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

8 IN THE MATTER OF:

9 ONE LONGVIEW, INC. d/b/a CADILLAC
10 ISLAND CASINO

11 1125 COMMERCE AVE
12 LONGVIEW, WA 98632

13 LICENSEE.

14 LICENSE NO. 356780
15 AVN NO. 1K3069A

LCB NO. L-24,747

FINAL ORDER OF THE BOARD

[PROPOSED]

16 IN THE MATTER OF:

17 ONE LONGVIEW, INC. d/b/a CADILLAC
18 ISLAND CASINO

19 AVN NO. 1K3098A

LCB NO. L-24,767

20 IN THE MATTER OF:

21 ONE LONGVIEW, INC. d/b/a CADILLAC
22 ISLAND CASINO

23 AVN NO. 1K3243A

LCB NO. L-24,857

24 THESE MATTERS having come before the Washington State Liquor Control Board
25 (Board) and the Liquor Control Board Education and Enforcement Division (Enforcement) by
26 and through its attorneys, ROBERT W. FERGUSON, Attorney General, and
ISAAC WILLIAMSON, Assistant Attorney General, and ONE LONGVIEW, INC. d/b/a
CADILLAC ISLAND CASINO (Licensee) by and through SEAN MALCOLM, attorney, and

FINAL ORDER OF THE BOARD

[PROPOSED]

1 the parties having voluntarily entered into a stipulated settlement agreement for Case Numbers
2 L-24,747; L-24,767; and L-24,857, and the Board having considered the
3 Stipulated Settlement Agreement and Enforcement's Memorandum recommending acceptance
4 of the Stipulated Settlement Agreement, and the Board having had the opportunity to review the
5 file materials maintained in this case, now therefore:

6 IT IS HEREBY ORDERED that the Stipulated Settlement Agreement in the above
7 captioned cases is adopted in its entirety; and the Complaint and
8 Administrative Violation Notice (AVN) for Case Numbers L-24,747; L-24,767; and L-24,857
9 are sustained. Licensee shall serve an eleven (11) day suspension of its liquor license,
10 beginning on Friday, December 19, 2014, at 11:00 a.m., and ending on
11 Tuesday, December 30, 2014, at 11:00 a.m. Licensee shall also pay a ten-thousand dollar
12 (\$10,000) monetary penalty in two installments of five-thousand dollars (\$5,000). The first
13 payment shall be due no later than thirty (30) days after the date of this order. The second
14 payment shall be due no later than January 31, 2015.

15 **The payments shall be sent to:**
16 **Washington State Liquor Control Board**
P.O. Box 43085
Olympia, WA 98504-3085

17 In the event that the Licensee fails to make full and timely payment of the monetary penalty, the
18 Licensee shall serve an additional thirty-three (33) day suspension of its liquor license, the dates
19 and time of which shall be set by the Washington State Liquor Control Board.

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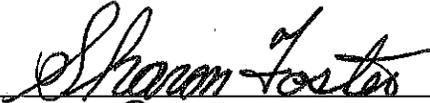
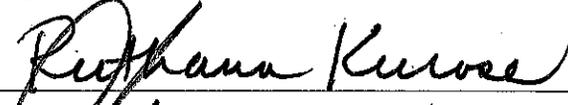
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1 IT IS FURTHER ORDERED that if the Licensee fails to provide written proof, within
2 thirty (30) days of resolution of Clark County Superior Court (Case No. 13-3-01952-1), that the
3 establishment is under the sole ownership and control of REGINA BAKUNOWICZ, then the
4 Licensee shall serve an additional (13) day suspension, the time and date of which shall be set
5 by the Board.

6 DATED this 3RD day of DECEMBER, 2014.

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8 WASHINGTON STATE LIQUOR CONTROL BOARD

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RECEIVED
DEC 03 2014
Liquor Control Board
Board Administration

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

ONE LONGVIEW, INC. d/b/a CADILLAC
ISLAND CASINO

1125 COMMERCE AVE
LONGVIEW, WA 98632

LICENSEE.

LICENSE NO. 356780
AVN NO. 1K3069A

LCB NO. L-24,747

STIPULATED
SETTLEMENT AGREEMENT

IN THE MATTER OF:

ONE LONGVIEW, INC. d/b/a CADILLAC
ISLAND CASINO

AVN NO. 1K3098A

LCB NO. L-24,767

IN THE MATTER OF:

ONE LONGVIEW, INC. d/b/a CADILLAC
ISLAND CASINO

AVN NO. 1K3243A

LCB NO. L-24,857

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement), by and through its attorneys, ROBERT W. FERGUSON, Attorney General, and ISAAC WILLIAMSON, Assistant Attorney General, and ONE LONGVIEW, INC. d/b/a CADILLAC ISLAND CASINO (Licensee) by and through SEAN MALCOLM, Attorney, hereby enter into this stipulated settlement agreement for Liquor Control Board (LCB) case numbers L-24,747; L-24,767; and L-24,857.

STIPULATED
SETTLEMENT AGREEMENT

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I. INTRODUCTION

By way of complaints dated August 27, 2013, August 27, 2013, and April 17, 2014, the Washington State Liquor Control Board Enforcement and Education Division alleged: 1) that on or about March 10, 2013, the Licensee or an employee(s) thereof permitted an apparently intoxicated person(s) to possess and/or consume liquor on the licensed premises, contrary to RCW 66.44.200 and/or WAC 314-16-150(1) and (2); 2) that on or about April 28, 2013, the above-named Licensee or an employee(s) thereof, gave, sold and/or supplied liquor to a person or persons under the age of twenty-one (21), contrary to RCW 66.44.310 and WAC 314-11-020(1); and 3) that on or about August 31, 2013, the Licensee or an employee(s) thereof permitted an apparently intoxicated person(s) to possess and/or consume liquor on the licensed premises, contrary to RCW 66.44.200 and/or WAC 314-16-150(1) and (2).

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II. AGREEMENT OF THE PARTIES

Prior to an evidentiary hearing, the parties have agreed to resolve the above captioned cases. Enforcement and the Licensee agree to the following:

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

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

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

4. The Licensee stipulates to the violations set forth above: 1) that on or about March 10, 2013, the Licensee or an employee(s) thereof permitted an apparently intoxicated person(s) to possess and/or consume liquor on the licensed premises, contrary to RCW 66.44.200 and/or WAC 314-16-150(1) and (2); 2) that on or about April 28, 2013, the above-named Licensee or an employee(s) thereof, gave, sold and/or supplied liquor to a person

1 or persons under the age of twenty-one (21), contrary to RCW 66.44.310 and WAC 314-11 -
2 020(1); and 3) that on or about August 31, 2013, the Licensee or an employee(s) thereof
3 permitted an apparently intoxicated person(s) to possess and/or consume liquor on the licensed
4 premises, contrary to RCW 66.44.200 and/or WAC 314-16-150(1) and (2).

5 5. The Licensee acknowledges that the violations referenced in
6 Section II, Paragraph 4, represent the Licensee's second and third public safety violation for
7 permitting an apparently intoxicated person to possess or consume liquor, within a twenty-four
8 (24) month period, for which the standard penalty is a seven (7) and thirty (30) day suspension,
9 respectively. The Licensee acknowledges that the remaining violation, for supplying liquor to a
10 person under twenty-one (21), is the Licensee's second public safety violation of that type, for
11 which the standard penalty is a seven (7) days suspension.

12 6. The Licensee represents that the operations of the establishment are currently
13 being managed solely by REGINA BAKUNOWICZ, pursuant to Court order. The ultimate
14 ownership and control of the establishment is currently the subject of a family court matter in
15 Clark County Superior Court (Case No. 13-3-01952-1). The Licensee agrees that it will request
16 that the Court transfer sole ownership and control of the establishment and liquor license to
17 REGINA BAKUNOWICZ, but any such transfer is subject to approval of the Court. Within
18 thirty (30) days of resolution of Case No. 13-3-01952-1, and subject to approval of the Court,
19 Licensee will provide proof, in writing, that the establishment is under the sole ownership and
20 control of REGINA BAKUNOWICZ. Subject to approval of the Court, REGINA
21 BAKUNOWICZ, agrees to be solely responsible for the liquor license and operations of the
22 establishment. Should the establishment and liquor license fail to transfer fully to the sole
23 ownership and control of REGINA BAKUNOWICZ, for whatever reason, Licensee shall serve
24 an additional thirteen (13) day suspension, the time and date of which would be set by the
25 Board. This suspension is in addition to the eleven (11) day suspension and ten-thousand dollar
26 (\$10,000) monetary penalty set forth in Section II, Paragraphs 8 and 9, below.

1 7. The Licensee agrees that its employees will participate in a responsible liquor
2 and tobacco sales class provided by Enforcement within thirty (30) days of the Final Order of
3 the Board. Licensee agrees that its employees shall participate in another responsible liquor and
4 tobacco sales class provided by Enforcement between sixty (60) and ninety (90) days after the
5 date of the Final Order of the Board. The Licensee is responsible for coordinating the date,
6 time, and location of the training classes through its assigned Liquor Enforcement Officer.

7 8. The Licensee shall serve an eleven (11) day suspension of its liquor license, to
8 begin on Friday, December 19, 2014, at 11:00 a.m. and end on Tuesday, December 30, 2014, at
9 11:00 a.m.

10 9. The Licensee shall pay a monetary penalty of ten-thousand dollars (\$10,000) to
11 be paid in two installments of five-thousand dollars (\$5,000). The first payment shall be due no
12 later than thirty (30) days after the date of the Final Order of the Board. The second payment
13 shall be due no later than January 31, 2015. **Payment shall be sent to:**

14 **Washington State Liquor Control Board**
15 **P.O. Box 43085**
16 **Olympia, WA 98504-3085**

17 10. In the event that the Licensee fails to make full and timely payment of the
18 monetary penalty as required in Section II, Paragraph 9, or otherwise fails to comply with the
19 terms of this agreement, the Licensee shall serve an additional thirty-three (33) day suspension
20 of its liquor license, for a total suspension period of forty-four (44) days, the dates and times of
21 which shall be set by the Washington State Liquor Control Board.

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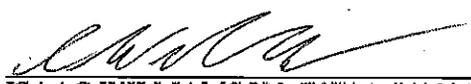
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1 11. The parties recognize that this settlement agreement is subject to approval by the
2 Washington State Liquor Control Board.

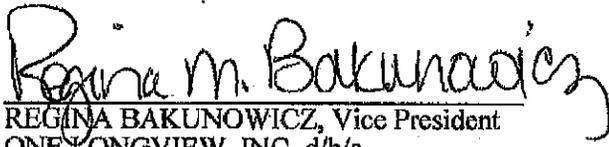
3 STIPULATED AND AGREED TO by:

4 ROBERT W. FERGUSON
5 Attorney General

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7 _____
8 ISAAC WILLIAMSON, WSBA #43921
9 Assistant Attorney General
10 Attorney for Washington State
11 Liquor Control Board Education and
12 Enforcement Division

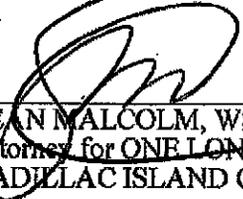
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DATE

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11 _____
12 REGINA BAKUNOWICZ, Vice President
13 ONE LONGVIEW, INC. d/b/a
14 CADILLAC ISLAND CASINO, Licensee

12/1/2014

DATE

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15 _____
16 SEAN MALCOLM, WSBA #36245
17 Attorney for ONE LONGVIEW, INC. d/b/a
18 CADILLAC ISLAND CASINO, Licensee

12/1/2014

DATE

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Washington State
Liquor Control Board

December 4, 2014

Seal Malcolm,
Attorney for Licensee
Sean B. Malcolm PLLC
5400 Carillon Pt
Kirkland, WA 98033-7357

Regina Bakunowicz
One Longview, Inc
d/b/a Cadillac Island Casino
1125 Commerce Ave
Longview, WA 98632-3024

Isaac Williamson, 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: One Longview, Inc

TRADE NAME: Cadillac Island Casino

LOCATION: 1125 Commerce Ave, Longview, WA 98632-3024

LICENSE NO. 356780

ADMINISTRATIVE VIOLATION NOTICE NOS. 1K3069A, 1K3098A, 1K3243A

LCB HEARING NOS. L-24,747, L-24,767, L-24,857

UBI: 601-885-717-001-0001

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 first installment of the monetary penalty is due by January 5, 2015.**

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

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures

cc: Tacoma and Vancouver Enforcement and Education Divisions, WSLCB
Jamie Marshall, Enforcement and Education Division, WSLCB

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

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

ONE LONGVIEW, INC
d/b/a CADILLAC ISLAND
CASINO
1125 COMMERCE AVE
LONGVIEW, WA 98632-3024

LICENSEE

LICENSE NO. 356780
AVN NOS. 1K3069A, 1K3098A,
1K3243A

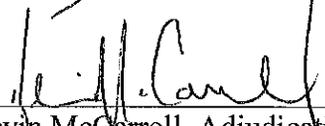
LCB NOS. L-24,747
L-24,767
L-24,857

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 electronic mail for WSLCB offices, and Campus Mail via Consolidated Mail Services for state offices on the date below to:

SEAL MALCOLM, ATTORNEY FOR LICENSEE SEAN B. MALCOLM PLLC 5400 CARILLON PT KIRKLAND, WA 98033-7357	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION ISAAC WILLIAMSON, ASSISTANT ATTORNEY GENERAL
REGINA BAKUNOWICZ ONE LONGVIEW, INC d/b/a CADILLAC ISLAND CASINO 1125 COMMERCE AVE LONGVIEW, WA 98632-3024	

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


Kevin McCarroll, Adjudicative Proceedings Coordinator