

WASHINGTON STATE  
OFFICE OF ADMINISTRATIVE HEARINGS

WSGC

JAN 07 2020

RECORDS

In the matter of:

The Brick Pub & Grill,

Appellant.

License No.: 05-21604

Docket No. 12-2019-GMB-00137

**ORDER DISMISSING APPEAL**

Agency: Gambling Commission  
Program: License Fees & Reports  
Agency No. CR 2019-02075

**BRIEF ADJUDICATIVE PROCEEDING**

On December 16, 2019, the Washington State Gambling Commission mailed notice to The Brick Pub & Grill (Licensee) regarding the Brief Adjudicative Proceeding (BAP), scheduled for January 2, 2020 at 3:00 p.m. On January 2, 2020, Administrative Law Judge TJ Martin convened the BAP. The Washington State Gambling Commission Staff (Gambling Commission Staff), represented Doug Van de Brake, Assistant Attorney General, represented the Gambling Commission Staff. The Brick Pub & Grill did not appear. At 3:15 p.m., when no one appeared on behalf of the Licensee, the Gambling Commission Staff moved for a default order.

**CONCLUSIONS OF LAW**

"If a party fails to attend or participate in a hearing or other stage of an adjudicative proceeding... The presiding officer may serve upon all parties a default or other dispositive order, which shall include a statement of the grounds for the order."<sup>1</sup> In this case, The Brick Pub & Grill was properly served with the Notice of the BAP and failed to attend and participate. Consequently, The Brick Pub & Grill is in default and its administrative appeal should be dismissed.

**ORDER**

Now, therefore, it is **ORDERED**:

1. The Brick Pub & Grill is in default under RCW 34.05.440 and its administrative appeal is **DISMISSED**.

**SERVED** on the date of mailing.



TJ Martin  
Administrative Law Judge  
Office of Administrative Hearings

<sup>1</sup> RCW 34.05.440(2).

## PETITION TO REINSTATE

A party may file a request to have this order vacated by mailing a petition to reinstate hearing to:

The Office of Administrative Hearings  
949 Market Street, Suite 500  
Tacoma, WA 98402

The petition to reinstate hearing must set forth the grounds for vacating the order and must be received within seven (7) days of the date of service of this order. A copy shall be mailed to the Assistant Attorney General of record.

If you do not timely file a petition to reinstate hearing as described above, this Order of Default shall become the Initial Order in this matter.

## PETITION FOR REVIEW

Any party to this proceeding may file a Petition for Review of this initial order. WAC 230-17-152(1). The written petition for review must be mailed to the Washington State Gambling Commission at:

Washington State Gambling Commission  
PO Box 42400  
Olympia, WA 98504

The petition for review must be received by the Commission within twenty-one (21) days from the date this initial order was mailed to the parties. WAC 230-17-152(2). A copy of the petition for review must be sent to all parties of record. WAC 230-17-152(4). The petition for review must specify the portions of the initial order with which the party disagrees, and must refer to the evidence in the record which supports the party's position. The petition for review must contain any evidence or written material relevant to the matter that the party wishes the reviewing officer to consider. WAC 230-17-152(3).

**CERTIFICATE OF SERVICE FOR OAH DOCKET NO. 12-2019-GMB-00137**

I certify that true copies of this document were served from Tacoma, Washington via Consolidated Mail Services upon the following as indicated:

The Brick Pub & Grill 15631 Ash Way D508 Lynnwood, WA 98087 <b>Appellant</b>	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail
Ashlie Laydon Washington State Gambling Commission MS: 42400 PO Box 42400 Olympia, WA 98504 <b>Agency Contact</b>	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input checked="" type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail
Doug Van de Brake, AAG Office of the Attorney General P.O. Box 40100 MS: 40100 Olympia, WA 98504 <b>Agency Representative</b>	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input checked="" type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail
Chad Standifer, AAG Office of the Attorney General P.O. Box 40100 MS: 40100 Olympia, WA 98504 <b>Agency Contact</b>	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input checked="" type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail
Cheri Jackson Washington State Gambling Commission P.O. Box 42400 MS: 42400 Olympia, WA 98504 <b>Agency Contact</b>	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail, Return Receipt <input type="checkbox"/> Hand Delivery via Messenger <input checked="" type="checkbox"/> Campus Mail <input type="checkbox"/> Facsimile <input type="checkbox"/> E-mail

Date: Monday, January 06, 2020

OFFICE OF ADMINISTRATIVE HEARINGS

  
 Carla Sullivan  
 Legal Assistant 2

