

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

420 PM CORP
d/b/a 420 PM
8734 120TH AVE NE
KIRKLAND, WA 98033-5861

APPLICANT

LICENSE APPLICATION NO. 414907
UBI: 603 360 332 001 0003

LCB NO. M-25,204
OAH NO. 2014-LCB-0104

FINAL ORDER OF THE BOARD

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

1. The Licensing Division of the Liquor Control Board issued a Statement of Intent to Deny Marijuana License dated June 17, 2014, asserting that the Applicant failed to submit a required, signed letter of intent to lease or purchase from property owner or designee.

2. The Applicant submitted a request for a hearing.

3. On February 23, 2015, Attorney for Applicant Jay Berneburg submitted to the Office of Administrative Hearings a Notice of Intent to Strike Hearing Withdraw Appeal based upon the Applicant being unable to produce evidence sufficient to prove his case.

4. On February 24, 2015, Administrative Law Judge Joshua D. Sundt issued an Initial Order of Dismissal based on withdrawal of appeal.

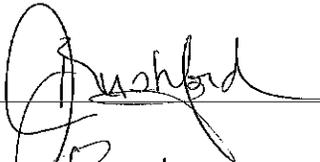
5. The entire record in this proceeding was presented to the Board for final decision, and the Board having fully considered said record and being fully advised in the premises;

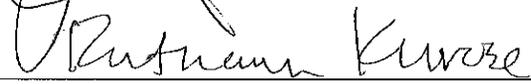
NOW, THEREFORE, IT IS HEREBY ORDERED that the Statement of Intent to Deny Marijuana License is AFFIRMED;

IT IS HEREBY FURTHER ORDERED that marijuana license application number 414907 for 420 PM Corp d/b/a 420 PM is DENIED.

DATED at Olympia, Washington this 28th day of APRIL, 2015.

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**

April 29, 2015

Jay Berneburg,
Attorney for Applicant
705 S 9th St, Ste 206
Tacoma, WA 98405-4622

Kyle Vance
420 PM Corp
d/b/a 420 PM
3329 View Point Circle NE
Tacoma, WA 98422-4520

Kim O'Neal, AAG
GCE Division, Office of Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100

RE: FINAL ORDER OF THE BOARD
APPLICANT: 420 PM Corp
TRADE NAME: 420 PM
LOCATION: 8734 120th Ave NE, Kirkland, WA 98033-5861
LICENSE APPLICATION NO. 414907
LCB HEARING NO. M-25,204
OAH NO. 2014-LCB--0104
UBI: 603 360 332 001 0003

Dear Parties:

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

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

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

KM:mg

Enclosures (2)

cc: Becky Smith, Licensing Director, WSLCB
Frank O'Dell, Licensing Supervisor, WLSOB
Mary Henley, Administrative Assistant, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

420 PM CORP
d/b/a 420 PM
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KIRKLAND, WA 98033-5861

APPLICANT

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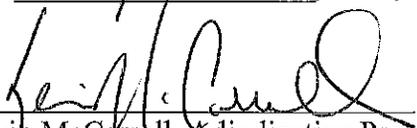
LCB NO. M-25,204
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DECLARATION OF SERVICE BY
MAIL

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:

JAY BERNEBURG, ATTORNEY FOR APPLICANT d/b/a 705 S 9 TH ST, STE 206 TACOMA, WA 98405-4622	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION KIM O'NEAL, ASSISTANT ATTORNEY GENERAL
KYLE VANCE 420 PM CORP d/b/a 420 PM 3329 VIEW POINT CIR NE TACOMA, WA 98422-4520	

DATED this 29th day of April, 2015, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator