

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

MCWEBB, INC.
d/b/a CASTAWAY SPIRITS ON 99
27201 PACIFIC HWY S
FEDERAL WAY, WA 9803-2407

LICENSEE

LICENSE NO. 358663
AVN NO. 2L3323A

LCB NO. L-24,956
OAH NO. 2014-LCB-0053

FINAL ORDER OF THE BOARD

The above-captioned matter coming on regularly before the Board, and it appearing that:

1. The Liquor Control Board issued a complaint dated April 30, 2014, alleging that on November 6, 2013, the above-named Licensee, or an employee(s) thereof, allowed an apparently intoxicated person(s) to possess and/or consume liquor on the licensed premises, contrary to WAC 314-16-150.
2. The Licensee timely submitted a request for an administrative hearing.
3. A prehearing conference was scheduled for 10:00 a.m. on September 9, 2014 with the Office of Administrative Hearings before Administrative Law Judge Terry A. Schuh. The Licensee did not appear for the prehearing conference nor request a continuance. The Enforcement Division of the Board was represented by Assistant Attorney General Jennifer Elias.
4. On September 16, 2014, Administrative Law Judge Terry A. Schuh entered his Initial Order of Default Dismissing Licensee's Appeal for Failure to Appear, ordering that the appellant was in default and dismissing the appeal.
5. No request to vacate the default was filed.

6. No petition for review was filed.

7. The entire record in this proceeding was presented to the Board for final decision, and the Board having fully considered said record and being fully advised in the premises; NOW, THEREFORE,

IT IS HEREBY ORDERED that the default order for case L-24,956 is adopted.

IT IS HEREBY FURTHER ORDERED that the Complaint filed in case L-24,956 is sustained and that the liquor license privileges granted to McWebb, Inc. d/b/a Castaway Spirits on 99 at 27201 Pacific Highway South in Federal Way, Washington, License 358663, are hereby suspended for a term of five (5) days. In lieu of a license suspension, the Licensee may pay a monetary penalty in the amount of five hundred dollars (\$500.00) due within 30 days of this order. If timely payment is not received, suspension will take place from 3:00 p.m. on Thursday, February 19, 2015 until 3:00 p.m. on Tuesday, February 24, 2015. Failure to comply with the terms of this order will result in further disciplinary action.

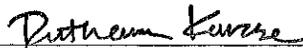
Payment in reference to this order should be sent to:

**Washington State Liquor Control Board
Financial Division
PO Box 43085
Olympia, WA 98504-3085**

DATED at Olympia, Washington this 30 day of December, 2014.

WASHINGTON STATE LIQUOR CONTROL BOARD





Reconsideration. Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this Order to file a petition for reconsideration stating the specific grounds on which relief is requested. A petition for reconsideration, together with any argument in support thereof, should be filed by mailing or delivering it directly to the Washington State Liquor Control Board, Attn: Kevin McCarroll, 3000 Pacific Avenue Southeast, PO Box 43076, Olympia, WA 98504-3076, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Board's office. RCW 34.05.010(6). A copy shall also be sent to Mary M. Tennyson, Senior Assistant Attorney General, 1125 Washington St. SE, P.O. Box 40110, Olympia, WA 98504-0110. A timely petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on the petition. An order denying reconsideration is not subject to judicial review. RCW 34.05.470(5). The filing of a petition for reconsideration is not a prerequisite for filing a petition for judicial review.

Stay of Effectiveness. The filing of a petition for reconsideration does not stay the effectiveness of this Order. The Board has determined not to consider a petition to stay the effectiveness of this Order. Any such request should be made in connection with a petition for judicial review under chapter 34.05 RCW and RCW 34.05.550.

Judicial Review. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. The petition for judicial review of this Order shall be filed with the appropriate court and served on the Board, the Office of the Attorney General, and all parties within thirty days after service of the final order, as provided in RCW 34.05.542.

Service. This Order was served on you the day it was deposited in the United States mail. RCW

34.05.010(19).



Washington State
Liquor Control Board

December 31, 2014

McWebb, Inc.
d/b/a Castaway Spirits on 99
27201 Pacific Hwy S
Federal Way, WA 98003-2407

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: McWebb, Inc.
TRADE NAME: Castaway Spirits on 99
LOCATION: 27201 Pacific Hwy S, Federal Way, WA 98003-2407
LICENSE NO. 358663
LCB HEARING NO. L-24,956
OAH NO. 2014-LCB-0053
AVN NO. 2L3323A
UBI: 601 988 129 001 0001

Dear Parties:

Please find the enclosed Final Order of the Board and Declaration of Service by Mail in the above-referenced matter.

The applicable monetary penalty is due by Monday, February 2, 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 (2)

cc: Federal Way Enforcement and Education Division, WSLCB
Jamie Marshall, Administrative Assistant, Enforcement and Education Division, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

MCWEBB, INC. d/b/a
CASTAWAY SPIRITS ON 99
27201 PACIFIC HWY S
FEDERAL WAY, WA 98003-2407

LICENSEE

LICENSE NO. 358663
AVN NO. 2L3323A

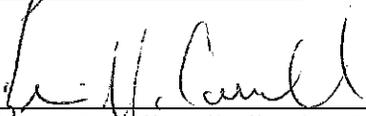
LCB NO. L-24,956
OAH NO. 2014-LCB-0053

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:

MCWEBB, INC. D/B/A CASTAWAY SPIRITS ON 99 27201 PACIFIC HWY S FEDERAL WAY, WA 98003-2407	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION JENNIFER ELIAS, ASSISTANT ATTORNEY GENERAL
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DATED this 31st day of December, 2014, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator