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

7 IN THE MATTER OF:

LCB NO. 24,211

8 FUN TIME PROMOTIONS, INC. d/b/a
9 SKAGIT SPEEDWAY

FINAL ORDER OF THE BOARD
[PROPOSED]

10 4796 OLD HWY 99
11 BURLINGTON, WA 98233

LICENSEE

12 LICENSE NO. 080225
13 AVN NO. 3C2212A

14 THIS MATTER having come before the Washington State Liquor Control Board
15 (Board) and the Washington State Liquor Control Board Education and Enforcement Division
16 (Enforcement) by and through its attorneys, ROBERT W. FERGUSON, Attorney General, and
17 MARISA E. BROGGER, Assistant Attorney General, and FUN TIME PROMOTIONS, INC.
18 d/b/a SKAGIT SPEEDWAY (Licensee), represented by and through STEVE BEITLER, and
19 the parties having voluntarily entered into a stipulated settlement agreement for Administrative
20 Violation Notice (AVN) No. 3C2212A, Case No. 24,211, and the Board having considered the
21 stipulated settlement agreement and Enforcement's memorandum recommending acceptance
22 of the stipulated settlement agreement, and the Board having had the opportunity to review the
23 file materials maintained in this case, now, therefore:

24 IT IS HEREBY ORDERED that the allegations set forth in AVN No. 3C2212A, to wit:
25 that on or about July 7, 2012, the Licensee or an employee(s) thereof permitted a person under
26

1 the age of twenty-one (21) to possess and/or consume liquor on the licensed premise, in
2 violation of WAC 314-16-150(1) and WAC 314-11-015, is sustained.

3 IT IS FURTHER ORDERED that the Licensee shall pay a monetary penalty of five
4 hundred dollars (\$500) within thirty (30) days of this order, to:

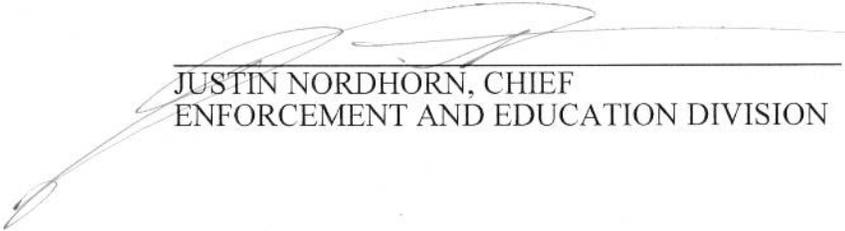
5 **Washington State Liquor Control Board**
6 **Enforcement and Education Division**
7 **3000 Pacific Ave. SE**
8 **PO Box 43085**
9 **Olympia, WA 98504-3085**

10 IT IS FURTHER ORDERED that the Licensee shall promptly make full payment of
11 the \$300 monetary penalty pursuant to a Stipulated Settlement Agreement and Final Order of
12 the Board dated September 5, 2012, for LCB No. 24,069, AVN No. 3B1213A.

13 In the event that the Licensee fails to make the full and timely payment of the monetary
14 penalty of five hundred dollars (\$500); and/or the Licensee fails to promptly pay the monetary
15 penalty of three hundred dollars (\$300) for AVN No. 3B1213A; the Licensee shall serve a five
16 (5) day suspension of its liquor license, the dates and time of which shall be set by the
17 Washington State Liquor Control Board.

18 DATED this 24 day of APRIL, 2013.

19 WASHINGTON STATE LIQUOR CONTROL BOARD

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22 JUSTIN NORDHORN, CHIEF
23 ENFORCEMENT AND EDUCATION DIVISION
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APR 24 2013

Liquor Control Board
Board Administration

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

FUN TIME PROMOTIONS, INC. d/b/a
SKAGIT SPEEDWAY

4796 OLD HWY 99
BURLINGTON, WA 98233

LICENSEE

LICENSE NO. 080225
AVN NO. 3C2212A

LCB NO. 24,211

STIPULATED SETTLEMENT
AGREEMENT

The Washington State Liquor Control Board Enforcement and Education Division (Enforcement), by and through its attorneys ROBERT W. FERGUSON, Attorney General, and MARISA E. BROGGEL, Assistant Attorney General; and FUN TIME PROMOTIONS, INC. d/b/a SKAGIT SPEEDWAY (Licensee), represented by and through STEVE BEITLER, hereby enter into this stipulated settlement agreement for Washington State Liquor Control Board (Board) Case No. 24,211, arising from Administrative Violation Notice (AVN) No. 3C2212A.

I. INTRODUCTION

On or around July 31, 2012, Enforcement issued AVN No. 3C2212A to the Licensee, alleging that on or around July 7, 2012, the Licensee or an employee(s) thereof permitted a person under the age of twenty-one (21) to possess and/or consume liquor on the licensed premise, in violation of WAC 314-16-150(1) and WAC 314-11-015.

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

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4 **II. AGREEMENT OF THE PARTIES**

5 Enforcement and the Licensee agree to 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.

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

12 4. The Licensee stipulates to the violation set forth in AVN No. 3C2212A.
13 Specifically, the Licensee stipulates that on or around July 7, 2012, a person under the age of
14 twenty-one (21) was permitted to possess and/or consume liquor on the Licensee's premise in
15 violation of WAC 314-16-150(1) and WAC 314-11-015.

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

19 6. The Licensee agrees to pay a monetary penalty of five hundred dollars (\$500)
20 within thirty (30) days of the date of the Final Order of the Board, no later than 4:00 p.m. on
21 the applicable date, for the violation stipulated to in Section II, Paragraph 4. Payment shall be
22 sent to:

23 **Washington State Liquor Control Board**
24 **ATTN: Enforcement Division**
PO Box 43085
Olympia, WA 98504-3085

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1 7. The Licensee further agrees that, pursuant to a Stipulated Settlement
2 Agreement and Final Order of the Board dated September 5, 2012, for LCB No. 24,069, AVN
3 No. 3B1213A (attached hereto and incorporated by reference), the Licensee was ordered to
4 pay a monetary penalty of \$300 for the violation(s) in AVN No. 3B1213A.

5 8. As to LCB No. 24,069, for AVN No. 3B1213A, the Licensee hereby agrees to
6 promptly make full payment of the \$300 monetary penalty to the Board at the address in
7 Section II, Paragraph 6, as a necessary condition of this Settlement Agreement.

8 9. In the event that the Licensee fails to make the full and timely payment of the
9 monetary penalty of \$500, as set out and required by Section II, Paragraph 6; and/or the
10 Licensee fails to promptly pay the monetary penalty of \$300 for AVN No. 3B1213A, as set
11 out and required by Section II, Paragraphs 7 and 8; then the Licensee shall be subject to a five
12 (5)-day suspension of its liquor license, the dates and times of suspension to be determined by
13 the Board¹.

14 10. The parties recognize that this Agreement is subject to approval by the Board.

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

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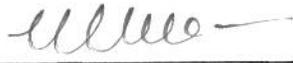
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¹ Licensee may also be subject to a second five (5)-day suspension of its liquor license pursuant to the Final Order of the Board in LCB No. 24,069, for AVN No. 3B1213A (see Attachment 1).

1 ROBERT W. FERGUSON
Attorney General

2 

4/28/13
DATE

3 MARISA E. BROGGEL, WSBA #41767
4 Assistant Attorney General
Attorneys for Washington State
5 Liquor Control Board Education and
Enforcement Division

6 

4-19-13
DATE

7 STEVE BEITLER
8 Fun Time Promotions, Inc. d/b/a
9 Skagit Speedway,
Licensee

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Washington State
Liquor Control Board

April 30, 2013

Steve Beitler
Fun Time Promotions, Inc.
d/b/a Skagit Speedway
PO Box 911
Burlington, WA 98233-0630

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: Fun Time Promotions, Inc.
TRADE NAME: Skagit Speedway
LOCATION: 4796 Old Hwy 99 N, Burlington, WA 98233
LICENSE NO. 080225-3B
ADMINISTRATIVE VIOLATION NOTICE NO. 3C2212A
LCB HEARING NO. 24,211
UBI: 602-140-134-001-0001

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.

Payment for AVN 3B1213A was received on April 29, 2013. **The applicable monetary penalty for AVN 3C2212A is due by Thursday, May 30, 2013. If payment is not received timely, then suspension will take place from 11:00 a.m. on Thursday, June 13, 2013 until 11:00 a.m. on Tuesday, June 18, 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: Mt Vernon Enforcement and Education Division, WSLCB
Lisa Red, WSLCB

1 **WASHINGTON STATE LIQUOR CONTROL BOARD**

2 IN THE MATTER OF:

LCB NO. 24,211

3 FUN TIME PROMOTIONS, INC.
4 d/b/a SKAGIT SPEEDWAY
5 4796 OLD HWY 99 N
6 BURLINGTON, WA 98233-6820

DECLARATION OF SERVICE BY
MAIL

7 LICENSEE

8 LICENSE NO. 080225-3B
9 AVN NO. 3C2212A

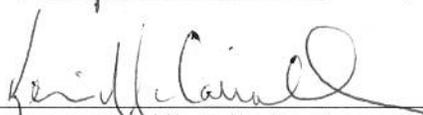
10 I certify that I caused a copy of the FINAL ORDER OF THE BOARD in the above-
11 referenced matter to be served on all parties or their counsel of record by US Mail Postage
12 Prepaid via Consolidated Mail Service for applicants and licensees, by campus mail for state
13 offices, on the date below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

14
15 STEVE BEITLER
16 FUN TIME PROMOTIONS, INC.
17 d/b/a SKAGIT SPEEDWAY
18 PO BOX 911
19 BURLINGTON, WA 98233-0630

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

20 STEVE BEITLER
21 FUN TIME PROMOTIONS, INC.
22 d/b/a SKAGIT SPEEDWAY
23 4796 OLD HWY 99 N
24 BURLINGTON, WA 98233-6820

25 DATED this 30th day of April, 2013, at Olympia, Washington.

26 
Kevin McCarroll, Adjudicative Proceedings Coordinator

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