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

8 IN THE MATTER OF:

9 LOS COSTENOS LLC d/b/a
10 GALLO DE ORO MEXICAN
RESTAURANT

11 10015 MAIN ST
12 BOTHELL, WA 98011-3423

13 LICENSEE

14 LICENSE NO. 354967-3J
AVN NO. 3W2322A

LCB NO. 24,714

FINAL ORDER OF THE BOARD
APPROVING STIPULATED
SETTLEMENT AGREEMENT

[PROPOSED]

15 THIS MATTER having come before the Washington State Liquor Control Board
16 (Board) and the Washington State Liquor Control Board Education and Enforcement Division
17 (Enforcement) by and through its attorneys, ROBERT W. FERGUSON, Attorney General, and
18 CHAD C. STANDIFER, Assistant Attorney General, and LOS COSTENOS LLC d/b/a
19 GALLO DE ORO MEXICAN RESTAURANT (Licensee) represented by and through
20 JOAQUIN PALOMERA and the parties having voluntarily entered into a stipulated settlement
21 agreement for Administrative Violation Notice (AVN) No. 3W2322A, Case No. 24,714, and
22 the Board having considered the stipulated settlement agreement and Enforcement's
23 memorandum recommending acceptance of the stipulated settlement agreement, and the Board
24 having had the opportunity to review the file materials maintained in this case, now, therefore:

25 IT IS HEREBY ORDERED that the allegations set forth in AVN No. 3W2322A, to
26 wit:

1 That on or around November 17, 2012, the above-named Licensee or an employee(s)
2 thereof allowed a person under twenty-one (21) years of age to enter and remain in an
3 area classified as off-limits to person under the age of twenty one (21), contrary to
RCW 66.44.310 and/or WAC 314-11-020(2)

4 is sustained.

5 IT IS FURTHER ORDERED that the Licensee shall serve a three (3) day suspension,
6 beginning on Friday, December 27, 2013 and will end on Sunday, December 29, 2013, and

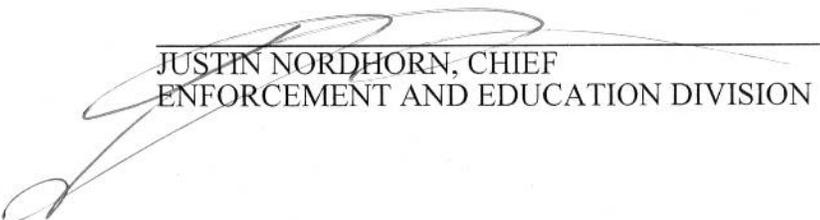
7 IT IS FURTHER ORDERED that the Licensee shall pay a monetary penalty of seven
8 hundred and fifty dollars (\$750.00) within thirty (30) days of this order, to:

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

14 In the event that the Licensee fails to undergo the suspension of its liquor license as set
15 out and required by Section II, Paragraph 6; and/or the Licensee fails to make the full and
16 timely payment of the monetary penalty as set out and required by Section II, Paragraph 7; the
17 Licensee shall be subject to a seven (7) day suspension of its liquor license, the dates of
suspension to be determined by the Board.

18 DATED this 20 day of December, 2013.

19 WASHINGTON STATE LIQUOR CONTROL BOARD

20
21 
22 JUSTIN NORDHORN, CHIEF
23 ENFORCEMENT AND EDUCATION DIVISION
24
25
26

DEC 17 2013

Liquor Control Board
Board Administration**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

LOS COSTENOS LLC d/b/a
GALLO DE ORO MEXICAN
RESTAURANT10015 MAIN ST
BOTHELL, WA 98011-3423

LICENSEE

LICENSE NO. 354967-3J
AVN NO. 3W2322A

OAH NO. 2013-LCB-0061

LCB NO. 24,714

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, LOS COSTENOS LLC d/b/a GALLO DE ORO MEXICAN RESTAURANT (Licensee) represented by and through JOAQUIN PALOMERA, hereby enter into this stipulated settlement agreement for Washington State Liquor Control Board (Board) Case No. 24,714 arising from Administrative Violation Notice (AVN) No. 3W2322A.

I. INTRODUCTION

The Washington State Liquor Control Board (Board) charged Licensee with the following violation of Title 66 RCW and/or Title 314 WAC:

That on or around November 17, 2012, the above-named Licensee or an employee(s) thereof allowed a person under twenty-one (21) years of age to enter and remain in an area classified as off-limits to person under the age of twenty one (21), contrary to RCW 66.44.310 and/or WAC 314-11-020(2).

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. Furthermore, the
9 Licensee hereby voluntarily withdraws its request for a hearing in this matter.

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 the Complaint.
13 Specifically, the Licensee stipulates that on or around November 17, 2012, the Licensee or an
14 employee(s) thereof allowed a person under twenty-one (21) years of age to enter and remain
15 in an area classified as off-limits to person under the age of twenty one (21), contrary to RCW
16 66.44.310 and/or WAC 314-11-020(2).

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

20 6. The parties agree that the Licensee shall serve a three-day suspension of its
21 liquor license on a date to be determined and stipulated to by Enforcement and the Licensee,
22 for a consecutive period of three (3) days to begin on Friday, December 27, 2013 and to end
23 on Sunday, December 29, 2013, for the violation stipulated to in Section II, Paragraph 4-5.

24 7. The parties agree that, in addition to the license suspension as set forth in
25 Section II, Paragraph 6, the Licensee shall pay a monetary penalty of seven hundred and fifty
26 dollars (\$750) within thirty (30) days of the date of the Final Order of the Board, no later than

1 4:00 p.m. on the applicable date, for the violation stipulated to in Section II, Paragraph 4-5.

2 Payment shall be sent to:

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

6 8. In the event that the Licensee fails to undergo the suspension of its liquor
7 license as set out and required by Section II, Paragraph 6; and/or the Licensee fails to make
8 the full and timely payment of the monetary penalty as set out and required by Section II,
9 Paragraph 7; the Licensee shall be subject to a seven (7) day suspension of its liquor license,
10 the dates of suspension to be determined by the Board.

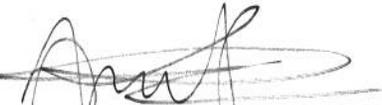
11 9. The parties recognize that this Agreement is subject to approval by the Board.

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

16 ROBERT W. FERGUSON
17 Attorney General

18 
19 _____
20 MARISA E. BROGGEL, WSBA #41767
21 Assistant Attorney General
22 Attorneys for Washington State
23 Liquor Control Board Education and
24 Enforcement Division

18 12/17/13
19 _____
20 DATE

21 
22 _____
23 LOS COSTENOS LLC d/b/a
24 GALLO DE ORO MEXICAN
25 RESTAURANT
26 Joaquin Palomera

21 12/02/13
22 _____
23 DATE



Washington State
Liquor Control Board

December 23, 2013

Joaquin Palomera
Los Costenos LLC
d/b/a Gallo De Oro Mexican Restaurant
10015 Main St
Bothell, WA 98011-3423

Chad Standifer, 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: Los Costenos LLC
TRADE NAME: Gallo De Oro Mexican Restaurant
LOCATION: 10015 Main St, Bothell, WA 98011-3423
LICENSE NO. 354967
ADMINISTRATIVE VIOLATION NOTICE NO. 3W2322A
LCB HEARING NO. 24,714
UBI: 602-710-443-001-0003

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 January 22, 2014.** If you have any questions, please contact me at (360) 664-1602.

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures

cc: Mt Vernon and Mount Lake Terrace Enforcement and Education Divisions, WSLCB
Jamie Marshall, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 24,714

LOS COSTENOS LLC
d/b/a GALLO DE ORO MEXICAN
RESTAURANT
10015 MAIN ST
BOTHELL, WA 98011-3423

DECLARATION OF SERVICE BY
MAIL

LICENSEE

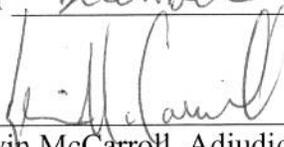
LICENSE NO. 354967
AVN NO. 3W2322A

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:

JOAQUIN PALOMERA
LOS COSTENOS LLC
d/b/a GALLO DE ORO MEXICAN
RESTAURANT
10015 MAIN ST
BOTHELL, WA 98011-3423

OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100, GCE DIVISION
CHAD STANDIFER,
ASSISTANT ATTORNEY GENERAL

DATED this 23rd day of December, 2013, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator