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

8 IN THE MATTER OF:

NO. 24,817

9 BLACK CAT, INC. d/b/a  
10 THE BLACK CAT

FINAL ORDER

[PROPOSED]

11 1200 HARRIS AVE  
12 BELLINGHAM, WA 98225

LICENSEE

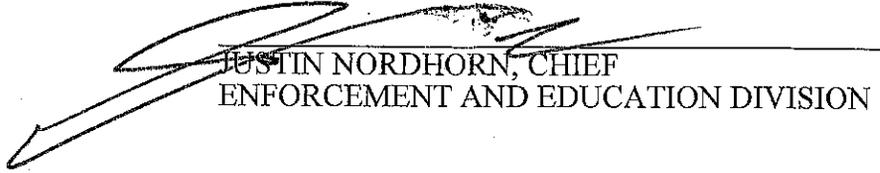
13 LIQUOR LIC.NO. 361140  
14 AVN NO. 3B3197A

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 JENNIFER ELIAS, Assistant Attorney General, and BLACK CAT, INC d/b/a THE BLACK  
19 CAT (Licensee) by and through its representative, GREGG KIMBER, and the parties having  
20 voluntarily entered into a stipulated settlement agreement for case number 24,817, and the  
21 Board having considered the Stipulated Settlement Agreement and Enforcement's  
22 Memorandum recommending acceptance of the Stipulated Settlement Agreement, and the  
23 Board having had the opportunity to review the file materials maintained in this case, now  
24 therefore:  
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1 IT IS HEREBY ORDERED that the Stipulated Settlement Agreement in the above  
2 captioned case is adopted in its entirety; and the AVN for Case Number 24,817 shall be  
3 converted to a written warning.

4 DATED this 18 day of August, 2014.

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6 WASHINGTON STATE LIQUOR CONTROL BOARD

7   
8 JUSTIN NORDHORN, CHIEF  
9 ENFORCEMENT AND EDUCATION DIVISION  
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26 THE BLACK CAT  
LICENSE 361140  
LCB NO. 24,817

FINAL ORDER OF THE BOARD

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

[PROPOSED]

RECEIVED

AUG 11 2014

Liquor Control Board  
Board Administration

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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

BLACK CAT, INC. d/b/a  
THE BLACK CAT  
  
1200 HARRIS AVE  
BELLINGHAM, WA 98225

LICENSEE

LIQUOR LIC.NO. 361140  
AVN NO. 3B3197A

LCB NO. 24,817

STIPULATED  
SETTLEMENT AGREEMENT

The Washington State Liquor Control Board Enforcement and Education Division (Enforcement), by and through its attorneys, ROBERT W. FERGUSON, Attorney General, and JENNIFER ELIAS, Assistant Attorney General, and BLACK CAT INC, d/b/a THE BLACK CAT (Licensee) by and through its representative, GREGG KIMBER, hereby enter into this stipulated settlement agreement for Liquor Control Board (LCB) case number 24,817.

**I. INTRODUCTION**

The Washington State Liquor Control Board, Enforcement and Education Division issued administrative violation notice (AVN) 3B3197A to the Licensee alleging that on or about June 19, 2013, the Licensee was apparently intoxicated on the licensed premises in violation of WAC 314-11-015(3)(a).

**II. AGREEMENT OF THE PARTIES**

Enforcement and the Licensee agree to the following:

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

1           2.     The Licensee explicitly waives the right of further administrative review of all  
2 matters related to the above-referenced AVN. The Licensee hereby voluntarily withdraws its  
3 request for a hearing in this matter.

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

6           4.     The Licensee's business is in the process of being sold and a new liquor license  
7 application is pending. Enforcement is aware that Licensing may issue a temporary permit for  
8 the location at any time. In light of the fact that the Licensee will no longer be in operation,  
9 Enforcement will convert AVN 3B3197A to a written warning.

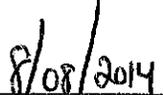
10          5.     The Licensee acknowledges that the written warning will be considered part of  
11 the licensing history for the Licensee.

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

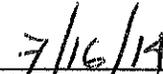
14                STIPULATED AND AGREED TO by:

15  
16                ROBERT W. FERGUSON  
                  Attorney General

17  
18                 #46608  
19                \_\_\_\_\_  
                  JENNIFER ELIAS, WSBA #36334  
                  Assistant Attorney General  
                  Attorney for Washington State  
                  Liquor Control Board Education and  
                  Enforcement Division

  
                  \_\_\_\_\_  
                  DATE

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21                  
22                \_\_\_\_\_  
                  GREG KIMBER, Representative for  
23                BLACK CAT, INC. d/b/a  
24                THE BLACK CAT, Licensee

  
                  \_\_\_\_\_  
                  DATE



Washington State  
Liquor Control Board

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August 18, 2014

Greg Kimber  
Black Cat Inc.  
d/b/a The Black Cat  
1200 Harris Ave St Ste 310  
Bellingham, WA 98225-7144

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: Black Cat Inc.*  
*TRADE NAME: The Black Cat*  
*LOCATION: 1200 Harris Ave St Ste 310, Bellingham, WA 98225-7144*  
*LICENSE NO. 361140*  
*ADMINISTRATIVE VIOLATION NOTICE NO. 3B3197A*  
*LCB HEARING NO. 24,817*  
*UBI: 601-510-852-001-0001*

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.

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

cc: Mt. Vernon Enforcement and Education Division, WSLCB  
Jamie Marshall, WSLCB

**WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

BLACK CAT INC.  
d/b/a THE BLACK CAT  
1200 HARRIS AVE ST STE 310  
BELLINGHAM, WA 98225-7144

LICENSEE

LICENSE NO. 361140  
AVN NO. 3B3197A

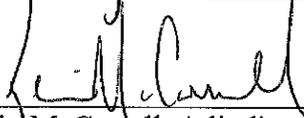
LCB NO. 24,817

DECLARATION OF SERVICE BY  
MAIL

I certify that I caused a copy of the FINAL ORDER 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:

GREGG KIMBER BLACK CAT INC. d/b/a THE BLACK CAT 1200 HARRIS AVE ST STE 310 BELLINGHAM, WA 98225-7144	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION JENNIFER ELIAS, ASSISTANT ATTORNEY GENERAL
--	--

DATED this 18<sup>th</sup> day of August, 2014 at Olympia, Washington.

  
Kevin McCarroll, Adjudicative Proceedings Coordinator