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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

ROWE FAMILY PIZZA LLC D/B/A
BROOKLYN'S PIZZERIA

716 E. UNIVERSITY WAY
ELLENSBURG, WA 98926

LICENSE NO. 357199
AVN NO. 4I2152B

LCB NO. 24,203

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) represented by its attorneys, ROBERT W. FERGUSON, Attorney General, and TIMOTHY D. FORD, Assistant Attorney General, and the Licensee, ROWE FAMILY PIZZA LLC d/b/a BROOKLYN'S PIZZERIA, 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 the Board accepts, adopts, and incorporates herein by reference the Stipulated Settlement Agreement between Enforcement and the Licensee in the above-captioned matter and further that the violation set forth in the Complaint dated October 8, 2012 is sustained and the Licensee shall pay a total monetary penalty of three hundred dollars (\$300) for the above-referenced violation. The Licensee shall pay the

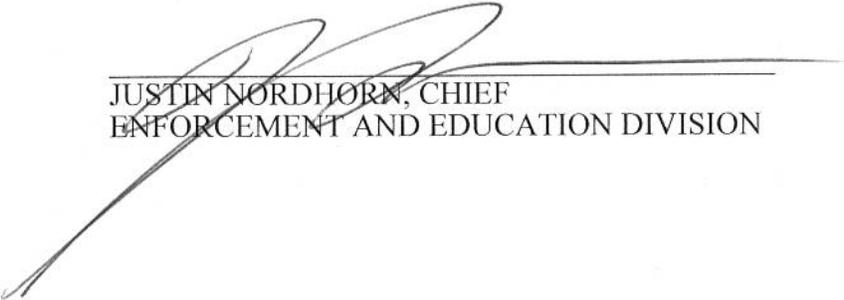
1 monetary penalty within thirty (30) days of the date of the Final Order of the Board. All
2 payments shall be sent to:

3 **Washington State Liquor Control Board**
4 **PO Box 43085**
5 **Olympia, WA 98504-3085**

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

9 DATED this 05 day of FEBRUARY, 2013.

10 WASHINGTON STATE LIQUOR CONTROL BOARD

11 
12 JUSTIN NORDHORN, CHIEF
13 ENFORCEMENT AND EDUCATION DIVISION

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26 BROOKLYN'S PIZZERIA
LICENSE 357199
LCB NO. 24,203

RECEIVED

JAN 31 2013

Liquor Control Board
Board Administration

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

8
9 IN THE MATTER OF:

LCB NO. 24,203

10 ROWE FAMILY PIZZA LLC D/B/A
11 BROOKLYN'S PIZZERIA

STIPULATED SETTLEMENT
AGREEMENT

12 716 E. UNIVERSITY WAY
13 ELLENSBURG, WA 98926

14 LICENSE NO. 357199
15 AVN NO. 4I2152B

16 The Washington State Liquor Control Board (Board), Enforcement and Education
17 Division (Enforcement) by and through its attorneys, ROBERT W. FERGUSON, Attorney
18 General, and TIMOTHY D. FORD, Assistant Attorney General, and ROWE FAMILY PIZZA
19 LLC d/b/a BROOKLYN'S PIZZERIA (Licensee) of Ellensburg, Washington, through its
20 governing member, SHANNON ROWE, hereby enter into this stipulated settlement agreement
21 for Liquor Control Board Case No. 24,203.

22 **I. INTRODUCTION**

23 The Washington State Liquor Control Board, Enforcement and Education Division
24 charged the above-named Licensee, in Administrative Violation Notice (AVN) No. 4I2152B,
25 and the Board filed a complaint with the following alleged violation of the Washington State
26 Liquor Control Board rules and regulations:

1 On or about May 31, 2012, the above-named Licensee, or employee(s) permitted a
2 person under the age of twenty one years to consume liquor on his or her premises or on any
3 premises under his or her control in violation of RCW 66.44.270 and WAC 314-11-020(3).

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

6 II. AGREEMENT OF THE PARTIES

7 Enforcement and the Licensee agree to the following:

8 1. Enforcement and the Licensee enter into this agreement to avoid the time and
9 expense of further litigation. The Licensee explicitly waives the right of further administrative
10 review of all matters related to the above-referenced violation and AVN. The Licensee hereby
11 voluntarily withdraws her request for a hearing in this matter.

12 2. 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 3. The Licensee admits the violation set forth above and referenced in the AVN
15 and complaint: On or about May 31, 2012, the above-named Licensee, or employee(s)
16 permitted a person under the age of twenty one years to consume liquor on his or her premises
17 or on any premises under his or her control in violation of RCW 66.44.270 and WAC 314-11-
18 020(3).

19 4. The Licensee acknowledges this is the Licensee's first violation of this type
20 within a twenty four month period, which carries a standard penalty of a five (5) day suspension
21 of the license or a five hundred dollar (\$500) monetary penalty.

22 5. The Licensee agrees to pay a monetary penalty of three hundred dollars
23 (\$300.00) for the above-referenced violation in lieu of a suspension.

24 6. The Licensee shall pay the monetary penalty of three hundred dollars (\$300.00)
25 no later than thirty (30) days after the date of the Final Order of the Board. Payment shall be
26 sent to:

1 **Washington State Liquor Control Board**
2 **P. O. Box 43085**
3 **Olympia, WA 98504-3085**

4 7. In the event that the Licensee fails to make a full and timely payment of the
5 monetary penalty as required in Section II, Paragraph 6, then the standard penalty in Section II,
6 Paragraph 4 shall be imposed.

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

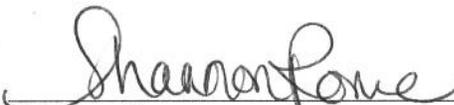
11 9. The parties recognize that this settlement agreement is subject to approval by
12 the Washington State Liquor Control Board.

13 STIPULATED AND AGREED this 29th day of January 2013.

14
15 ROBERT W. FERGUSON
16 Attorney General

17 
18 _____
19 Timothy D. Ford, WSBA No. 29254
20 Assistant Attorney General
21 Attorney for Washington State
22 Liquor Control Board

17 1/29/13
18 _____
19 Date

20 
21 _____
22 Shannon Rowe
23 Governing Member for Licensee

20 1/24/2013
21 _____
22 Date



Washington State
Liquor Control Board

February 6, 2013

Shannon Rowe
Rowe Family Pizza LLC
Brooklyn's Pizzeria
101 W Umptanum Rd
Ellensburg, WA 98926-9671

Timothy Ford, 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: Rowe Family Pizza LLC
TRADE NAME: Brooklyn's Pizzeria
LOCATION: 716 E University Way, Ellensburg, WA 98926
LICENSE NO. 357199-4H
ADMINISTRATIVE VIOLATION NOTICE NO. 4I2152B
LCB HEARING NO. 24,203
UBI: 603 113 426 001 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 Friday, March 8, 2013. If payment is not received timely, then suspension will take place from 10:00 a.m. on Thursday, March 28, 2013 until 10:00 a.m. on Tuesday, April 2, 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,

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

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 24,203

ROWE FAMILY PIZZA LLC
d/b/a BROOKLYN'S PIZZERIA

DECLARATION OF SERVICE BY MAIL

716 E UNIVERSITY WAY
ELLENSBURG, WA 98926-2947

LICENSEE

LICENSE NO. 357199
AVN 4I2152B

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 Licensees, by Campus Mail for the Office of Attorney General, on the date below to:

SHANNON ROWE ROWE FAMILY PIZZA LLC d/b/a BROOKLYN'S PIZZERIA 101 W UMPTANUM RD ELLENSBURG, WA 98926-9671	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION TIMOTHY FORD, ASSISTANT ATTORNEY GENERAL
SHANNON ROWE ROWE FAMILY PIZZA LLC d/b/a BROOKLYN'S PIZZERIA 716 E UNIVERSITY WAY ELLENSBURG, WA 98926-2947	

DATED this 6th day of February, 2013, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator