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

8 IN THE MATTER OF:

9 TULALIP TRIBES OF WASHINGTON
10 d/b/a QUIL CEDA CREEK CASINO

LICENSEE

11 LICENSE NO. 077411
12 AVN NO. 3E3256A

and

13 JUAN IBARRA

PERMIT HOLDER

14 PERMIT NO. 120 369 257
15 AVN NO. 3E3256B

16 IN THE MATTER OF:

17 TULALIP TRIBES OF WASHINGTON
18 d/b/a QUIL CEDA CREEK CASINO

LICENSEE

19 LICENSE NO. 077411
AVN NO. 3E4180A

OAH NO. 2014-LCB-0041
LCB Nos. L-24,951 and L-24,859

LCB No. L-25,363

FINAL ORDER OF THE BOARD

~~PROPOSED~~

20 THIS MATTER having come before the Washington State Liquor Control Board
21 (Board) and the Washington State Liquor Control Board Enforcement and Education Division
22 (Enforcement) by and through its attorneys, ROBERT W. FERGUSON, Attorney General, and
23 JENNIFER ELIAS, Assistant Attorney General, and TULALIP TRIBES OF WASHINGTON,
24 d/b/a QUIL CEDA CREEK CASINO (Licensee) by and through its attorney, LISA KOOP, and
25 Permit Holder JUAN IBARRA, by and through his attorney LISA KOOP, and the parties
26 having voluntarily entered into a stipulated settlement agreement for case numbers L-24,951,

1 L-L-24,859 and L-25,363, and the Board having considered the Stipulated Settlement
2 Agreement and Enforcement's Memorandum recommending acceptance of the Stipulated
3 Settlement Agreement, and the Board having had the opportunity to review the file materials
4 maintained in this case, now therefore:

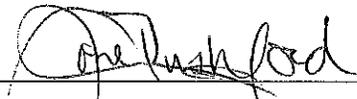
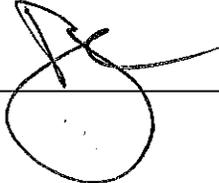
5 IT IS HEREBY ORDERED that the Stipulated Settlement Agreement in the above
6 captioned case is adopted in its entirety; and the complaints issued in Case Numbers L-24,951
7 and L-24,859 and Administrative Violation Notice 3E4108A are sustained. The Licensee shall
8 pay five thousand dollars (\$5,000.00) no later than thirty (30) days after the date of the Final
9 Order of the Board. Permit Holder Ibarra shall pay fifty (\$50.00) no later than thirty (30) days
10 after the date of the Final Order of the Board. **The payments shall be sent to:**

11 **Washington State Liquor Control Board**
12 **P.O. Box 43085**
13 **Olympia, WA 98504-3085**

14 In the event that the Licensee fails to make full and timely payment of the five thousand,
15 dollar (\$5,000.00) monetary penalty, a twelve (12) day suspension of the Licensee's liquor
16 license will go into effect, the dates and time of which shall be set by the Washington State
17 Liquor Control Board. In the event that the Permit Holder fails to make a full and timely
18 payment of the fifty dollar (\$50.00) monetary penalty, a five (5) day suspension of the Permit
19 Holder's permit will go into effect, the dates and time of which shall be set by the Washington
20 State Liquor Control Board.

21 DATED this 10th day of February, 2015.

22 WASHINGTON STATE LIQUOR CONTROL BOARD

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26 FINAL ORDER OF THE BOARD
[PROPOSED]

QUIL CEDA CREEK CASINO/JUAN IBARRA
LCB NOS. L-24,951, L-24,859 AND L-25,363

RECEIVED

FEB 03 2015

Liquor Control Board
Board Administration

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BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

TULALIP TRIBES OF WASHINGTON
d/b/a QUIL CEDA CREEK CASINO

LICENSEE

OAH NO. 2014-LCB-0041
LCB Nos. L-24,951 and L-24,859

and

JUAN IBARRA

PERMIT HOLDER

PERMIT NO. 120 369 257
AVN NO. 3E3256B

IN THE MATTER OF:

TULALIP TRIBES OF WASHINGTON
d/b/a QUIL CEDA CREEK CASINO

LICENSEE

LICENSE NO. 077411
AVN NO. 3E4180A

LCB No. L-25,363

STIPULATED SETTLEMENT
AGREEMENT

The Washington State Liquor Control Board Enforcement and Education Division (Enforcement), by and through its attorneys, ROBERT W. FERGUSON, Attorney General, JENNIFER ELIAS, Assistant Attorney General, and TULALIP TRIBES OF WASHINGTON d/b/a QUIL CEDA CREEK CASINO (Licensee), by and through its attorney, LISA KOOP, hereby enter into this Stipulated Settlement Agreement (Agreement) for Washington State Liquor Control Board (Board) Case Numbers: L-24,951, L-24,859 and L-25,363, arising from Administrative Violation Notices (AVN) 3E3256B and 3E4180A, respectively.

1 **I. INTRODUCTION**

2 The Washington State Liquor Control Board charged the Licensee with the following
3 alleged violations of Title 66 RCW and/or Title 314 WAC by way of complaints dated June
4 13, 2013. The complaints, together, alleged:

5 **Case No. L-24,951**

6 On or around September 13, 2013, the above-named Licensee or employee(s)
7 thereof permitted an apparently intoxicated person to possess and/or consume liquor
8 on the licensed premises, contrary to WAC 314-16-150.

9 **Case No. L-24,859**

10 On or around September 13, 2013, the above-named Permit Holder permitted an
11 apparently intoxicated person to possess and/or consume liquor on the licensed
12 premises, contrary to WAC 314-16-150.

13 Administrative Violation Notice (AVN) number 3E4180A, in Liquor Case Number
14 L-25,363, was issued to the Licensee on July 15, 2014, alleging that the Licensee or
15 employee(s) thereof permitted an apparently intoxicated person to possess and/or consume
16 liquor on the licensed premises contrary to WAC 314-16-150.

17 Enforcement, the Licensee, and the Permit Holder wish to enter into a settlement
18 agreement concerning the above-referenced Complaints for Case Numbers L-24,951 and
19 L-24,859. Enforcement and the Licensee wish to enter into a settlement agreement concerning
20 Case Number L-25,363, AVN Number 3E4108A.

21 **II. AGREEMENT OF THE PARTIES**

22 Enforcement, the Licensee, and the Permit Holder agree to the following:

23 1. Enforcement, the Licensee, and the Permit Holder (the Parties) enter into this
24 Agreement to avoid the time and expense of further litigation.

25 2. The Licensee and Permit Holder explicitly waive the right to further
26 administrative review of all matters related to the above-referenced violations for LCB Case
Numbers L-24,951 and L-24,859. The Licensee explicitly waives the right to further
administrative review of all matters related to case L-25,363. Furthermore, the Licensee and
Permit Holder hereby voluntarily withdraw their requests for hearings in all of these cases.

1 3. For purposes of settlement of LCB Case Numbers L-24,951 and L-24,859, the
2 Licensee and Permit holder do not contest:

3 That on or around September 13, 2013, the above-named Licensee or employee(s)
4 thereof permitted an apparently intoxicated person to possess and/or consume liquor
5 on the licensed premises, contrary to WAC 314-16-150.

6 4. For purposes of settlement of the above-referenced Case Number L-25,363, the
7 Licensee does not contest:

8 That on or around June 29, 2014, the above-named Licensee or employee(s) thereof
9 permitted an apparently intoxicated person to possess and/or consume liquor on the
10 licensed premises, contrary to WAC 314-16-150.

11 5. Enforcement and the Licensee agree that the standard penalty for a first
12 violation for allowing an apparently intoxicated person to possess and/or consume alcohol on
13 the licensed premises is a five (5) day suspension of the liquor license or a five hundred dollar
14 (\$500.00) monetary penalty.

15 6. Enforcement and the Licensee agree that the standard penalty for a second
16 violation of this type within a two-year period under WAC 314-29-020 for allowing an
17 apparently intoxicated person to consume and/or possess alcohol applicable to Case Number
18 L-25,363, AVN 3E4108A is a seven (7) day suspension of the liquor license.

19 7. Enforcement and the Permit Holder agree that the standard penalty for a first
20 violation for a Permit Holder allowing an apparently intoxicated person to possess and/or
21 consume alcohol on the licensed premises is a five (5) day suspension of the MAST Permit or
22 a one hundred dollar (\$100.00) monetary penalty.

23 8. Enforcement and the Licensee agree that to completely settle Case Numbers
24 L-24,951 and L-25,363 the Licensee shall pay a total monetary penalty of five thousand dollars
25 (\$5,000.00) and shall serve no suspension.

26 9. The Licensee shall pay the monetary penalty of five thousand dollars
(\$5,000.00) no later than thirty (30) days after the date of the Final Order of the Board.
Payment shall be sent to:

**Washington State Liquor Control Board
P.O. Box 43095
Olympia WA, 98504-3085**

1 10. If the Licensee subsequently fails to make a full and timely payment of the
2 penalty as required in Section II, Paragraph 9, then the standard penalty of a twelve (12) day
3 suspension of the Licensee's liquor license shall be imposed.

4 11. Upon timely payment of the \$5,000.00 settlement amount in accordance with
5 this Agreement, Licensee shall be released from all further penalty, suspension, sanction or
6 other adverse action by Enforcement for the incidents cited in Case Numbers L-24, 951 and
7 L-25,363. The Licensee acknowledges that the above referenced violations will appear in the
8 Licensee's liquor license history for two years from the dates of violation under WAC 314-29-
9 020.

10 12. Enforcement and Permit Holder Agree that the Permit Holder shall pay a
11 monetary penalty of fifty dollars (\$50.00).

12 13. The Permit Holder shall pay the monetary penalty of fifty dollars (\$50.00) no
13 later than thirty (30) days after the date of the Final Order of the Board. Payment shall be sent
14 to:

15 **Washington State Liquor Control Board**
16 **P.O. Box 43095**
17 **Olympia WA, 98504-3085**

18 14. If the Permit Holder subsequently fails to make a full and timely payment of the
19 penalty as required in Section II, Paragraph 13, then the standard penalty of a five (5) day
20 suspension of the Permit Holder's Mandatory Alcohol Server Training (MAST) Permit shall be
21 imposed.

22 15. Upon timely payment of the \$50.00 settlement amount in accordance with this
23 Agreement, the Permit Holder shall be released from all further penalty, suspension, sanction
24 or other adverse action by Enforcement for the incidents cited in Case Number L-24,859. The
25 Permit Holder acknowledges that the above referenced violation will appear on the Permit
26 Holder's MAST permit history for three years from the date of violation under WAC 314-17-
105.

1 16. The Parties recognize that this Agreement is subject to approval by the
2 Washington State Liquor Control Board.

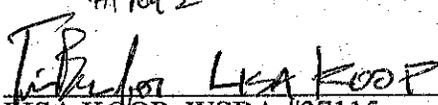
3 17. This agreement constitutes the final written expression of all the terms of this
4 agreement and is a complete and exclusive statement of these terms.

5 STIPULATED AND AGREED TO by:

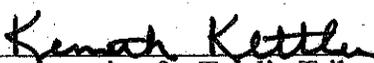
6 ROBERT W. FERGUSON
7 Attorney General

8  42344
9 JENNIFER ELIAS, WSBA #36334
10 Assistant Attorney General
11 Attorneys for Enforcement

2/2/2015
DATE

12 #17092

13 LISA KOOP, WSBA #37115
14 Attorneys for Licensee

1/8/15
DATE

15 
16 Representative for Tulalip Tribes of Washington
17 d/b/a Quil Ceda Creek Casino, Licensee

1/8/15
DATE

18 
19 JUAN IBARRA
20 Licensee

1/8/15
DATE



Washington State
Liquor Control Board

February 12, 2015

Lisa Koop
Attorney for Permit Holder
Tulalip Tribes of Washington
6406 Marine Dr
Tulalip, WA 98271-9775

Juan Ibarra
11623 6th Ave W
Everett, WA 98204-4860

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
PERMIT HOLDER: Juan Ibarra
PERMIT NUMBER: 120 369 257
LCB HEARING NO. L-24,859
OAH NO. 2014-LCB-0041
AVN NO. 3E3256B

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 March 16, 2015.** The address for payments is WSLCB, P.O. Box 43085, Olympia, WA 98504-3085. Please label the check with your License Number and Violation Notice Number listed above.

If payment is not received timely, then a 5-day suspension will take place from 10:00 a.m. on Thursday, April 2, 2015 until 10:00 a.m. on Tuesday, April 7, 2015. If you have any questions, please contact me at (360) 664-1602.

Sincerely,

A handwritten signature in black ink that reads "Kevin McCarroll".

Kevin McCarroll
Adjudicative Proceedings Coordinator

KM:mg

Enclosures (2)

cc: Mt Vernon and Mountlake Terrace Enforcement and Education Divisions, WSLCB
Lisa Red, Enforcement and Education Division Headquarters, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

JUAN IBARRA
11623 6TH AVE W
EVERETT, WA 98204-4860

MAST PERMIT HOLDER

PERMIT NO. 120 369 257
AVN NO. 3E3256B

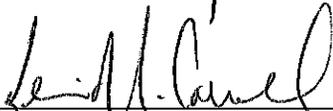
LCB NO. L-24,859
OAH NO. 2014-LCB-0041

DECLARATION OF SERVICE BY
MAIL

I certify that I caused a copy of the STIPULATED SETTLEMENT AGREEMENT 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:

LISA KOOP ATTORNEY FOR PERMIT HOLDER TULALIP TRIBES OF WASHINGTON 6406 MARINE DR TULALIP, WA 98271-9775	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION JENNIFER ELIAS, ASSISTANT ATTORNEY GENERAL
JUAN IBARRA 11623 6 TH AVE W EVERETT, WA 98204-9775	JUAN IBARRA c/o TULALIP TRIBES OF WASHINGTON d/b/a QUIL CEDA CREEK CASINO 10200 QUIL CEDA BLVD QUIL CEDA VILLAGE, WA 98271-9163

DATED this 12th day of February, 2015, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator