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

8 IN THE MATTER OF:

LCB NO. 24,097

9 PUERTO VALLARTA OF WEST  
10 SEATTLE, INC. d/b/a  
11 PUERTO VALLARTA

FINAL ORDER OF THE BOARD  
[PROPOSED]

12 4727 CALIFORNIA AVENUE SW  
13 SEATTLE, WA 98116

LICENSEE

14 LICENSE NO. 073548  
15 AVN NO. 2Y2126B

16 THIS MATTER having come before the Washington State Liquor Control Board  
17 (Board) and the Washington State Liquor Control Board Education and Enforcement Division  
18 (Enforcement) by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and  
19 MARISA E. BROGGEL, Assistant Attorney General, and PUERTO VALLARTA OF WEST  
20 SEATTLE, INC. d/b/a PUERTO VALLARTA (Licensee), by and through its representative,  
21 EDUARDO C. MORALES, and the parties having voluntarily entered into a stipulated  
22 settlement agreement for Administrative Violation Notice (AVN) No. 2Y2126B, Case  
23 No. 24,097, and the Board having considered the stipulated settlement agreement and  
24 Enforcement's memorandum recommending acceptance of the stipulated settlement  
25 agreement, and the Board having had the opportunity to review the file materials maintained in  
26 this case, now, therefore:

1 IT IS HEREBY ORDERED that the allegations set forth in AVN No. 2Y2126B, to wit:  
2 that on or about May 5, 2012, the above-named Licensee, or employee(s) thereof, allowed an  
3 apparently intoxicated person to possess and/or consume liquor on the licensed premises  
4 contrary to WAC 314-16-150, is sustained.

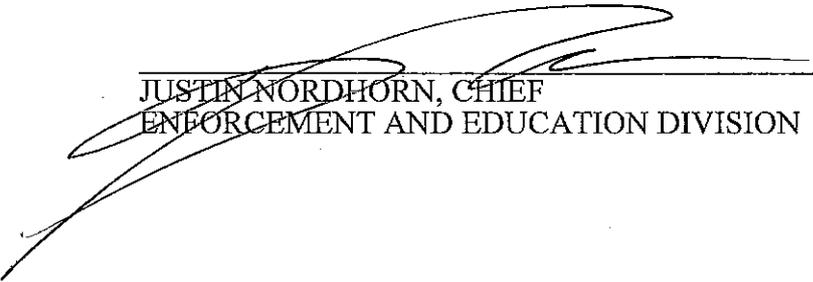
5 IT IS FURTHER ORDERED that the Licensee shall pay a monetary penalty of three  
6 hundred dollars (\$300) within thirty (30) days of this order, to:

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

12 In the event the Licensee fails to make full and timely payment of the monetary  
13 penalty, the Licensee shall serve a five (5) day suspension of its liquor license, the dates and  
14 time of which shall be set by the Washington State Liquor Control Board.

15 DATED this 08 day of October, 2012.

16 WASHINGTON STATE LIQUOR CONTROL BOARD

17   
18 JUSTIN NORDHORN, CHIEF  
19 ENFORCEMENT AND EDUCATION DIVISION  
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6 **BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

7 IN THE MATTER OF:

LCB NO. 24,097

8 PUERTO VALLARTA OF WEST  
9 SEATTLE, INC. d/b/a  
10 PUERTO VALLARTA

STIPULATED SETTLEMENT  
AGREEMENT

11 4727 CALIFORNIA AVENUE SW  
12 SEATTLE, WA 98116

LICENSEE

13 LICENSE NO. 073548  
14 AVN NO. 2Y2126B

15 The Washington State Liquor Control Board Education and Enforcement Division  
16 (Enforcement), by and through its attorneys, ROBERT M. MCKENNA, Attorney General,  
17 and MARISA E. BROGGEL, Assistant Attorney General, and PUERTO VALLARTA OF  
18 WEST SEATTLE, INC. d/b/a PUERTO VALLARTA (Licensee), by and through its  
19 representative, EDUARDO C. MORALES, hereby enter into this stipulated settlement  
20 agreement for Washington State Liquor Control Board (Board) Case No. 24,097, arising from  
21 Administrative Violation Notice (AVN) No. 2Y2126B

22 **I. INTRODUCTION**

23 The Washington State Liquor Control Board Enforcement and Education Division  
24 issued AVN No. 2Y2126B to the Licensee, alleging that on or around May 5, 2012, the  
25 Licensee or employee(s) thereof permitted an apparently intoxicated person to possess and/or  
26 consume liquor on the licensed premises, in violation of WAC 314-16-150.

STIPULATED SETTLEMENT  
AGREEMENT  
PUERTO VALLARTA OF WEST  
SEATTLE, INC d/b/a  
PUERTO VALLARTA  
24,097

1

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

ORIGINAL

1 **II. AGREEMENT OF THE PARTIES**

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

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

8 2. The Licensee explicitly waives the right to further administrative review of all  
9 matters related to the above-referenced violation. Furthermore, the Licensee hereby  
10 voluntarily withdraws its request for a formal administrative hearing in this 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 AVN. Specifically, the  
14 Licensee admits that or around May 5, 2012, the Licensee or employee(s) thereof permitted an  
15 apparently intoxicated person to possess and/or consume liquor on the licensed premises, in  
16 violation of WAC 314-16-150.

17 5. The Licensee stipulates that this is the Licensee's first violation of this type  
18 within a twenty-four (24) month period, for which the standard penalty is a monetary penalty  
19 of five hundred dollars (\$500) or suspension of the Licensee's liquor license for five (5) days.

20 6. The Licensee agrees to pay a monetary penalty of three hundred dollars (\$300)  
21 within thirty (30) days of the date of the Final Order of the Board, no later than 4:00 p.m. on  
22 the applicable date, for the violation stipulated to in Section II, Paragraph 4. Payment shall be  
23 sent to:

24 **Washington State Liquor Control Board**  
25 **Enforcement and Education Division**  
**3000 Pacific Ave. SE**  
**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 five (5) day suspension of its liquor license, the dates and times of suspension to  
4 be 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 Complaint.

10  
11 ROBERT M. MCKENNA  
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 October 4, 2012  
13 DATE

16 

17  
18 EDUARDO C. MORALES  
19 Licensee  
20 Puerto Vallarta of West Seattle, Inc. d/b/a  
Puerto Vallarta

18 DATE 9-23-12



Washington State  
Liquor Control Board

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October 9, 2012

Eduardo Morales  
Puerto Vallarta of West Seattle, Inc.  
d/b/a Puerto Vallarta  
2611 35<sup>th</sup> Ave SE  
Puyallup, WA 98374-4154

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**

**LICENSEE: Puerto Vallarta of West Seattle, Inc.**

**TRADE NAME: Puerto Vallarta**

**LOCATION: 4727 California Ave SW, Seattle, WA 98116**

**LICENSE NO. 073548-2J**

**ADMINISTRATIVE VIOLATION NOTICE NO. 2Y2126B**

**LCB HEARING NO. 24,097**

**UBI: 601 706 886 001 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 payment of \$300.00 was received on October 4, 2012.** 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: Tukwila Enforcement and Education Division, WSLCB  
Teresa Young, WSLCB

1 **WASHINGTON STATE LIQUOR CONTROL BOARD**

2 IN THE MATTER OF:

LCB NO. 24,097

3 PUERTO VALLARTA OF WEST  
4 SEATTLE, INC.  
5 d/b/a PUERTO VALLARTA  
6 4727 CALIFORNIA AVE SW  
7 SEATTLE, WA 98116

DECLARATION OF SERVICE BY  
MAIL

LICENSEE

8 LICENSE NO. 073548-2J  
9 AVN NO. 2Y2126B

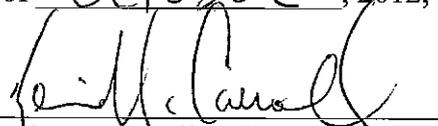
10 I certify that I caused a copy of the FINAL ORDER OF THE BOARD in the above-  
11 referenced matter to be served on all parties or their counsel of record by US Mail Postage  
12 Prepaid via Consolidated Mail Service for applicants and licensees, by campus mail for state  
13 offices, on the date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

15 EDUARDO MORALES  
16 PUERTO VALLARTA OF WEST  
17 SEATTLE, INC.  
18 D/B/A PUERTO VALLARTA  
19 2611 35<sup>TH</sup> AVE SE  
20 PUYALLUP, WA 98374-4154

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

19 EDUARDO MORALES  
20 PUERTO VALLARTA OF WEST  
21 SEATTLE, INC.  
22 d/b/a PUERTO VALLARTA  
23 4727 CALIFORNIA AVE SW  
24 SEATTLE, WA 98116-4412

23 DATED this 9<sup>th</sup> day of October, 2012, at Olympia, Washington.

24   
25 Keyin McCarroll, Adjudicative Proceedings Coordinator

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