

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

AWG LLC
d/b/a APPLEWOOD GRILL

29 N COLUMBIA ST
WENATCHEE, WA 98801-2223

LICENSEE

LICENSE NO. 072826-4G
AVN NO. 4H3048A

LCB NO. 24,756
OAH NO. 2013-LCB-0035

FINAL ORDER OF THE BOARD

The above-captioned matter coming on regularly before the Board, and it appearing that:

1. The Liquor Control Board issued a complaint dated May 24, 2013, alleging that on February 17, 2013, the above-named Licensee or employee(s) failed to maintain proper hours of operation contrary to WAC 314-11-070.
2. The Licensee timely submitted a request for an administrative hearing;
3. A prehearing conference was scheduled for July 11, 2013 at 11:00 a.m. The Enforcement and Education Division of the Liquor Control Board appeared and was represented by Timothy D. Ford, Assistant Attorney General. The Licensee did not appear for the prehearing conference or request a continuance;
4. On July 24, 2013, Administrative Law Judge Mark H. Kim issued his Order of Default With Additional Appeal Notice which dismissed the appeal;
5. No request to vacate the default was filed;
6. No petition for review was filed;

7. The entire record in this proceeding was presented to the Board for final decision, and the Board having fully considered said record and being fully advised in the premises; NOW, THEREFORE, IT IS HEREBY ORDERED that the default order for case 24,756 is adopted.

IT IS HEREBY FURTHER ORDERED that the Complaint filed in case 24,756 is sustained and that the liquor license privileges granted to AWG LLC d/b/a Applewood Grill at 29 Columbia Street in Wenatchee, Washington, License 072826, are hereby suspended for a term of five (5) days. In lieu of a license suspension, the Licensee shall pay a monetary penalty in the amount of five hundred dollars (\$500.00) due within 30 days of this order. If timely payment is not received, suspension will take place from 11:00 a.m. on Thursday, October 17, 2013 until 11:00 a.m. on Tuesday, October 22, 2013. Failure to comply with the terms of this order will result in further disciplinary action.

Payment in reference to this order should be sent to:

**Washington State Liquor Control Board
Financial Division
PO Box 43085
Olympia, WA 98504-3085**

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

WASHINGTON STATE LIQUOR CONTROL BOARD

Sharon Foster

Ruthann Kuose

Reconsideration. Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this Order to file a petition for reconsideration stating the specific grounds on which relief is requested. A petition for reconsideration, together with any argument in support thereof, should be filed by mailing or

delivering it directly to the Washington State Liquor Control Board, Attn: Kevin McCarroll, 3000 Pacific Avenue Southeast, PO Box 43076, Olympia, WA 98504-3076, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Board's office. RCW 34.05.010(6). A copy shall also be sent to Mary M. Tennyson, Senior Assistant Attorney General, 1125 Washington St. SE, P.O. Box 40110, Olympia, WA 98504-0110. A timely petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on the petition. An order denying reconsideration is not subject to judicial review. RCW 34.05.470(5). The filing of a petition for reconsideration is not a prerequisite for filing a petition for judicial review.

Stay of Effectiveness. The filing of a petition for reconsideration does not stay the effectiveness of this Order. The Board has determined not to consider a petition to stay the effectiveness of this Order. Any such request should be made in connection with a petition for judicial review under chapter 34.05 RCW and RCW 34.05.550.

Judicial Review. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. The petition for judicial review of this Order shall be filed with the appropriate court and served on the Board, the Office of the Attorney General, and all parties within thirty days after service of the final order, as provided in RCW 34.05.542.

Service. This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).



Washington State
Liquor Control Board

August 28, 2013

AWG, LLC
d/b/a Applewood Grill
29 N Columbia St
Wenatchee, WA 98801-2223

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: AWG, LLC
TRADE NAME: Applewood Grill
LOCATION: 29 N Columbia St, Wenatchee, WA 98801-2223
LICENSE NO. 072826-4G
LCB HEARING NO. 24,756
OAH NO. 2013-LCB-0035
AVN NO. 4H3048A
UBI: 602-530-757-001-0001

Dear Parties:

Please find the enclosed Final Order of the Board and Declaration of Service by Mail in the above-referenced matter.

The applicable monetary penalty is due by Friday, September 27, 2013. If payment is not received timely, then suspension will take place during the dates listed in the order. If you have any questions, please contact me at (360) 664-1602.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin McCarroll".

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (2)

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

1 **WASHINGTON STATE LIQUOR CONTROL BOARD**

2 IN THE MATTER OF:

LCB NO. 24,756

3 AWG, LLC
4 d/b/a APPLEWOOD GRILL
5 29 N COLUMBIA ST
6 WENATCHEE, WA 98801-2223

OAH NO. 2013-LCB-0035

DECLARATION OF SERVICE BY
MAIL

LICENSEE

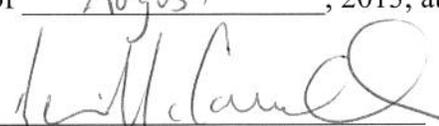
7 LICENSE NO. 072826-4G
8 AVN NO. 4H3048A

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

14
15 AWG, LLC
16 d/b/a APPLEWOOD GRILL
17 29 N COLUMBIA ST
18 WENATCHEE, WA 98801-2223

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

19 DATED this 28th day of August, 2013, at Olympia, Washington.

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21 Kevin McCarroll, Adjudicative Proceedings Coordinator

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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