

**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

FOGEL CORPORATION  
d/b/a LONGHORN SALOON  
18802 SMOKEY POINT BLVD  
ARLINGTON, WA 98223-8266

LICENSEE

LICENSE NO. 350077  
AVN NO. 3E4136A

LCB NO. L-25,202

OAH NO. 2014-LCB-0049

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 June 30, 2014, alleging that on May 16, 2014, the above-named Licensee, or employee(s) thereof, served and/or sold liquor to an apparently intoxicated person on the licensed premises, and/or allowed an apparently intoxicated person(s) to consume and/or possess 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 2, 2014 with the Office of Administrative Hearings before Administrative Law Judge Jane Cantor Shefler. 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 Susie Giles-Klein.
4. On September 4, 2014, Administrative Law Judge Jane Cantor Shefler entered her Initial Order of Default Dismissing Appellant'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.

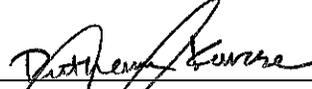
6. The entire record in this proceeding was presented to the Board for final decision, and the Board having fully considered said record and being fully advised in the premises; NOW, THEREFORE, IT IS HEREBY ORDERED that the default order for case L-25,202 is adopted. IT IS HEREBY FURTHER ORDERED that the Complaint filed in case L-25,202 is sustained and that the liquor license privileges granted to Fogel Corporation d/b/a Longhorn Saloon at 18802 Smokey Point Boulevard in Arlington, Washington, License 350077, 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 10:00 a.m. on Thursday, January 29, 2015 until 10:00 a.m. on Tuesday, February 3, 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 9 day of December, 2014.

WASHINGTON STATE LIQUOR CONTROL BOARD

  
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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**

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December 10, 2014

Maury Fogel  
Fogel Corporation  
d/b/a Longhorn Saloon  
PO Box 381  
Silvana, WA 98287-0381

Susie Giles-Klein, AAG  
GCE Division, Office of Attorney General  
1125 Washington Street SE  
PO Box 40100  
Olympia, WA 98504-0100

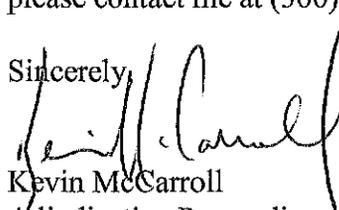
**RE: FINAL ORDER OF THE BOARD**  
**LICENSEE: Fogel Corporation**  
**TRADE NAME: Longhorn Saloon**  
**LOCATION: 18802 Smokey Point Blvd, Arlington, WA 98223**  
**LICENSE NO. 350077**  
**LCB HEARING NO. L-25,202**  
**OAH NO. 2014-LCB-0049**  
**AVN NO. 3E4136A**  
**UBI: 601-968-752-001-0001**

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 January 12, 2015.** If you have any questions, please contact me at (360) 664-1602.

Sincerely,

  
Kevin McCarroll  
Adjudicative Proceedings Coordinator

Enclosures (2)

cc: Mt. Vernon and Mountlake Terrace Enforcement and Education Divisions, WSLCB  
Jamie Marshall, Administrative Assistant, Enforcement and Education Division, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

FOGEL CORPORATION  
d/b/a LONGHORN SALOON  
18802 SMOKEY POINT BLVD  
ARLINGTON, WA 98223-8266

LICENSEE

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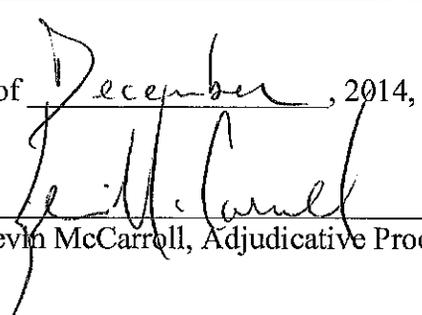
LCB NO. L-25,202  
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DECLARATION OF SERVICE BY  
MAIL

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:

MAURY FOGEL FOGEL CORPORATION d/b/a LONGHORN SALOON PO BOX 381 SILVANA, WA 98287-0381	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION SUSIE GILES-KLEIN, ASSISTANT ATTORNEY GENERAL
MAURY FOGEL FOGEL CORPORATION d/b/a LONGHORN SALOON 18802 SMOKEY POINT BLVD ARLINGTON, WA 98223-8266	

DATED this 10<sup>th</sup> day of December, 2014, at Olympia, Washington.

  
Kevin McCarroll, Adjudicative Proceedings Coordinator