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

7 IN THE MATTER OF:

LCB NO. 24,742

8 TAM T. NGUYEN & THANH V. LUONG
9 D/B/A THANH TAM RESTAURANT

FINAL ORDER OF THE BOARD
APPROVING STIPULATED
SETTLEMENT AGREEMENT

10 1200 SOUTH JACKSON ST. #8
SEATTLE, WA 98114-2064

[PROPOSED]

11 LICENSE NO. 072050-2K
12 AVN NO. 2E3046A

13 THIS MATTER having come before the Washington State Liquor Control Board
14 (Board) and the Washington State Liquor Control Board Education and Enforcement Division
15 (Enforcement) by and through its attorneys, ROBERT M. MCKENNA, Attorney General, and
16 MARISA E. BROGGEL, Assistant Attorney General, and Licensee TAM T. NGUYEN &
17 THANH V. LUONG d/b/a THANH TAM RESTAURANT (Licensee), and the parties having
18 voluntarily entered into a stipulated settlement agreement for Administrative Violation Notice
19 (AVN) No. 2E3046A, Case No. 24,742, and the Board having considered the stipulated
20 settlement agreement and Enforcement's memorandum recommending acceptance of the
21 stipulated settlement agreement, and the Board having had the opportunity to review the file
22 materials maintained in this case, now, therefore:

23 IT IS HEREBY ORDERED that the allegation set forth in AVN No. 1L2021A, to wit:
24 That on or about February 15, 2013 the Licensee or employee thereof served and/or sold liquor
25 to an apparently intoxicated person on the licensed premises, and/or allowed an apparently
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FINAL ORDER OF THE BOARD
TAM T. NGUYEN & THANH V.
LUONG D/B/A THANH TAM
RESTAURANT
[PROPOSED]
LCB 24,742

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OFFICE OF THE ATTORNEY GENERAL
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
(360) 664-9006

1 intoxicated person(s) to consume liquor on the licensed premises contrary to
2 RCW 66.44.200(1) and WAC 314-16-150, is sustained.

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

7 **Washington State Liquor Control Board**
8 **PO Box 43085**
9 **Olympia, WA 98504-3085**

10 In the event the Licensee fails to make full and timely payment of the monetary
11 penalty, the Licensee shall serve a five-day suspension of its liquor license, the dates and time
12 of which shall be set by the Board.

13 DATED this 27 day of August, 2013.

14 WASHINGTON STATE LIQUOR CONTROL BOARD

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16 JUSTIN NORDHORN, CHIEF
17 ENFORCEMENT & EDUCATION DIVISION
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STIPULATED SETTLEMENT
AGREEMENT

11 1200 SOUTH JACKSON ST. #8
SEATTLE, WA 98114-2064

12 LICENSE NO. 072050-2K
13 AVN NO. 2E3046A

14 The Washington State Liquor Control Board Education and Enforcement Division
15 (Enforcement) represented by its attorneys ROBERT W. FERGUSON, Attorney General and
16 TIMOTHY D. FORD, Assistant Attorney General, and the Licensee TAM T. NGUYEN &
17 THANH V. LUONG D/B/A THANH TAM RESTAURANT hereby enter into this stipulated
18 settlement agreement for Liquor Control Board Case No. 24,742.

19 **I. INTRODUCTION**

20 The Washington State Liquor Control Board, Enforcement and Education Division
21 served the above-named Licensee with Administrative Violation Notice (AVN) No. 2E3046A,
22 alleging that on or about February 15, 2013 the Licensee or employee thereof served and/or
23 sold liquor to an apparently intoxicated person on the licensed premises, and/or allowed an
24 apparently intoxicated person(s) to consume liquor on the licensed premises, contrary to
25 RCW 66.44.200(1) and WAC 314-16-150. On May 10, 2013 the Washington State Liquor
26 Control Board filed a complaint against the above-named Licensee based on the AVN.



1 The AVN shows a two (2) year violation history and is cited as the first violation of its kind
2 which reflects a penalty of five hundred (\$500) dollars or a five (5) day suspension of the
3 license.

4 Enforcement and the Licensee wish to enter into a settlement agreement concerning the
5 above-referenced AVN and complaint.

6 **II. AGREEMENT OF THE PARTIES**

7
8 Enforcement and the Licensee agree to the following:

9 1. Enforcement and the Licensee enter into this agreement to avoid the time and
10 expense of further litigation. The Licensee explicitly waives the right of further administrative
11 review of all matters related to the above-referenced violation and AVN. The Licensee hereby
12 voluntarily withdraws its request for a hearing in this matter.

13 2. This agreement constitutes the final written expression of all the terms of this
14 agreement and is a complete and exclusive statement of these terms.

15 3. The Licensee admits the violation set forth above and referenced in the
16 Complaint: On or about February 15, 2013, the above-named Licensee, or employee(s) thereof,
17 served and/or sold liquor to an apparently intoxicated person on the licensed premises, and/or
18 allowed an apparently intoxicated person(s) to consume liquor on the licensed premises,
19 contrary to RCW 66.44.200(1) and WAC 314-16-150.

20 4. The Licensee acknowledges this is the Licensee's first violation of this type
21 within a twenty-four (24) month period, which carries a standard monetary penalty of five
22 hundred (\$500) dollars or a five (5) day suspension of the license.

23 5. In consideration for the stipulation to the violation as charged in the AVN and
24 complaint, the monetary penalty shall be reduced to three hundred dollars (\$300) for this
25 violation in lieu of a license suspension.
26

1 6. The Licensee shall pay three hundred dollars (\$300) no later than thirty (30)
2 days after the date of the Final Order of the Board. Payment shall be sent to:

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

6 7. In the event that the Licensee fails to make a full and timely payment of the
7 monetary penalty as required in Section II, Paragraph 6, then the standard penalty in Section II,
8 Paragraph 4 shall be imposed.

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

13 9. The parties recognize that this settlement agreement is subject to approval by
14 the Washington State Liquor Control Board.

15 STIPULATED AND AGREED TO by:

16 ROBERT W. FERGUSON
17 Attorney General

18 
19 TIMOTHY D. FORD, WSBA #29254
20 Assistant Attorney General *Marisa Broggel*
21 Attorneys for Washington State *WSBA No. 41767*
22 Liquor Control Board Education
23 and Enforcement Division

24 Date Aug. 20, 2013

25 
26 TAM T. NGUYEN & THANH V. LUONG
LICENSEE

27 Date 8/12/2013



Washington State
Liquor Control Board

August 27, 2013

Tam T. Nguyen & Thanh V. Luong
d/b/a Thanh Tam Restaurant
1200 S Jackson St #8
Seattle, WA 98144-2064

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 APPROVING STIPULATED SETTLEMENT
AGREEMENT**

LICENSEE: Tam T. Nguyen & Thanh V. Luong

TRADE NAME: Thanh Tam Restaurant

LOCATION: 1200 S Jackson St #8, Seattle, WA 98144-2064

LICENSE NO. 072050-2K

ADMINISTRATIVE VIOLATION NOTICE NO. 2E3046A

LCB HEARING NO. 24,742

UBI: 602-621-292-001-0001

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 was received by check on August 27, 2013. If you have any questions, please contact me at (360) 664-1602.

Sincerely,

A handwritten signature in black ink that reads "Kevin McCarroll".

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures

cc: Federal Way Enforcement and Education Division, WSLCB
Jamie Marshall, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. 24,742

TAM T. NGUYEN & THANH V.
LUONG d/b/a THANH TAM
RESTAURANT
1200 S JACKSON ST #8
SEATTLE, WA 98144-2064

DECLARATION OF SERVICE BY
MAIL

LICENSEE

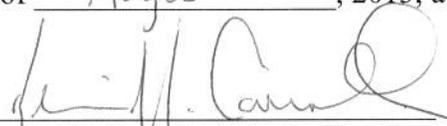
LICENSE NO. 072050-2K
AVN NO. 2E3046A

I certify that I caused a copy of the FINAL ORDER OF THE BOARD APPROVING
STIPULATED SETTLEMENT AGREEMENT 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:

TAM T. NGUYEN & THANH V. LUONG
D/B/A THANH TAM RESTAURANT
1200 S JACKSON ST #8
SEATTLE, WA 98144-2064

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

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


Keyin McCarroll, Adjudicative Proceedings Coordinator