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

7 IN THE MATTER OF:

8 WAPATO CENTRE ASSOCIATES,  
9 LLC, d/b/a WAPATO ROADRUNNER

10 705 W 1<sup>ST</sup> ST  
11 WAPATO, WA 98951-1152

12 LICENSEE

13 LICENSE NO. 366582  
14 AVN NO. 4D2324A &  
15 AVN NO. 4D2324B

OAH NO. 2013-LCB-0007 &  
OAH NO. 2013-LCB-0008

LCB NO. 24,506  
LCB NO. 24,507

FINAL ORDER OF THE BOARD  
[PROPOSED]

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 W. FERGUSON, Attorney General, and  
19 MARISA E. BROGGEL, Assistant Attorney General, and WAPATO CENTRE  
20 ASSOCIATES, LLC d/b/a WAPATO ROADRUNNER (Licensee) by and through its  
21 representative, GREGORY S. SYBOUTS, and the parties having voluntarily entered into a  
22 stipulated settlement agreement for Administrative Violation Notice (AVN) Nos. 4D2324A  
23 and 4D2324B, for LCB Nos. 24,506 and 24,507, respectively; and the Board having  
24 considered the stipulated settlement agreement and Enforcement's memorandum  
25 recommending acceptance of the stipulated settlement agreement, and the Board having had  
26 the opportunity to review the file materials maintained in this case, now, therefore:

1 IT IS HEREBY ORDERED that each allegation set forth in AVN Nos. 4D2324A and  
2 4D2324B and in the Board's complaints related to these AVNs, to wit: that on or about  
3 September 23, 2012 (*and*) on or about September 30, 2012, the Licensee and/or an employee  
4 thereof gave, sold and/or supplied liquor to an apparently intoxicated person contrary to  
5 RCW 66.44.200(1) is sustained.

6 IT IS FURTHER ORDERED that the Licensee shall pay a monetary penalty of eight  
7 hundred fifty dollars (\$850) within thirty (30) days of the date of this order, to:  
8

9 **Washington State Liquor Control Board**  
10 **Enforcement Division**  
11 **PO Box 43085**  
**Olympia, WA 98504-3085**

12 In the event the Licensee fails to make full and timely payment of the monetary  
13 penalty, the Licensee's liquor license shall be suspended for five (5) days for AVN  
14 No. 4D2324A and seven (7) days for AVN No. 4D2324B, for a total of twelve (12) days, the  
15 dates and times of which shall be set by the Washington State Liquor Control Board.

16 DATED this 27 day of August, 2013.

17  
18 WASHINGTON STATE LIQUOR CONTROL BOARD

19 Sharon Foster

20  
21 Putnam Kurose

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25  
26

RECEIVED

AUG 27 2013

Liquor Control Board  
Board Administration

ORIGINAL

ATTORNEY GENERAL  
OF WASHINGTON

JUL 24 2013

GOVERNMENT COMPLIANCE  
& ENFORCEMENT

**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

WAPATO CENTRE ASSOCIATES,  
LLC,  
d/b/a WAPATO ROADRUNNER

705 W. 1ST ST.  
WAPATO, WA 98951-1152

LICENSEE

LICENSE NO. 366582  
AVN NO. 4D2324A &  
AVN NO. 4D2324B

OAH No. 2013-LCB-0007 &  
OAH No. 2013-LCB-0008

LCB No. 24,506 &  
LCB No. 24,507

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 WAPATO CENTRE ASSOCIATES, LLC d/b/a WAPATO ROADRUNNER (Licensee), by and through its representative GREGORY S. SYBOUS, hereby enter into this stipulated settlement agreement for Washington State Liquor Control Board (Board) Case Nos. 24,506 and 24,507, arising from Administrative Violation Notice (AVN) Nos. 4D2324A and 4D2324B, respectively.

**I. INTRODUCTION**

On or about January 30, 2013, the Liquor Control Board issued two (2) administrative complaints arising from AVN Nos. 4D2324A and 4D2324B. The Complaints charge the Licensee as follows:

That on or about September 23, 2012 (*and*) on or about September 30, 2012, the above-named Licensee or an employee(s) thereof, gave, sold and/or supplied liquor

1 to an apparently intoxicated person, contrary to RCW 66.44.200(1) and/or WAC  
2 314-11-030<sup>1</sup>. (*Emphasis added*).

3 Enforcement and the Licensee wish to enter into the following Stipulated Settlement Agreement  
4 (Agreement) concerning the above-referenced matters.

5 **II. AGREEMENT OF THE PARTIES**

6 Enforcement and the Licensee hereby agree to the following:

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

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

11 3. The Licensee hereby agrees to withdraw its requests for a formal administrative  
12 hearing in both matters (LCB No. 24,506 and 24,507 for AVN Nos. 4D2324A and 4D2324B,  
13 respectively) and explicitly waives the right to further administrative review and/or judicial  
14 review of all matters related to the above-referenced violations, complaints, and related  
15 administrative and/or agency actions and orders and/or appeals therefrom.

16 4. The Licensee stipulates to each of the violations in the above-referenced AVNs  
17 and complaints. Specifically, the Licensee stipulates that on or around September 23, 2012 **and**  
18 on or around September 30, 2012, the Licensee or an employee thereof gave, sold and/or  
19 supplied liquor to an apparently intoxicated person, contrary to RCW 66.44.200(1) and/or WAC  
20 314-11-030

21 5. The Licensee stipulates that AVN No. 4D2324A is the Licensee's first violation  
22 of this type within a twenty-four (24) month period, for which the standard penalty is a  
23 monetary penalty of five hundred dollars (\$500) or suspension of the Licensee's liquor license  
24 for five (5) days.

25 6. The Licensee stipulates that AVN No. 4D2324B is the Licensee's second  
26 violation of this type within a twenty-four (24) month period, for which the standard penalty is a  
suspension of the Licensee's liquor license for seven (7) days.

<sup>1</sup> The Board issued two (2) complaints for each AVN, both on January 30, 2013. Because the complaints are identical except for the violation dates, they have been consolidated here for brevity.







Washington State  
Liquor Control Board

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August 29, 2013

Gregory Sybouts  
Wapato Center Associates LLC  
d/b/a Wapato Roadrunner  
514 S 3<sup>rd</sup> Avenue  
Yakima, WA 98902-3543

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: Wapato Center Associates LLC**  
**TRADE NAME: Wapato Roadrunner**  
**LOCATION: 705 1<sup>st</sup> St W, Wapato, WA 98951**  
**LICENSE NO. 366582-4D**  
**ADMINISTRATIVE VIOLATION NOTICE NOS. 4D2324A and 4D2324B**  
**LCB HEARING NOS. 24,506 and 24,507**  
**OAH NOS. 2013-LCB-0007 AND 2013-LCB-0008**  
**UBI: 602-711-894-001-0001**

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 Monday, September 30, 2013. If payment is not received timely, then suspension will take place from 11:00 a.m. on Thursday, October 24, 2013 until 11:00 a.m. on Tuesday, November 5, 2013. If you have any questions, please contact me at (360) 664-1602.**

Sincerely,

Kevin McCarroll  
Adjudicative Proceedings Coordinator

Enclosures

cc: Spokane and Pasco Enforcement and Education Divisions, WSLCB  
Jamie Marshall, WSLCB

1 **WASHINGTON STATE LIQUOR CONTROL BOARD**

2 IN THE MATTER OF:

LCB NO. 24,506  
24,507

3 WAPATO CENTER ASSOCIATES  
4 LLC d/b/a  
5 WAPATO ROADRUNNER  
6 705 1<sup>ST</sup> ST W  
7 WAPATO, WA 98951

OAH NO. 2013-LCB-0007  
2013-LCB-0008

LICENSEE

DECLARATION OF SERVICE BY  
MAIL

8 LICENSE NO. 366582-4D  
9 AVN NOS. 4D2324A and 4D2324B

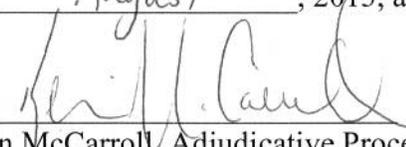
10 I certify that I caused a copy of the FINAL ORDER OF THE BOARD in the above-  
11 referenced matter to be served on all parties or their counsel of record by US Mail Postage  
12 Prepaid via Consolidated Mail Service for applicants and licensees, by campus mail for state  
13 offices, on the date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

15 GREGORY SYBOUTS  
16 WAPATO CENTER ASSOCIATES LLC  
17 d/b/a WAPATO ROADRUNNER  
18 514 S 3<sup>RD</sup> AVENUE  
19 YAKIMA, WA 98902-3543

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

18 GREGORY SYBOUTS  
19 WAPATO CENTER ASSOCIATES LLC  
20 d/b/a WAPATO ROADRUNNER  
21 705 1<sup>ST</sup> ST W  
22 WAPATO, WA 98951 -1152

22 DATED this 29<sup>th</sup> day of August, 2013, at Olympia, Washington.

23  
24   
25 Kevin McCarroll, Adjudicative Proceedings Coordinator  
26

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