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

9 IN THE MATTER OF:

NO. L-25,077

10 JAMIE PENDLETON  
11 PENDLETON ENTERPRISES, LLC  
12 d/b/a SPOKANE DOWNTOWN  
13 DAIQUIRI FACTORY

FINAL ORDER OF THE BOARD  
[PROPOSED]

14 PO BOX 1888  
15 VERADALE, WA 99037

LICENSEE

16 LICENSE NO. 409196-4R  
AVN NO. 4R4094A

17 THIS MATTER having come before the Washington State Liquor Control Board  
18 (Board) and the Washington State Liquor Control Board Education and Enforcement Division  
19 (Enforcement) represented by its attorneys, ROBERT W. FERGUSON, Attorney General, and  
20 SUSIE GILES-KLEIN, Assistant Attorney General, and the Licensee, PENDLETON  
21 ENTERPRISES, LLC d/b/a SPOKANE DOWNTOWN DAIQUIRI FACTORY, through its  
22 representative JAMIE PENDLETON (Licensee), and the parties having voluntarily entered  
23 into a stipulated settlement agreement for Case No. 1-25,077, and the Board having considered  
24 the Stipulated Settlement Agreement and Enforcement's memorandum recommending  
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FINAL ORDER OF THE BOARD  
[PROPOSED]

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

PENDLETON ENTERPRISES, LLC  
d/b/a SPOKANE DOWNTOWN  
DAIQUIRI FACTORY  
NO. L-25,077

1 acceptance of the Settlement Agreement, and the Board having had the opportunity to review  
2 the file materials maintained in this case, now therefore:

3 IT IS HEREBY ORDERED that the Stipulated Settlement Agreement in the above-  
4 captioned case is adopted in its entirety; and the complaint for Case No. L-25,077 is sustained.  
5 Licensee's liquor license shall be suspended for five (5) days, beginning at 1:00pm on  
6 Thursday, August 21, 2014 and ending on 1:00pm on Tuesday, August 26, 2014.

7 DATED this 20<sup>th</sup> day of August, 2014.

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9 WASHINGTON STATE LIQUOR CONTROL BOARD

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**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

NO. L-25,077

JAMIE PENDLETON  
PENDLETON ENTERPRISES, LLC  
d/b/a SPOKANE DOWNTOWN  
DAIQUIRI FACTORY

STIPULATED SETTLEMENT  
AGREEMENT

PO BOX 1888  
VERADALE, WA 99037

LICENSEE

LICENSE NO. 409196-4R  
AVN NO. 4R4094A

The Washington State Liquor Control Board Education and Enforcement Division (Enforcement) represented by its attorneys ROBERT W. FERGUSON, Attorney General, and SUSIE GILES-KLEIN, Assistant Attorney General, and the Licensee PENDLETON ENTERPRISES, LLC d/b/a SPOKANE DOWNTOWN DAIQUIRI FACTORY, hereby enter into this stipulated settlement agreement for Liquor Control Board Case No. L-25,077.

**I. INTRODUCTION**

The Washington State Liquor Control Board, Enforcement and Education Division, charged the above-named Licensee in Administrative Violation Notice ("AVN") No. 4R4094A with the following alleged violation of the Washington State Liquor Control Board rules and regulations:

1 On or about April 4, 2014, the above-named Licensee, or employee(s) thereof, engaged  
2 in a financial transaction for the purchase of alcohol that was reported as having nonsufficient  
3 funds (NSF), contrary to WAC 314-13-020 and subject to the penalties of WAC 314-29-025.

4 Enforcement and the Licensee wish to enter into a settlement agreement concerning the  
5 above-referenced AVN.

## 6 II. AGREEMENT OF THE PARTIES

7 Enforcement and the Licensee agree to the following:

8 1. Enforcement and the Licensee enter into this agreement to avoid the time and  
9 expense of further litigation.

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

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

15 4. The Licensee stipulates to the violation set forth above and referenced in the  
16 AVN, specifically: On or about April 4, 2014, the above-named Licensee, or employee(s)  
17 thereof, engaged in a financial transaction for the purchase of alcohol that was reported as  
18 having nonsufficient funds (NSF), contrary to WAC 314-13-020 and subject to the penalties of  
19 WAC 314-29-025.

20 5. The Licensee acknowledges this is the Licensee's second violation of this type  
21 within a twenty-four (24) month period, which carries a standard monetary penalty of one  
22 thousand five hundred dollars (\$1,500.00) or a five (5) day suspension of the license.

23 6. Licensee agrees to a five (5) day suspension of the license, to begin at 1:00pm  
24 on Thursday, August 21, 2014 and ending on 1:00pm on Tuesday, August 26, 2014.

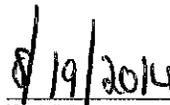
1           7.     The undersigned parties declare that the terms of this Settlement Agreement are  
2 completely read, wholly understood, and voluntarily accepted for the purpose of making a full  
3 and final compromise and settlement of any and all claims arising from the above referenced  
4 AVN.

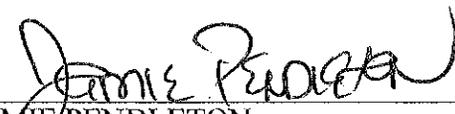
5           8.     The parties recognize that this settlement agreement is subject to approval by  
6 the Board.

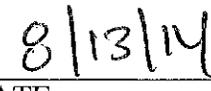
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8                   STIPULATED AND AGREED TO BY:

9           ROBERT W. FERGUSON  
10          Attorney General

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12 \_\_\_\_\_  
13 SUSIE GILES-KLEIN, WSBA #46608  
14 Assistant Attorney General  
15 Attorneys for Washington State  
16 Liquor Control Board Education and  
17 Enforcement Division

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19 \_\_\_\_\_  
20 DATE

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23 JAMIE PENDLETON  
24 PENDELTON ENTERPRISES, LLC d/b/a  
25 SPOKANE DOWNTOWN DAIQUIRI  
26 FACTORY, Licensee

27   
28 \_\_\_\_\_  
29 DATE



Washington State  
**Liquor Control Board**

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August 20, 2014

Jamie Pendleton  
Pendleton Enterprises, LLC  
d/b/a Spokane Downtown Daiquiri Factory  
PO Box 1888  
Veradale, WA 99037-1888

Susie Giles-Klein, 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: Pendleton Enterprises, LLC  
TRADE NAME: Spokane Downtown Daiquiri Factory  
LOCATION: 707 Main Ave Ste A-11, Spokane, WA 99201-0643  
LICENSE NO. 409196  
ADMINISTRATIVE VIOLATION NOTICE NO. 4R4094A  
LCB HEARING NO. L-25,077  
UBI: 603 342 652 001 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: Spokane Enforcement and Education Division, WSLCB  
Jamie Marshall, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

PENDLETON ENTERPRISES,  
LLC d/b/a  
SPOKANE DOWNTOWN  
DAIQUIRI FACTORY  
707 MAIN AVE STE A-11  
SPOKANE, WA 99201-0609

LICENSEE

LICENSE NO. 409196  
AVN NO. 4R4094A

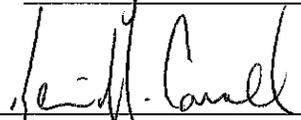
LCB NO. L-25,077

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 campus mail for state offices, on the date below to:

JAMIE PENDLETON PENDLETON ENTERPRISES, LLC d/b/a SPOKANE DOWNTOWN DAIQUIRI FACTORY 707 MAIN AVE STE A-11 SPOKANE, WA 99201-0643	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION SUSIE GILES-KLEIN, ASSISTANT ATTORNEY GENERAL
JAMIE PENDLETON PENDLETON ENTERPRISES, LLC d/b/a SPOKANE DOWNTOWN DAIQUIRI FACTORY PO BOX 1888 VERADALE, WA 99037-1888	

DATED this 20<sup>th</sup> day of August, 2014 at Olympia, Washington.

  
Kevin McCarroll, Adjudicative Proceedings Coordinator