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JUN 30 2016

CITY OF SPOKANE ETHICS COMMISSION

OFFICE OF THE CITY ATTORNEY

ETHICS COMPLAINT FORM

Please review the City of Spokane's Code of Ethics – Chapter 1.04A SMC – before completing this complaint form. When you have completed this form, submit it to:

City of Spokane Ethics Commission  
Attention: Rebecca Riedinger  
Office of the City Attorney  
5<sup>th</sup> Floor Municipal Building  
W. 808 Spokane Falls Blvd.  
Spokane, WA 99201

or at: rriedinger@spokanecity.org

Pursuant to the City of Spokane's Code of Ethics, I am filing a complaint regarding conduct which I believe constitutes a violation of the City's Code of Ethics.

**Name, position, and department of person(s) I believe to have violated the Code of Ethics:**

Name: Michael Roberge & Ernest Wuthrich

Position/Title: Spokane Police Civil Enforcement Officers

**Nature of Code of Ethics violation:**

What specific provision of SMC 1.04A.030 do you believe has been violated?

N. Commission Of Acts Of Moral Turpitude Or Dishonesty

M Aiding others prohibited

Describe in as much detail as possible the alleged Code of Ethics violation conduct. Attach additional sheets of paper, if necessary. Please include all documentation you believe demonstrates a violation. Your description should include the date, location and frequency of the alleged violation.

Michael Roberge in a objection to Spokane Daiquiri Liqour License stated false information including 1: The Business Location was 105 S. Wall Street. 2. The business generated 63 service calls in a 3 month period 3. The business generated 35 calls involving specific crimes of assault, disorderly conduct and fights during this 3 month period. 4. Jamie C Pendleton is the owner of the business. Public records show that all of this information is false Michael Roberge and Ernest Wuthrich did this in conspiracy in a email to object to the Business renewal of it's liquor license. Public records show all the above is false and the officers have made no effort to correct statements they conspired together to make.

**Names and positions of the persons who may have witnessed the event:**

Katie Shaffer City Building Permits office. Email was sent by Michael to Ernest for "approval" then this email was forwarded on to Katie Shaffer after Ernest stated "Nicely Stated"

**Evidence or documentation**

Please list any evidence or documentation that would support your allegation of a Code of Ethics violation. Indicate whether you can personally provide that information.

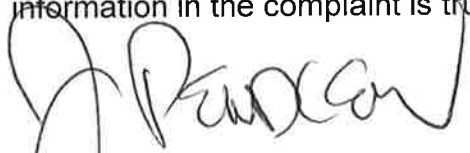
Public Record Request of Emails between Ernest & Michael

Public Records Request of all service calls at 121 N Wall street.

Secretary Of State LLC Members Confirmation.

## Complainant Declaration

I declare under penalty of perjury of the laws of the State of Washington that to the best of my knowledge, information, and belief formed after reasonable reflection, the information in the complaint is true and correct.

  
Complainant's Signature

6-30-2016

Date

Date and Place (e.g. City, State)

6-30-16 Spokane, Wa

Name (please print): Jamie C Pendleton

Address: 15202 E Sprague Ave #1888 Veradale, Wa 99037

Phone Number(s): 208-918-1045

E-Mail Address: jpendleton@spokanedaiquirifactory.com

## **Drink Spokane Downtown Daiquiri Factory**

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**From:** "Roberge, Michael" <mroberge@spokanepolice.org>  
**Date:** Tuesday, May 03, 2016 1:25 PM  
**To:** "Wuthrich, Ernest" <ewuthrich@spokanepolice.org>  
**Subject:** RE: For your review

Sending forward then

Officer Mike Roberge | Civil Enforcement Unit | Spokane Police Department  
Phone 509-625-4003 | Cell 509-385-3678 | [mroberge@spokanepolice.org](mailto:mroberge@spokanepolice.org)

**From:** Wuthrich, Ernest  
**Sent:** Tuesday, May 03, 2016 1:18 PM  
**To:** Roberge, Michael <mroberge@spokanepolice.org>  
**Subject:** RE: For your review

Nicely stated!

Ernie

**From:** Roberge, Michael  
**Sent:** Tuesday, May 03, 2016 1:15 PM  
**To:** Wuthrich, Ernest  
**Subject:** For your review

On 04/29/2016 Spokane Police Department received notification from the Washington State Liquor and Cannabis Board that the license entity "Spokane Downtown Daiquiri Factory " was seeking a liquor license for the address of 707 W. Main Suite A-11 in the City and County of Spokane Washington. The business owners is listed as Jacqueline S. Pendleton, Jamie C. Pendleton and Sabrina M. Thompson.

A review of past businesses operated by Mr. Pendleton under the business name Daiquiri Factory show a pattern of chronic public nuisance. During the period that he was open at a location of 105 S. Wall, the Daiquiri Factory generated 63 calls for service from police in a three month period. Of the 63 calls for service 35 involved the specific crimes of assault, disorderly conduct, and fights. The remaining calls for service at this location were for alarms, suspicious persons and medics. These 63 calls for service do not accurately reflect any of the proactive patrols conducted by the Spokane Police Department to deter crimes against persons and violence associated with this drinking location.

Mr. Pendleton has recently been investigated in the state of Idaho for Grand Theft, and has pleaded guilty to that crime. He is currently awaiting sentencing, set for later this month.

Mr. Pendleton and his business were the center of controversy when one of his signature drinks gained attention for its name. The drink, "Date Grape Kool-Aid" was seen by many within the Spokane community, as a play on words for a sensitive subject of date rape. This controversy resulted in several protests of this business by community members and Mr. Pendleton's refusal to change the name. This drink remained the center of controversy until the business closed approximately 3 months later. This closing coincided with the property owners evicting the business, an action that Jamie Pendleton took to court and won the appeal.

Additionally Mr. Pendleton was sued for copyright infringement by Gonzaga University during this same period of time when he utilized the Gonzaga mascot in his advertising campaigns.

The Spokane Police Department would like to object to the issuance of a state liquor license to Jamie Pendleton and his business, The Spokane Downtown Daiquiri Factory.

Officer Mike Roberge | Civil Enforcement Unit | Spokane Police Department  
Phone 509-625-4003 | Cell 509-385-3678 | [mroberge@spokanepolice.org](mailto:mroberge@spokanepolice.org)

## **Drink Spokane Downtown Daiquiri Factory**

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**From:** "SPD Records Info Request" <eraspdrir@spokanepolice.org>  
**Date:** Wednesday, June 08, 2016 4:56 PM  
**To:** <jpendleton@spokanedaquirifactory.com>  
**Attach:** 121 N Wall 01202014 through 06242014.pdf  
**Subject:** FW: Records Request - Service Calls - 121 N. Wall St. - January 20, 2014 through June 24, 2014

Sorry – I forgot to attached the service call information. Here you go.

Leslie Baker / Records Specialist / Spokane Police Department

**From:** SPD Records Info Request  
**Sent:** Wednesday, June 08, 2016 4:50 PM  
**To:** 'jpendleton@spokanedaquirifactory.com' <jpendleton@spokanedaquirifactory.com>  
**Subject:** Records Request - Service Calls - 121 N. Wall St. - January 20, 2014 through June 24, 2014

Attached is the service call information requested for the property at 121 N. Wall St. for the time period of January 20, 2014 through June 24, 2014. Please let us know if you are unable to open the attachment. These records are provided to you at no charge. This concludes our response to this request which is now closed.

Thank you for contacting Spokane Police Records.

Leslie Baker / Records Specialist / Spokane Police Department

6/30/2016

121 N. WALL ST.

January 20, 2014 through June 24, 2014

53 TOTAL  
1 DUPLICATE  
1 CANCEL

### Incident Location by Date Range

Incident	Date	Time	Disposition	Location	Inc Xref
140032444	01/30/2014	23:53:10	9D	121 N WALL ST	
140034199	02/01/2014	17:56:09	1D	121 N WALL ST	
140034992	02/02/2014	16:21:43		121 N WALL ST	SP140034199
140041544	02/08/2014	19:36:22	1D	121 N WALL ST	
140041622	02/08/2014	21:07:41	1D	121 N WALL DAIQUIRI FACTORY	
140049381	02/15/2014	22:27:44	1D	121 N WALL ST	
140056258	02/22/2014	02:04:33	14D	121 N WALL ST	
140057043	02/22/2014	20:38:29	1H	121 N WALL ST	
140072447	03/08/2014	21:40:17	1A	121 N WALL ST	SP140072509
140080636	03/16/2014	00:36:07	1A	121 N WALL ST	
140088645	03/23/2014	00:25:50	1E	121 N WALL ST	SP140085958
140094238	03/28/2014	02:08:45	1G	121 N WALL ST	SP140094247
140096445	03/30/2014	01:20:24	11D	121 N WALL ST	
140096950	03/30/2014	16:20:40	14D	121 N WALL ST	
140104663	04/06/2014	01:51:45	1I	121 N WALL ST	
140106678	04/07/2014	20:25:21	15A	121 N WALL ST	
140121918	04/21/2014	03:17:02	14D	121 N WALL ST	
140127872	04/26/2014	01:34:51	12D	121 N WALL ST	SP140127882
140127882	04/26/2014	01:51:51	DUP	121 N WALL ST	SP140127872
140128946	04/27/2014	01:55:01	1N	121 N WALL ST	
140136205	05/03/2014	00:15:13	1D	121 N WALL ST	
140136307	05/03/2014	01:42:23	1A	121 N WALL ST	
140136326	05/03/2014	02:05:51	1A	121 N WALL ST	
140140515	05/06/2014	16:45:25	1D	121 N WALL ST	
140143105	05/08/2014	16:11:45	4D	121 N WALL ST	
140144527	05/09/2014	17:24:59	1D	121 N WALL ST	
140145060	05/10/2014	02:04:51	1N	121 N WALL ST	
140148346	05/12/2014	21:33:35	11D	121 N WALL ST	
140151858	05/15/2014	13:57:42	1D	121 N WALL ST	
140153974	05/17/2014	00:55:41	1D	121 N WALL ST	
140154026	05/17/2014	01:58:55	1D	121 N WALL ST	
140155121	05/18/2014	00:01:11	12D	121 N WALL ST	
140155220	05/18/2014	02:01:13	1D	121 N WALL ST	
140157019	05/19/2014	16:49:34	1D	121 N WALL ST	SP140157201
140159710	05/21/2014	15:51:55	1D	121 N WALL ST	
140162840	05/23/2014	20:14:24	1G	121 N WALL ST	

Incident	Date	Time	Disposition	Location	Inc Xref
140163149	05/24/2014	02:06:42	CAN	121 N WALL ST	
140171446	05/30/2014	19:56:43	10D	121 N WALL ST	
140172493	05/31/2014	17:37:16	1G	121 N WALL ST	SP140154034
140173873	06/01/2014	20:31:05	1I	121 N WALL	
140174118	06/02/2014	01:58:24	14D	121 N WALL ST	
140179171	06/05/2014	18:57:59	1D	121 N WALL ST	
140180598	06/06/2014	19:43:44	1N	121 N WALL ST	
140180842	06/06/2014	22:49:18	1I	121 N WALL ST	
140187114	06/11/2014	19:53:58	1D	121 N WALL ST	
140188707	06/12/2014	22:39:57	11D	121 N WALL ST	
140193121	06/16/2014	16:48:44	1D	121 N WALL ST	SP140191738
140198867	06/21/2014	00:08:18	1D	121 N WALL ST	
140198950	06/21/2014	01:53:42	1A	121 N WALL ST	
140199886	06/21/2014	19:58:49	11D	121 N WALL ST	
140200301	06/22/2014	02:09:14	1D	121 N WALL ST	
140200531	06/22/2014	10:46:47	14D	121 N WALL ST	
140201121	06/22/2014	21:29:08	1D	121 N WALL ST	
140201645	06/23/2014	10:27:52	13D	121 N WALL ST	
140201602	06/23/2014	09:45:05	1D	121 N WALL	



**PENDLETON ENTERPRISES, LLC**

UBI Number	603342652
Category	LLC
Active/Inactive	Active
State Of Incorporation	WA
WA Filing Date	10/18/2013
Expiration Date	10/31/2016
Inactive Date	
Duration	Perpetual
Registered Agent Information	
Agent Name	LAW OFFICE OF JOHN PIERCE, PS
Address	505 W RIVERSIDE AVE #518
City	SPOKANE
State	WA
ZIP	99201
Special Address Information	
Address	
City	
State	
Zip	

**Governing Persons**

Title	Name	Address
Other	PENDLETON, JAMIE K	14823 WILLOW HEARTH DR HOUSTON, TX 77043
Other	PENDLETON, JACQUELINE S	14823 WILLOW HEARTH DR HOUSTON, TX 77043
Other	THOMPSON, SABRINA M	2504 STAGE COACH POST FALLS, ID 83854