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

7 IN THE MATTER OF:

8 ABDUL ENTERPRISES, LLC d/b/a
9 MERCADO Y CARNICERA DE
10 GRANDVIEW

11 225 W. WINE COUNTRY RD.
12 GRANDVIEW, WA 98930-
13 1384

LICENSEE.

LICENSE NO. 407822
AVN NO. 4C2349A

LCB NO. 24,717

FINAL ORDER OF THE BOARD
APPROVING STIPULATED
SETTLEMENT AGREEMENT

[PROPOSED]

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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 MARISA E. BROGGEL, Assistant Attorney General, and Licensee ABDUL ENTERPRISES,
19 LLC d/b/a MERCADO Y CARNICERA DE GRANDVIEW (Licensee), represented by and
20 through its attorney, ADOLFO BANDA JR., and the parties having voluntarily entered into a
21 stipulated settlement agreement for Administrative Violation Notice (AVN) No. 4C2349A,
22 Case No. 24,717, and the Board having considered the stipulated settlement agreement and
23 Enforcement's memorandum recommending acceptance of the stipulated settlement
24 agreement, and the Board having had the opportunity to review the file materials maintained in
25 this case, now, therefore:
26

FINAL ORDER OF THE BOARD
ABDUL ENTERPRISES, LLC d/b/a
MERCADO Y CARNICERA DE
GRANDVIEW
[PROPOSED]
LCB 24,717

1 IT IS HEREBY ORDERED that the allegation set forth in AVN No. 4C2349A, to wit:
2 That on or about December 14, 2012, the Licensee or employee thereof employee(s) thereof
3 gave, sold and/or supplied liquor to an apparently intoxicated person, contrary to
4 RCW 66.44.200(1) and/or WAC 314-16-150, is sustained.

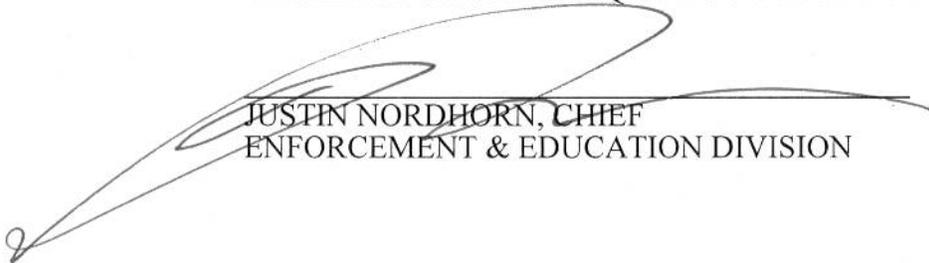
5 IT IS FURTHER ORDERED that the Licensee shall pay a monetary penalty of three
6 hundred dollars (\$300) for this violation in lieu of a license suspension, within thirty (30) days
7 of the date of this order, no later than 4:00 p.m. on the applicable date. Payment shall be sent
8 to:

9 **Washington State Liquor Control Board**
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-day suspension of its liquor license, the dates and time
14 of which shall be set by the Board.

15 DATED this 22 day of NOVEMBER, 2013.

16 WASHINGTON STATE LIQUOR CONTROL BOARD

17 
18 JUSTIN NORDHORN, CHIEF
19 ENFORCEMENT & EDUCATION DIVISION
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RECEIVED

NOV 19 2013

Liquor Control Board
Board Administration

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ATTORNEY GENERAL
OF
WASHINGTON

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 24,717

ABDUL ENTERPRISES, LLC d/b/a
MERCADO Y CARNICERA DE
GRANDVIEW

STIPULATED SETTLEMENT
AGREEMENT

225 W. WINE COUNTRY RD.
GRANDVIEW, WA 98930-1384

LICENSEE.

LICENSE NO. 407822
AVN NO. 4C2349A

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by and through its attorneys, ROBERT W. FERGUSON, Attorney General, and MARISA E. BROGGER, Assistant Attorney General, and Licensee ABDUL ENTERPRISES, LLC d/b/a MERCADO Y CARNICERA DE GRANDVIEW (Licensee), represented by and through its attorney, ADOLFO BANDA JR., hereby enter into this stipulated settlement agreement for Washington State Liquor Control Board (Board) Case Number 24,717.

I. INTRODUCTION

The Washington State Liquor Control Board charged the Licensee with the following alleged violation of Title 66 RCW and/or Title 314 WAC by its complaint dated July 10, 2013:

That on or around December 14, 2012, the Licensee or employee(s) thereof gave, sold and/or supplied liquor to an apparently intoxicated person, contrary to RCW 66.44.200(1) and/or WAC 314-16-150.

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 of further administrative review of all
8 matters related to the above-referenced violation. Furthermore, the Licensee hereby
9 voluntarily withdraws its request for a formal administrative 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: that on or
13 around December 14, 2012, the Licensee or employee(s) thereof gave, sold, and/or supplied
14 liquor to an apparently intoxicated person, contrary to RCW 66.44.200(1) and/or WAC 314-
15 16-150.

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

20 6. The Licensee agrees to pay monetary penalty of three hundred twenty-five
21 dollars (\$300) for the above-referenced violation. This amount shall be paid within thirty (30)
22 days of the date of the final order of the Liquor Control Board. Payment in full shall be made
23 to the Board no later than 4:00 p.m. on the applicable date. Payment shall be sent to:

24 **Washington State Liquor Control Board**
25 **PO Box 43085**
26 **Olympia, WA 98504-3085**

1 7. In the event that the Licensee fails to make a full and timely payment of the
 2 monetary penalty, as set out and required by Section II, Part 6, the Licensee shall be subject to
 3 a five (5) day suspension of its liquor license, the dates and times of suspension to be
 4 determined by the Board.

5 8. The parties recognize that this settlement agreement is subject to approval by
 6 the Board.

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

11 STIPULATED AND AGREED TO by:

12
 13 ROBERT W. FERGUSON
 Attorney General

14  10/23/2013
 15 _____ DATE
 16 MARISA E. BROGGEL, WSBA #41767
 Assistant Attorney General
 17 Attorney for Washington State
 Liquor Control Board Education and
 Enforcement Division

18 BANDA LAW OFFICES
 19
 20  10/9/13
 21 _____ DATE
 ADOLFO BANDA JR., WSBA #31676
 Attorney for Licensee

22
 23  10/8/13
 24 _____ DATE
 ABDUL NASSAR
 Mercado y Carnicera de Grandview,
 25 Licensee

26



Washington State
Liquor Control Board

November 27, 2013

Adolfo Banda Jr,
Attorney for Licensee
Banda Law Offices
402 W Nob Hill Blvd
Yakima, WA 98902-4635

Abdul Nasar, Licensee
Abdul Enterprises LLC
d/b/a Mercado Y Carnicera De Grandview
225 W Wine Country Rd
Grandview, WA 98930-1384

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: Abdul Enterprises LLC
TRADE NAME: Mercado Y Carnicera De Grandview
LOCATION: 225 W Wine Country Rd, Grandview, WA 98930-1384
LICENSE NO. 407822-4D
ADMINISTRATIVE VIOLATION NOTICE NO.4C2349A
LCB HEARING NO. 24,717
UBI: 603-096-900-001-0001

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 December 27, 2013. If payment is not received timely, then suspension will take place from 10:00 a.m. on Thursday, January 16, 2014 until 10:00 a.m. on Tuesday, January 21, 2014.** 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

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 24,717

ABDUL ENTERPRISES LLC
d/b/a MERCADO Y CARNICERA DE
GRANDVIEW
225 W WINE COUNTRY RD
GRANDVIEW, WA 98930-1384

DECLARATION OF SERVICE BY
MAIL

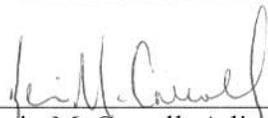
LICENSEE

LICENSE NO. 407822-4D
AVN NO. 4C2349A

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:

ADOLFO BANDA JR, ATTORNEY FOR LICENSEE BANDA LAW OFFICES 402 W NOB HILL BLVD YAKIMA, WA 98902-4635	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION MARISA BROGGEL, ASSISTANT ATTORNEY GENERAL
ABDUL NASAR, LICENSEE ABDUL ENTERPRISES LLC d/b/a MERCADO Y CARNICERA DE GRANDVIEW 225 W WINE COUNTRY RD GRANDVIEW, WA 98930-1384	

DATED this 27th day of November, 2013, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator