077964
AVN NO. 1U2096A

OAH NO. 2013-LCB-0002

LCB NO. 24,090

FINAL ORDER OF THE BOARD
~~[PROPOSED]~~

13 THIS MATTER having come before the Washington State Liquor Control Board (Board)
14 and the Washington State Liquor Control Board Education and Enforcement Division
15 (Enforcement) by and through its attorneys, ROBERT W. FERGUSON, Attorney General, and
16 MARISA E. BROGGEL, Assistant Attorney General, and MAKE-A-BUCK ENTERPRISES
17 LLC, d/b/a EMPIRE PIZZA (Licensee) represented by Doug DeMulling, Member, and the
18 parties having voluntarily entered into a stipulated settlement agreement for Administrative
19 Violation Notice (AVN) No. 1U2096A, Case No. 24,090, and the Board having considered the
20 stipulated settlement agreement and Enforcement's memorandum recommending acceptance of
21 the stipulated settlement agreement, and the Board having had the opportunity to review the file
22 materials maintained in this case, now, therefore:

23 IT IS HEREBY ORDERED that the allegations set forth in AVN No. 1U2096A, to wit:
24 that on or around April 5, 2012, the Licensee or an employee thereof consumed liquor on the
25 premises while working on the licensed premise, in violation of WAC 314-11-015(3)(d), is
26 sustained.

1 IT IS FURTHER ORDERED that the Licensee shall pay a monetary penalty of one
2 thousand seven hundred fifty dollars (\$1,750) within thirty (30) days of this order, to:

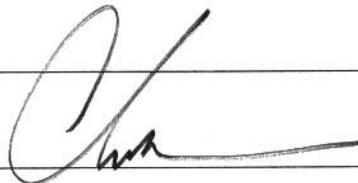
3 **Washington State Liquor Control Board**
4 **Enforcement and Education Division**
5 **3000 Pacific Ave. SE**
6 **PO Box 43085**
7 **Olympia, WA 98504-3085**

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

11 DATED this 5th day of JUNE, 2013.

12 WASHINGTON STATE LIQUOR CONTROL BOARD

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RECEIVED

JUN 03 2013

Liquor Control Board
Board Administration

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2013 MAY 21 A 8:25

ATTORNEY GENERAL
OF
WASHINGTON

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

MAKE-A-BUCK ENTERPRISES, LLC
d/b/a EMPIRE PIZZA

12292 SIDNEY ROAD SW
PORT ORCHARD, WA 98367

LICENSEE

LICENSE NO. 077964
AVN NO. 1U2096A

OAH NO. 2013-LCB-0002

LCB NO. 24,090

STIPULATED SETTLEMENT
AGREEMENT

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement), by and through its attorneys, ROBERT W. FERGUSON, Attorney General, and MARISA E. BROGGEL, Assistant Attorney General, and the Licensee, MAKE-A-BUCK ENTERPRISES, LLC d/b/a EMPIRE PIZZA (Licensee) represented by Doug DeMulling, Member, hereby enter into this stipulated settlement agreement for Washington State Liquor Control Board (Board) Case No. 24,090, arising from Administrative Violation Notice (AVN) No. 1U2096A.

I. INTRODUCTION

The Washington State Liquor Control Board (Board) charged Licensee with the following violation of Title 66 RCW and/or Title 314 WAC by its complaint dated March 13, 2013:

That on or around April 5, 2012, the Licensee or an employee thereof consumed liquor on the premises while working on the licensed premise, in violation of WAC 314-11-015(3)(d).

STIPULATED SETTLEMENT
AGREEMENT
MAKE-A-BUCK ENTERPRISES, LLC
d/b/a EMPIRE PIZZA
24,090

ATTORNEY GENERAL OF WASHINGTON
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
(360) 664-9006

ORIGINAL

1 Enforcement and the Licensee wish to enter into a settlement agreement concerning the
2 above-referenced Complaint.

3 **II. AGREEMENT OF THE PARTIES**

4 Enforcement and the Licensee agree to the following:

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

7 2. The Licensee explicitly waives the right to further administrative review of all
8 matters related to the above-referenced violation, including the Complaint dated March 13,
9 2013. Furthermore, the Licensee hereby voluntarily withdraws its request for a hearing in this
10 matter.

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

13 4. The Licensee stipulates to the violation set forth in the Complaint.
14 Specifically, the Licensee stipulates that on or around April 5, 2012, an employee of the
15 Licensee consumed liquor while working on the licensed premise, contrary to WAC 314-11-
16 015(3)(d).

17 5. The Licensee stipulates that the violation to which it stipulates is the
18 Licensee's second violation of this type within a twenty-four (24) month period, for which the
19 standard penalty is suspension of the Licensee's liquor license for seven (7) days.

20 6. The Licensee agrees to pay a monetary penalty of one thousand seven hundred
21 fifty dollars (\$1,750) within thirty (30) days of the date of the Final Order of the Board, no
22 later than 4:00 p.m. on the applicable date, for the violation stipulated to in Section II,
23 Paragraph 4. Payment shall be sent to:

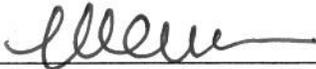
24 **Washington State Liquor Control Board**
25 **PO Box 43085**
26 **Olympia, WA 98504-3085**

1 7. In the event that the Licensee fails to make the full payment of the monetary
2 penalty on time, as set out and required by Section II, Paragraph 6, the Licensee shall be
3 subject to a seven (7) day suspension of its liquor license, the dates of suspension to be
4 determined by the Board.

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

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

10 ROBERT W. FERGUSON
11 Attorney General

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

12 5/22/2013
13 DATE

16 
17 DOUG DEMULLING, Member
18 Make-a-Buck Enterprises, LLC d/b/a
19 Empire Pizza

16 5/20/13
17 DATE



Washington State
Liquor Control Board

June 5, 2013

Make-A-Buck Enterprises, LLC
d/b/a Empire Pizza
2397 Lincoln Ave SE
Port Orchard, WA 98366-3060

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: Make-A-Buck Enterprises, LLC
TRADE NAME: Empire Pizza
LOCATION: 12292 Sidney Rd SW, Port Orchard, WA 98367
LICENSE NO. 077964-1U
ADMINISTRATIVE VIOLATION NOTICE NO. 1U2096A
LCB HEARING NO. 24,090
OAH NO. 2013-LCB-0002
UBI: 602-737-220-001-0001

Dear Parties:

Please find the enclosed Final Order of the Board and Declaration of Service by Mail in the above-referenced matter, as well as a copy of the Stipulated Settlement Agreement.

The applicable monetary penalty is due by Friday, July 5, 2013. If payment is not received timely, then suspension will take place from 11:00 a.m. on Thursday, July 18, 2013 until 11:00 a.m. on Thursday, July 25, 2013. 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 Enforcement and Education Division, WSLCB
Lisa Red, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

OAH NO. 2013-LCB-0002

MAKE-A-BUCK ENTERPRISES,
LLC d/b/a EMPIRE PIZZA

LCB NO. 24,090

12292 SIDNEY RD SW
PORT ORCHARD, WA 98367

DECLARATION OF SERVICE BY
MAIL

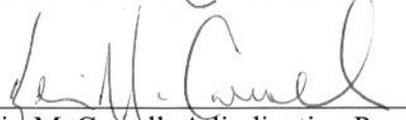
LICENSEE

LICENSE NO. 077964-1U
AVN NO. 1U2096A

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 applicants and licensees, by campus mail for state offices, on the date below to:

MAKE-A-BUCK ENTERPRISES, LLC d/b/a EMPIRE PIZZA 2397 LINCOLN AVE SE PORT ORCHARD, WA 98366-3060	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION MARISA BROGGEL, ASSISTANT ATTORNEY GENERAL
MAKE-A-BUCK ENTERPRISES, LLC d/b/a EMPIRE PIZZA 12292 SIDNEY RD SW PORT ORCHARD, WA 98367-7059	

DATED this 5th day of June, 2013, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator