

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

TERESA R. BONNER d/b/a
TIM'S BAR AND GRILL
213 ALLEN ST
KELSO, WA 98626

LICENSEE

LICENSE NO. 354193
AVN NO. 1K3226A

IN THE MATTER OF:

TERESA R. BONNER d/b/a
TIM'S BAR AND GRILL

AVN NO. 1J3341B

NO. L-24,840

FINAL ORDER OF THE BOARD

~~PROPOSED~~

LCB NO. L-24,968

THESE MATTERS having come before the Washington State Liquor Control Board (Board) and 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 TERESA R. BONNER d/b/a TIM'S BAR AND GRILL (Licensee) by and through JAMES K. MORGAN, attorney, and the parties having voluntarily entered into a stipulated settlement agreement for Case Numbers L-24,840 and L-24,968, and the Board having considered the Stipulated Settlement Agreement and Enforcement's Memorandum recommending acceptance of the Stipulated Settlement Agreement, and the Board having had the opportunity to review the file materials maintained in this case, now therefore:

FINAL ORDER OF THE BOARD

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

~~PROPOSED~~

1 IT IS HEREBY ORDERED that the Stipulated Settlement Agreement in the above
2 captioned cases is adopted in its entirety; and the Complaint and Administrative Violation
3 Notice (AVN) for Case Number L-24,840 are sustained. Licensee shall pay five hundred
4 dollars (\$500.00) no later than thirty (30) days after the date of the Final Order of the Board.

5 **The payment shall be sent to:**

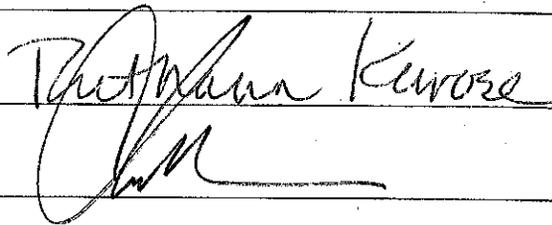
6 **Washington State Liquor Control Board**
7 **P.O. Box 43085**
8 **Olympia, WA 98504-3085**

9 In the event that the Licensee fails to make full and timely payment of the monetary penalty, the
10 Licensee shall be subject to an additional five (5) day suspension of its liquor license, the dates
11 and time of which shall be set by the Washington State Liquor Control Board.

12 The Complaint and AVN for Case Number L-24,968 are stayed for a period of six
13 months from entry of this order. During this period the Licensee shall commit no new
14 violations for permitting an apparently intoxicated person to purchase, possess, consume, or
15 otherwise receive liquor. In the event Licensee is found to have committed or admits to such a
16 violation, the violation alleged in Case Number L-24,968 shall be deemed admitted, and a seven
17 (7) day suspension of the liquor license imposed. In the event that Licensee does not commit or
18 admit to such a violation, the violation alleged in Case Number L-24,968 shall be dismissed.

19 DATED this 4th day of NOVEMBER, 2014.

20 WASHINGTON STATE LIQUOR CONTROL BOARD

21
22 
23
24
25

26 TIM'S BAR AND GRILL
LICENSE NO. 354193
LCB NOS. L-24,840 & L-24,968

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LCB NO. L-24,840

TERESA R. BONNER d/b/a
TIM'S BAR AND GRILL
213 ALLEN ST
KELSO, WA 98626

STIPULATED
SETTLEMENT AGREEMENT

LICENSEE

LICENSE NO. 354193
AVN NO. 1K3226A

IN THE MATTER OF:

LCB NO. L-24,968

TERESA R. BONNER d/b/a
TIM'S BAR AND GRILL

AVN NO. 1J3341B

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 TERESA R. BONNER d/b/a TIM'S BAR AND GRILL (Licensee) by and through JAMES K. MORGAN, attorney, hereby enter into this stipulated settlement agreement for Liquor Control Board (LCB) case numbers L-24,840 and L-25,968.

///

///

///

1 **I. INTRODUCTION**

2 By way of complaints dated January 29, 2014, and April 17, 2014, the Washington State
3 Liquor Control Board Enforcement and Education Division alleged that the Licensee: 1) on or
4 about August 14, 2013, "served and/or sold liquor to an apparently intoxicated person on the
5 licensed premises, and/or permitted an apparently intoxicated person(s) to consume and/or
6 possess liquor on the licensed premises, contrary to RCW 66.44.200 and WAC 314-16-150; and
7 2) that on or about December 7, 2013 "permitted an apparently intoxicated person(s) to possess
8 and/or consume liquor on the licensed premises, contrary to RCW 66.44.200 and/or
9 WAC 314-16-150(1) and (2).

10 **II. AGREEMENT OF THE PARTIES**

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

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

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

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

20 4. The Licensee admits to the violation set forth above: 1) on or about August 14,
21 2013, "served and/or sold liquor to an apparently intoxicated person on the licensed premises,
22 and/or permitted an apparently intoxicated person(s) to consume and/or possess liquor on the
23 licensed premises, contrary to RCW 66.44.200 and WAC 314-16-150.

24 5. The Licensee acknowledges that the violation referenced in Section II, Paragraph
25 4, is the Licensee's first public safety violation within a twenty-four (24) month period, for
26 which the standard penalty is a \$500 fine or five (5) day suspension.

1 6. The Licensee shall pay a monetary penalty of five hundred dollars (\$500) no
2 later than thirty (30) days after the date of the Final Order of the Board. **Payment shall be sent**
3 **to:**

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

7 7. In the event that the Licensee fails to make full and timely payment of the
8 monetary penalty as required in Section II, Paragraph 6, the Licensee shall serve the standard
9 penalty of a five (5) day suspension of its liquor license, the dates and times of which shall be
10 set by the Washington State Liquor Control Board.

11 8. The parties agree that resolution of the second allegation, that on or about
12 December 7, 2013, the Licensee permitted an apparently intoxicated person(s) to possess and/or
13 consume liquor on the licensed premises, contrary to RCW 66.44.200 and/or WAC 314-16-
14 150(1) and (2), shall be held in abeyance for a period of six (6) months from entry of the final
15 order of the Board.

16 9. In the event that Licensee, within the six (6) month abeyance period set forth in
17 Section II, Paragraph 8, is found to have committed, or admits to, a subsequent public safety
18 violation for permitting an apparently intoxicated person to purchase, possess, consume, or
19 otherwise receive liquor, then the alleged violation set forth in Section II, Paragraph 8 shall be
20 deemed admitted, and a seven (7) day suspension of the liquor license imposed, the dates and
21 times of which would be set by the Board.

22 10. The Licensee retains the right to challenge a subsequent public safety violation,
23 but hereby waives all further administrative or judicial review of the facts set forth in the
24 January 29, 2014, and April 17, 2014, complaints.

25 11. In the event that Licensee does not admit to and is not found to have committed
26 further public safety violations for permitting an apparently intoxicated person to purchase,
possess, consume, or otherwise receive liquor, then the alleged violation set forth in paragraph 8
shall be withdrawn, with no further action necessary by the parties.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

STIPULATED AND AGREED TO by:

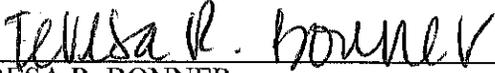
ROBERT W. FERGUSON
Attorney General



ISAAC WILLIAMSON, WSBA #43921
Assistant Attorney General
Attorney for Washington State
Liquor Control Board Education and
Enforcement Division

9/30/14

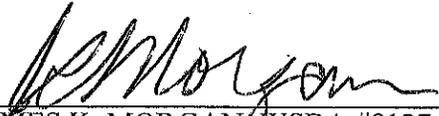
DATE



TERESA R. BONNER
d/b/a TIM'S BAR AND GRILL, Licensee

9-22-14

DATE



JAMES K. MORGAN, WSBA #9127
Attorney for TERESA R. BONNER d/b/a TIM'S
BAR AND GRILL, Licensee

9/22/14

DATE



Washington State
Liquor Control Board

November 7, 2014

James K. Morgan,
Attorney for Licensee
1555 3rd Ave Ste A
Longview, WA 98632-3268

Teresa R. Bonner
d/b/a Tim's Bar & Grill
213 Allen St
Kelso, WA 98626-3403

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: Teresa R. Bonner
TRADE NAME: Tim's Bar & Grill
LOCATION: 213 Allen St, Kelso, WA 98626-3403
LICENSE NO. 354193
ADMINISTRATIVE VIOLATION NOTICE NOS. 1K3226A and 1J3341B
LCB HEARING NOS. L-24,840 and L-24,968
UBI: 603-252-784-001-0001

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 is due by Monday, December 8, 2014. If payment is not received timely, then suspension will take place from 11:00 a.m. on Thursday, January 8, 2015 until 11:00 a.m. on Tuesday, January 13, 2015.** 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: Tacoma and Vancouver Enforcement and Education Divisions, WSLCB
Jamie Marshall, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

TERESA R. BONNER
d/b/a TIM'S BAR & GRILL
213 ALLEN ST
KELSO, WA 98626-3403

LICENSEE

LICENSE NO. 354193
AVN NOS. 1K3226A and 1J3341B

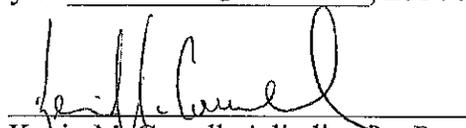
LCB NOS. L-24,840
L-24,968

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:

JAMES K. MORGAN, ATTORNEY FOR LICENSEE 1555 3RD AVE STE A LONGVIEW, WA 98632-3268	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION ISAAC WILLIAMSON, ASSISTANT ATTORNEY GENERAL
TERESA R. BONNER d/b/a TIM'S BAR & GRILL 213 ALLEN ST KELSO, WA 98626-3403	

DATED this 7th day of November, 2014 at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator