

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

QSG SEATTLE, LLC and BLUE
MARTINI SEATTLE, LLC, d/b/a BLUE
MARTINI SEATTLE

700 110TH AVE NE STE 295
BELLEVUE, WA 98004

LICENSEE

LICENSE NO. 407618
AVN Nos. 2B2366A and 3L3167A

NOS. 24,727 and 24,777

FINAL ORDER

[PROPOSED]

THIS MATTER having come before the Washington State Liquor Control Board (Board) and the Washington State Liquor Control Board Education and Enforcement Division having been represented by its attorneys, ROBERT W. FERGUSON, Attorney General and JENNIFER ELIAS, Assistant Attorney General, and QSG SEATTLE, LLC and BLUE MARTINI SEATTLE, LLC d/b/a BLUE MARTINI SEATTLE (Licensee), by and through its attorneys, TOBIAS PIERING, and KIRK A. SODERQUIST, and the parties having voluntarily entered into a stipulated settlement agreement for Case Numbers 24,727 and 24,777, and the Board having considered the Stipulated Settlement Agreement and Enforcement's Memorandum recommending acceptance of the Stipulated Agreement, and the Board having had the opportunity to review the file materials in this case, now therefore:

1 IT IS HEREBY ORDERED that the Stipulated Settlement Agreement in the above
2 captioned cases is adopted in its entirety. The allegation set forth in AVN 3L3167A is
3 sustained. The Licensees shall pay a monetary penalty of three hundred dollars (\$300).

4 IT IS FURTHER ORDERED that the Licensee shall pay a monetary penalty of three
5 hundred dollars (\$300.00) within thirty (30) days of the final order of the Board, no later than
6 4:00 p.m. on the applicable date. Payments shall be sent to:

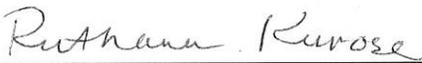
7 **Washington State Liquor Control Board**
8 **Enforcement and Education Division**
9 **3000 Pacific Ave. SE**
10 **PO Box 43085**
11 **Olympia, WA 98504-3085**

12 In the event that the Licensee fails to pay the full monetary penalty within thirty (30)
13 days of the final order of the Board, the Licensee shall be subject to a five (5) day suspension
14 of its liquor license, the dates and times of suspension to be determined by the Board.

15 DATED this 7 day of January, 2013

16 WASHINGTON STATE LIQUOR CONTROL BOARD

17 
18 _____

19 
20 _____

21 _____
22 _____
23 _____
24 _____
25 _____
26 _____

RECEIVED

DEC 26 2013

Liquor Control Board
Board Administration

1
2
3
4
5
6 **STATE OF WASHINGTON**
7 **OFFICE OF ADMINISTRATIVE HEARINGS**
8 **FOR THE WASHINGTON STATE LIQUOR CONTROL BOARD**

9 IN THE MATTER OF:

10 QSG SEATTLE, LLC and BLUE
11 MARTINI SEATTLE, LLC, d/b/a BLUE
12 MARTINI SEATTLE

13 700 110TH AVE NE STE 295
14 BELLEVUE, WA 98004

15 LICENSEE

16 LICENSE NO. 407618
17 AVN NOS. 2B2366A and 3L3167A

OAH NO. 2013-LCB-0050
OAH NO. 2013-LCB-0065

LCB NOS. 24,727 AND 24,777

STIPULATED SETTLEMENT
AGREEMENT

18 The Washington State Liquor Control Board Education and Enforcement Division
19 (Enforcement), by and through its attorneys, ROBERT W. FERGUSON, Attorney General,
20 JENNIFER ELIAS, Assistant Attorney General, and QSG SEATTLE, LLC and BLUE
21 MARTINI SEATTLE, LLC d/b/a BLUE MARTINI SEATTLE (Licensee), by and through its
22 attorneys, TOBIAS PIERING, and KIRK A. SODERQUIST, hereby enter into this Stipulated
23 Settlement Agreement for Washington State Liquor Control Board (Board) Case Numbers:
24 24,727 and 24,777, arising from Administrative Violation Notices (AVN) 2B2366A and
25 3L3167A, respectively.

26 **I. INTRODUCTION**

The Washington State Liquor Control Board charged the Licensee with the following
alleged violations of Title 66 RCW and/or Title 314 WAC by way of complaints dated July 5,

1 2013 and August 21, 2013. The complaints, together, alleged:

2 **Case No. 24,727**

3 That on or around December 31, 2012, the above-named Licensee or employee(s)
4 thereof permitted an apparently intoxicated person to possess and/or consume liquor
on the licensed premises, contrary to WAC 314-16-150.

5 **Case No. 24,777**

6 That on or around June 16, 2013, the above-named Licensee or employee(s)
7 thereof permitted an apparently intoxicated person to possess and/or consume
8 liquor on the licensed premises, contrary to WAC 314-16-150.

9 Enforcement and the Licensee wish to enter into a settlement agreement concerning the
above-referenced Complaints.

10 **II. AGREEMENT OF THE PARTIES**

11 Enforcement and the Licensee agree to the following:

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

14 2. The Licensee explicitly waives the right to further administrative review of all
15 matters related to the above-referenced violations for LCB Case Numbers 24,727 and 24,777.
16 Furthermore, the Licensee hereby voluntarily withdraws its request for a hearing in both of
17 these cases.

18 3. Enforcement agrees to convert the alleged violation in LCB Case Number
19 24,727 that “on or around December 31, 2012, the above-named Licensee or an employee(s)
20 thereof permitted an apparently intoxicated person to possess and/or consume liquor on the
21 license premises contrary to WAC 314-16-150” to a written warning.

