

Received  
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Gambling Commission  
Comm. & Legal Division

BEFORE THE WASHINGTON STATE GAMBLING COMMISSION

In the Matter of the Revocation of the  
License to Conduct Gambling Activities of:

McCoy's Cavern,

Licensee.

NO. CR 2013-01624

(OAH NO. 2013-GMB-0072)

STIPULATION AND  
FINAL ORDER ON  
PETITION FOR REVIEW

STIPULATION

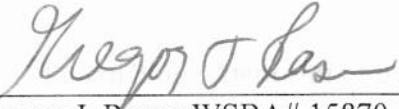
McCoy's Cavern, Petitioner, representing itself, and Gambling Commission Staff, represented by ROBERT W. FERGUSON, Attorney General, and Gregory J. Rosen, Assistant Attorney General, stipulate as follows:

1. The original Notice of Administrative Charges was issued in this matter on September 9, 2013. The Notice alleged that the Petitioner failed to submit its required quarterly activity reports for the first and second quarters of 2013, although those reports were due on July 30, 2013. On September 25, 2013, the Commission received the activity reports for the first and second quarters of 2013. The Commission's November 15, 2013 Amended Notice of Administrative Charges reflected the Petitioner's untimely submission of those reports on September 25, 2013.
2. The Administrative Law Judge conducted an administrative hearing in this matter during the morning of January 21, 2014. During the afternoon of January 21, 2014, the Petitioner received training from Commission Staff, and timely submitted the required


activity reports for the third and fourth quarters of 2013, which were due no later than January 30, 2014.

3. The parties STIPULATE that the terms and conditions set out in the attached Order constitute a fair and appropriate resolution of this matter. McCoy's Cavern waives its right to a hearing on its petition for review, and respectfully requests that instead the Commission adopt the following Final Order. Should the Commission fail to adopt the following Final Order at its May 9, 2014, hearing, this stipulation shall be deemed void and the Petition for Review may be held at the July 2014 Commission meeting.

ROBERT W. FERGUSON  
Attorney General



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Gregory J. Rosen WSBA# 15870 (Date)  
Assistant Attorney General  
Attorney for Commission Staff



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Ian Abel, President (Date)  
McCoy's Cavern, Licensee

FINAL ORDER

This Stipulation and Final Order on Petition for Review will be presented to the undersigned Commissioners of the Washington State Gambling Commission at the

Commission's regularly scheduled meeting on May 9, 2014, in Olympia, Washington. The Commission has before it the entire record of the proceedings before the Administrative Law Judge, where McCoy's Cavern's license was revoked. Based on its review, the Commission finds that the record in this matter is sufficient to support the Findings of Fact, Conclusions of Law, and, as hereby modified, the Initial Order Revoking Gambling License by the Administrative Law Judge. However, the Commission is not, at this time, affirming the revocation in light of: (1) McCoy's Cavern submitting the required quarterly activity reports for the first and second quarters on September 25, 2013, before the administrative hearing was held on January 21, 2014; and (2) timely filing the next set of activity reports for the third and fourth quarters of 2013 on January 21, 2014, after the hearing was held. Accordingly the Commission hereby orders as follows:

IT IS ORDERED that the Administrative Law Judge's Initial Order revoking McCoy's Cavern's license to conduct punchboard/pull-tab activities is DEFERRED.

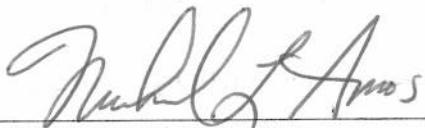
The Petitioner shall timely submit its completed activity reports for the next two reporting periods which are due July 30, 2014 and January 30, 2015, as set out in WAC 230-14-284.

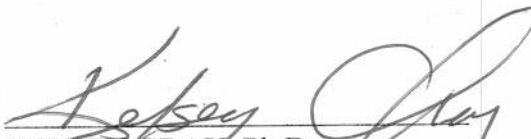
IT IS FURTHER ORDERED that McCoy's Cavern shall violate no gambling related statutes or regulations during the period of this deferred revocation. If McCoy's Cavern timely complies with all of the above ordered conditions, then McCoy's Cavern's license shall not be revoked and this matter shall be deemed closed.


If McCoy's Cavern fails to comply with any of the above conditions of deferral, it may result in this matter being brought back before the Commission for further proceedings, possible reconsideration of the Commission's order deferring revocation, and the Commission's issuance

of an amended Final Order On Petition For Review that fully revokes McCoy's Cavern's license to conduct gambling activities in the State of Washington.

DATED this 9<sup>th</sup> day of May, 2014.

  
MICHAEL AMOS, Chair

  
KELSEY GRAY, Ph.D.

  
CHRISTOPHER STEARNS

  
JULIA PATTERSON

  
BUD SIZEMORE