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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

ERZULIE LLC d/b/a WAID'S
1212 E JEFFERSON ST
SEATTLE, WA 98122

LICENSEE

LICENSE NO. 076837

AVN Nos. 2D3038A; 2D3038B; and
2S3038B

LCB NOS. 24,770, 24,771 and 24,787

And

ERZULIE LLC d/b/a WAID'S
1212 E JEFFERSON ST
SEATTLE, WA 98122

LICENSEE

LICENSE NO. 076837
UBI No. 602-600-646

LCB NO. 24,731

FINAL ORDER OF THE BOARD

[PROPOSED]

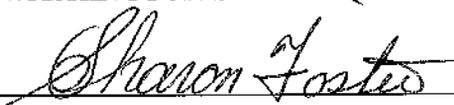
THIS MATTER having come before the Washington State Liquor Control Board (Board) and the Washington State Liquor Control Board Licensing and Education and Enforcement Divisions (Licensing) represented by its attorneys, ROBERT W. FERGUSON, Attorney General, and JENNIFER ELIAS, Assistant Attorney General, and the Licensee, ERZULIE LLC, d/b/a WAID'S represented by its attorney RAYMOND A. CONNELL, and

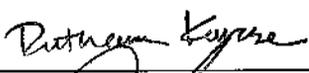
1 the Board having considered the Stipulated Settlement Agreement and Licensing and
2 Enforcement's memorandum recommending acceptance of the Settlement Agreement, and the
3 Board having had the opportunity to review the file materials maintained in this case, now
4 therefore:

5 IT IS HEREBY ORDERED that the Stipulated Settlement Agreement in the above
6 captioned case is adopted in its entirety, and the Complaints for Liquor Control Board Case
7 numbers 24,770, 24,771, and 24,787 are sustained. Revocation of the liquor license shall be
8 effective seven calendar days after issuance of this Final Order.

9 DATED this 4 day of June, 2014.

10 WASHINGTON STATE LIQUOR CONTROL BOARD

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NOS. 24,770, 24,771 and 24,787

ERZULIE LLC d/b/a WAID'S
1212 E JEFFERSON ST
SEATTLE, WA 98122

LICENSEE

LICENSE NO. 076837

AVN Nos. 2D3038A; 2D3038B; and
2S3038B

And

LCB NO. 24,731

ERZULIE LLC d/b/a WAID'S
1212 E JEFFERSON ST
SEATTLE, WA 98122

STIPULATED SETTLEMENT
AGREEMENT

LICENSEE

LICENSE NO. 076837
UBI No. 602-600-646

COMES NOW, the Washington State Liquor Control Board, Licensing and Education and Enforcement Divisions (Licensing), by and through its attorneys, ROBERT W. FERGUSON, Attorney General and JENNIFER ELIAS, Assistant Attorney General, and ERZULIE, LLC, d/b/a WAID'S (Licensee) by and through its attorney, RAYMOND A.

1 CONNELL, hereby enter into this stipulated settlement agreement for Liquor Control Board
2 (LCB) case numbers 24,770, 24,772, 24,787 and 24,731.

3 **I. INTRODUCTION**

4 **A. Licensing Matter, LCB Case No. 24,731.**

5 The Licensing Division of the Liquor Control Board issued an Amended Statement of
6 Intent to Not Renew Liquor License, to the Licensee on November 21, 2013. After review of
7 the City of Seattle's Objection to the renewal of the liquor license and the underlying files,
8 Director Rathbun determined that renewal of the liquor license was not in the best interest of
9 the welfare, health, and safety of the people of the State of Washington, and that chronic illegal
10 activity associated with the business as asserted by the City of Seattle, and the Licensee's
11 pattern of disregard for liquor laws and rules, prevented renewal of the license.

12 **B. Enforcement Matters, LCB Case Nos. 24,770, 24,771 and 24,787.**

13 The Washington State Liquor Control Board issued an administrative complaint, for
14 case number 24,770, based on Administrative Violation Notice (AVN) 2D3038A, which
15 alleged that on ^{OR} about October 1, 2012, the Licensee or an employee, engaged in or permitted
16 ^{A RAC} conduct on the licensed premises that is prohibited by RCW 69.50.401(1), to wit: delivery of
17 marijuana, a Schedule I controlled substance under RCW 69.50.204(c)(22), contrary to
18 WAC 314-11-015(3)(e).

19 The Washington State Liquor Control Board issued an administrative complaint, for
20 case number 24,771, based on AVN 2D3038B, which alleged that on about October 1, 2012,
21 the Licensee or an employee, engaged in or permitted conduct on the licensed premises that is
22 prohibited by RCW 69.50.401(1), to wit: delivery of marijuana, a Schedule I controlled
23 substance under RCW 69.50.204(c)(22), contrary to WAC 314-11-015(3)(e).

24 The Washington State Liquor Control Board issued an administrative complaint, for
25 case number 24,787, based on AVN 2S3038B, which alleged that on about October 15, 2012,
26 the Licensee or an employee, engaged in or permitted conduct on the licensed premises that is

1 prohibited by RCW 69.50.401(1), to wit: delivery of marijuana, a Schedule I controlled
2 substance under RCW 69.50.204(c)(22), contrary to WAC 314-11-015(3)(e).

3 **II. AGREEMENT OF THE PARTIES**

4 Licensing, Enforcement and the Licensee agree to the following:

5 1. The parties enter into this Agreement to avoid the time and expense of further
6 litigation.

7 2. The Licensee explicitly waives the right of further administrative review of all
8 matters related to the above-referenced Statement of Intent Not to Renew and AVNs. The
9 Licensee hereby voluntarily withdraws its request for a hearing in all of the above matters.
10 The Licensee also withdraws its appeal in OAH Case Number LCB-2013-0076, Liquor Case
11 Numbers, 24,769 and 24,772.

12 3. This Agreement constitutes the final written expression of all the terms of this
13 Agreement, and it is a complete and exclusive statement of these terms.

14 4. The Licensee admits to the violation set forth in Liquor Case number 24,770,
15 AVN 2D3038A. Specifically, that on or about October 1, 2012, the Licensee or an employee
16 thereof engaged in or permitted conduct on the licensed premises that is prohibited by
17 RCW 69.50.401(1), to wit: delivery of marijuana, a Schedule I controlled substance under
18 RCW 69.50.204(c)(22), contrary to WAC 314-11-015(3)(e).

19 5. The Licensee admits to the violation set forth in Liquor Case number 24,771,
20 AVN 2D3038B. Specifically, that on or about October 1, 2012, the Licensee or an employee
21 thereof engaged in or permitted conduct on the licensed premises that is prohibited by
22 RCW 69.50.401(1), to wit: delivery of marijuana, a Schedule I controlled substance under
23 RCW 69.50.204(c)(22), contrary to WAC 314-11-015(3)(e).

24 6. The Licensee admits to the violation set forth in Liquor Case number 24,787,
25 AVN 2S3038B. Specifically, that on or about October 15, 2012, the Licensee or an employee
26 thereof engaged in or permitted conduct on the licensed premises that is prohibited by RCW

1 69.50.401(1), to wit: delivery of marijuana, a Schedule I controlled substance under RCW
2 69.50.204(c)(22), contrary to WAC 314-11-015(3)(e).

3 7. The Licensee acknowledges that the above referenced violations constitute a
4 breach of the Licensee's settlement agreement (Agreement) with the Washington State Liquor
5 Control Board for Case Number 23,641, as each is a public safety violation. The Agreement
6 mandates termination of the liquor license if the Licensee commits any public safety violation
7 within the two-year period after the Board signed its Final Order.

8 8. The Licensee agrees that its liquor license shall be revoked effective seven
9 calendar days after the Board issues its Final Order approving the present settlement
10 agreement. The Licensee understands that this revocation and above violations will become
11 part of its licensing history. The Licensee shall remove all liquor from 1212 East Jefferson
12 Street, Seattle, Washington, by 10:00 p.m. on the seventh day. The Licensee may elect to sell
13 unopened liquor to another liquor licensee or retain the remaining unopened liquor for personal
14 use by paying all applicable taxes. All open liquor shall be disposed of by the seventh day.

15 9. The Licensee further understands that it is subject to all statutes and rules
16 applicable to retail liquor licensees for the remainder of the time in which it holds the liquor
17 license. The licensed premises must be available for inspection consistent with
18 RCW 66.28.090 and WAC 314-11-090.

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

STIPULATED AND AGREED TO by:

ROBERT W. FERGUSON
Attorney General



JENNIFER ELIAS, WSBA #36334
Assistant Attorney General
Attorney for Washington State
Liquor Control Board Licensing and
Enforcement Divisions

6/3/2014
DATE

Raymond A. Connell for
WAID SAINVIL
PER Stipulated Consent

WAID SAINVIL, Owner
ERUZLIE LLC d/b/a WAID'S, Licensee

June 3, 2014
DATE

RAYMOND A. CONNELL, WSBA #16119
Attorney for Licensee

June 3, 2014
DATE



Washington State
Liquor Control Board

June 4, 2014

Waid Sainvil, Managing Member
Erzulie LLC
d/b/a Waid's
11814 12 Ave S
Seattle, WA 98168-2134

Raymond A. Connell,
Attorney for Licensee
Connell Law Office LLC
6333 Seward Park Ave S
Seattle, WA 98118-3054

Waid Sainvil, Managing Member
Erzulie LLC
d/b/a Waid's
1212 E Jefferson St
Seattle, WA 98122-5536

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: Erzulie LLC
TRADE NAME: Waid's
LOCATION: 1212 E Jefferson St, Seattle, WA 98122
LICENSE NO. 076837
LCB HEARING NOS. 24,770; 24,771 ; 24,787; 24,731
OAH NOS. 2013-LCB-0075; 2014-LCB-0004
AVN NOS. 2D3038A, 3D3038B, 2S3038B
UBI: 602-600-646-001-0001

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 license revocation shall be effective on Wednesday, June 11, 2014.**

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

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (2)

cc: Alan Rathbun, Licensing and Regulation Director, WSLCB
Federal Way and Mountlake Terrace Enforcement and Education Divisions, WSLCB
Jamic Marshall, WSLCB Enforcement

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

ERZULIE LLC
d/b/a WAID'S
1212 E JEFFERSON ST
SEATTLE, WA 98122-5536

LICENSEE

LICENSE NO. 076837
AVN NOS. 2D3038A, 3D3038B, 2S3038B

LCB NOS. 24,770; 24,771 ; 24,787;
24,731

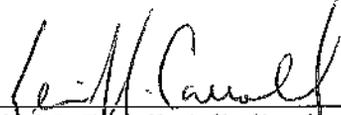
OAH NOS. 2013-LCB-0075;
2014-LCB-0004

DECLARATION OF SERVICE BY
MAIL

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:

WAID SAINVIL, MANAGING MEMBER ERZULIE LLC d/b/a WAID'S 11814 12 AVE S SEATTLE, WA 98168-2134	RAYMOND A. CONNELL, ATTORNEY FOR LICENSEE CONNELL LAW OFFICE LLC 6333 SEWARD PARK AVE S SEATTLE, WA 98118-3054
WAID SAINVIL, MANAGING MEMBER ERZULIE LLC d/b/a WAID'S 1212 E JEFFERSON ST SEATTLE, WA 98122-5536	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION JENNIFER ELIAS, ASSISTANT ATTORNEY GENERAL

DATED this 4th day of June, 2014, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator