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**GAMBLING COMMISSION  
COMM & LEGAL DIVISION**

STATE OF WASHINGTON  
GAMBLING COMMISSION

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**GAMBLING COMMISSION  
COMM & LEGAL DIVISION**

In the Matter of the Suspension of the )  
License to Conduct Gambling Activities of: )  
)  
Matthew A. Moore )  
University Place, Washington, )  
)  
Licensee. )  
\_\_\_\_\_ )

No. CR 2010-00139

**SETTLEMENT ORDER**

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APR 07 2010  
HEADQUARTERS OFFICE OF  
ADMINISTRATIVE HEARINGS

I.

This Settlement Order is entered into between the Washington State Gambling Commission and Matthew A. Moore. The Gambling Commission is represented by H. Bruce Marvin, Assistant Attorney General, and Melinda Froud, Staff Attorney. The licensee is representing himself.

II.

The Washington State Gambling Commission issued Matthew A. Moore the following license: Number 68-11425, authorizing Card Room Employee activity at Bowlero Lanes Restaurant & Lounge in Lakewood.

The license expires on February 27, 2011, and was issued subject to the licensee's compliance with state gambling laws and rules.

III.

The Director issued a Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding to the licensee on March 8, 2010. On March 16, 2010, Commission staff received the licensee's request for a hearing.

IV.

The following is a summary of the facts alleged, and the violations charged in the Notice of Administrative Charges:

- 1) The licensee failed to pay court-ordered fines and fees and currently owes \$4,714. Additionally, the licensee had five Failures to Appear issued by the court because he failed to pay court fines and fees.
- 2) Because he owes a large amount of fines and fees and willfully disregarded court orders:
  - The licensee poses a threat to the effective regulation of gambling, or creates or increases

the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities; and

- The licensee failed to establish by clear and convincing evidence the necessary qualifications for certification under RCW 9.46.153(1).

3) Grounds, therefore, exist to suspend Matthew Moore's license, under RCW 9.46.075(1) and (8), and WAC 230-03-085(1), (3), and (8).

**RCW 9.46.075 Denying, suspending, or revoking an application, license or permit**

The Commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein: (The following subsections apply.)

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

(8) Fails to prove, by clear and convincing evidence, that he is qualified in accordance with the provisions of this chapter.

**WAC 230-03-085 Denying, suspending, or revoking an application, license or permit**

We may deny, suspend, or revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

(The following subsections apply.)

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level.

(8) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by: (a) Prior activities; or (b) Criminal record; or (c) Reputation; or (d) Habits; or (e) Associations.

**RCW 9.46.153 Applicants and licensees-Responsibilities and duties**

(The following subsection applies.)

(1) It shall be the affirmative responsibility of each applicant and licensee to establish by clear and convincing evidence the necessary qualifications for licensure of each person required to be qualified under this chapter, as well as the qualifications of the facility in which the licensed activity will be conducted.

V.

The licensee acknowledges that he read the Notice of Administrative Charges and understands the facts contained in it. The licensee paid in full all of his outstanding court fines and fees, which cleared his five Failures to Appear. The licensee waives his right to a hearing, based on the terms and conditions of this Settlement Order.

1) Matthew A. Moore's license is **suspended for a period of ten (10) days** provided that:

a) **All ten (10) days of the suspension shall not be currently served, but shall be deferred for a period of one year** from the date of entry of this Settlement Order, subject to the following: The licensee agrees not to violate any of Washington's gambling statutes or regulations during the one (1) year term.

b) The parties agree that the Director of the Washington State Gambling Commission, pursuant to this Settlement Order, has discretion to determine whether the licensee has violated any term of this Settlement Order. In the event the Director determines that a violation has occurred, he may suspend the license issued to the licensee, and any subsequently acquired licenses, for up to **ten** days, by mailing or delivering a Notice of Order of Administrative Charges to the licensee. This suspension shall be in addition to any consequences of the new violation. The licensee shall be afforded the opportunity to have an Adjudicative Proceeding, which includes a hearing on the alleged violations.

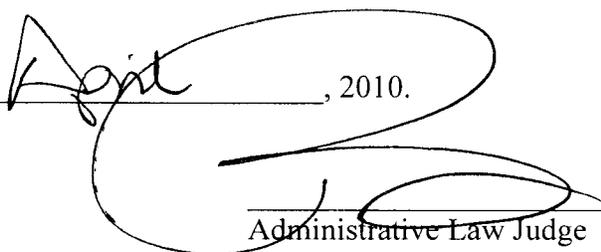
3) **The signed order must be received by Commission staff on or before Friday, April 2, 2010.** The order must be mailed to Commission Headquarters at the following address:

Washington State Gambling Commission  
Attention: Communications and Legal Division  
P.O. Box 42400  
Olympia, WA 98504-2400

or delivered (in person or via private courier) to the following address:

Washington State Gambling Commission  
Attention: Communications and Legal Division  
4565 7<sup>th</sup> Avenue SE; Fourth Floor  
Lacey, WA 98503

DATED this 14<sup>th</sup> day of April, 2010.

  
\_\_\_\_\_  
Administrative Law Judge

APPROVED FOR ENTRY:

APPROVED AS TO FORM:

The licensee has read this  
Settlement Order and understands  
the terms and conditions.

Matthew A. Moore 3-25-10  
Matthew A. Moore (Date)  
(Licensee)

H. Bruce Marvin  
H. Bruce Marvin, WSBA #25152  
Assistant Attorney General,  
Representing the Washington State  
Gambling Commission

Melinda Froud  
Melinda Froud, WSBA #26792 #28740  
Staff Attorney,  
Washington State Gambling Commission