22 4. The Licensee admits to the above-referenced violation for LCB Case Number
23 24,777, AVN Number 3L3167. Specifically:

24 That on or around June 16, 2013, the above-named Licensee or employee(s) thereof
25 permitted an apparently intoxicated person to possess and/or consume liquor on the
26 licensed premises, contrary to WAC 314-16-150.

1 5. The parties agree that the standard penalty for a first violation for allowing an
2 apparently intoxicated person to possess or consume alcohol on the licensed premises is a five
3 (5) day suspension of the liquor license or a five hundred dollar (\$500) monetary penalty.

4 6. The parties agree that the penalty for the above mentioned complaint and AVN
5 shall be a three (3) day suspension of the liquor license or a three hundred dollar (\$300)
6 monetary penalty. The Licensee hereby chooses to pay the monetary penalty of three hundred
7 dollars (\$300).

8 7. The Licensee shall pay the monetary penalty of three hundred dollars (\$300) no
9 later than thirty (30) days after the date of the Final Order of the Board. Payment shall be sent
10 to:

11 **Washington State Liquor Control Board**
12 **P.O. Box 43095**
 Olympia WA, 98504-3085

13 8. If the Licensee subsequently fails to make a full and timely payment of the
14 penalty as required in Section II, Paragraph 7, then the standard penalty of a five (5) day
15 suspension of the Licensee's liquor license shall be imposed.

16 9. The parties recognize that this Agreement is subject to approval by the
17 Washington State Liquor Control Board.

18 10. This agreement constitutes the final written expression of all the terms of this
19 agreement and is a complete and exclusive statement of these terms.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

STIPULATED AND AGREED TO by:

ROBERT W. FERGUSON
Attorney General



JENNIFER ELIAS, WSBA #36334
Assistant Attorney General
Attorneys for Enforcement

12/2/13

DATE



TOBIAS PIERING, WSBA #44560
Attorneys for Licensee

12/6/13

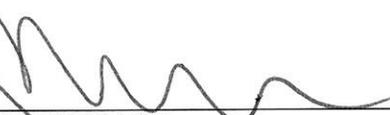
DATE



KIRK A. SODERQUIST, WSBA #28686
Attorneys for Licensee

12/6/13

DATE



MARK VASU
Licensee

12/3/13

DATE



Washington State
Liquor Control Board

January 8, 2014

Tobias S. Piering,
Kirk A. Soderquist,
Attorneys for Licensee
Perkins Coie LLP
1201 3rd Ave Ste 4800
Seattle, WA 98101-3099

QSG Seattle LLC and Blue Martini Seattle LLC
d/b/a Blue Martini Seattle
477 S Rosemary Ave Ste 309
West Palm Beach, FL 33401-5758

Jennifer Elias, 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: QSG Seattle LLC and Blue Martini Seattle LLC
TRADE NAME: Blue Martini Seattle
LOCATION: 700 110th Ave NE Ste 295, Bellevue, WA 98004-5119
LICENSE NO. 407618-3L
ADMINISTRATIVE VIOLATION NOTICE NOS. 2B2366A and 3L3167A
LCB HEARING NOS. 24,727 and 24,777
OAH NOS. 2013-LCB-0050 and 2013-LCB-0065
UBI: 603-115-251-001-0001

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 February 7, 2014. If payment is not received timely, then suspension will take place from 1:00 p.m. on Thursday, February 27, 2014 until 1:00 p.m. on Tuesday, March 4, 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

PO Box 43076, 3000 Pacific Ave. SE, Olympia WA 98504-3076, (360) 664-1602 www.liq.wa.gov

1 **WASHINGTON STATE LIQUOR CONTROL BOARD**

2 IN THE MATTER OF:

3
4 QSG SEATTLE LLC AND BLUE
5 MARTINI SEATTLE LLC d/b/a
6 BLUE MARTINI SEATTLE
700 110TH AVE NE STE 295,
8 BELLEVUE, WA 98004-5119

9 LICENSEE

10 LICENSE NO. 407618
11 AVN NO NOS. 2B2366A and 3L3167A

LCB NOS. 24,727 and 24,777

OAH NOS. 2013-LCB-0050 and 2013-
LCB-0065

DECLARATION OF SERVICE BY
MAIL

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

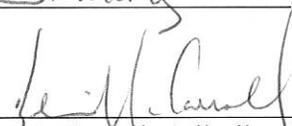
16 TOBIAS S. PIERING,
17 KIRK A. SODERQUIST,
18 ATTORNEYS FOR LICENSEE
19 PERKINS COIE LLP
1201 3RD AVE STE 4800
SEATTLE, WA 98101-3099

OFFICE OF THE ATTORNEY GENERAL
MAIL STOP 40100, GCE DIVISION
JENNIFER ELIAS,
ASSISTANT ATTORNEY GENERAL

20 QSG SEATTLE LLC AND BLUE MARTINI
21 SEATTLE LLC d/b/a
22 BLUE MARTINI SEATTLE
477 S ROSEMARY AVE STE 309
WEST PALM BEACH, FL 33401-5758

QSG SEATTLE LLC AND BLUE MARTINI
SEATTLE LLC d/b/a
BLUE MARTINI SEATTLE
700 110TH AVE NE STE 295,
BELLEVUE, WA 98004-5119

23 DATED this 8th day of January, 2014, at Olympia, Washington.

24
25 
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