

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF PUBLIC HEARINGS  
CALENDAR**

**WEDNESDAY, OCTOBER 5, 2016  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S  
WASHINGTON, D.C. 20009**

**Donovan W. Anderson, Chairperson  
Members: Nick Alberti, Mike Silverstein,  
Ruthanne Miller, James Short**

**Protest Hearing (Status)**

**9:30 AM**

**Case # 16-PRO-00089**

Gobind, LLC, t/a Toscana Café

601 2nd Street, NE

License #97558

Retailer DR

ANC 6C

**Substantial Change (Class Change from "D" to "C")**

**Protest Hearing (Status)**

**9:30 AM**

**Case # 16-PRO-00039**

A&A Restaurant Group, Inc., t/a Russia House

1800 Connecticut Ave, NW

License #80952

Retailer CR

ANC 2D

**Application to Renew the License**

***This hearing is cancelled due to the approval of a Settlement Agreement. See  
Board Order No. 2016-536***

Board's Calendar  
October 5, 2016

**Protest Hearing (Status)**

**9:30 AM**

**Case # 16-PRO-00057**

Family's Corporation, t/a My Canton Restaurant  
1772 Columbia Road, NW  
License #75479  
Retailer CR  
ANC 1C

**Application to Renew the License**

*This hearing has been continued to October 19, 2016 at 9:30 am.*

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 15-CMP-00764**

The Bards of Washington, LLC, t/a James Hoban's  
1 Dupont Circle, NW  
License #77039  
Retailer CR  
ANC 2B

**Allowed a Patron to leave the Establishment with an Alcoholic Beverage in an Open Container, Substantial Change without Board Approval**

*This hearing is cancelled due to the dismissal of the case by the Government.  
See Board Order No. 2016-533*

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 16-CC-00059**

E & K, LLC, t/a 13th Street Market  
3582 13th Street, NW  
License #78242  
Retailer B  
ANC 1A

**Sale to Minor Violation, No ABC Manager on Duty**

Board's Calendar  
October 5, 2016

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 16-CMP-00237**

Mimi & D, t/a Vita Restaurant and Lounge/Penthouse Nine  
1318 9th Street, NW  
License #86037  
Retailer CT  
ANC 2F

**Violation of Settlement Agreement**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 15-CMP-00826**

2718 Corporation, t/a Chuck & Bill Bison Lounge  
2718 Georgia Ave, NW  
License #14759  
Retailer CT  
ANC 1B

**Trade Name Change Without Board Approval**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 16-CMP-00299**

TGR, Inc., t/a Cities DC  
1909 K Street, NW  
License #77812  
Retailer CR  
ANC 2B

**No ABC Manager on Duty**

Board's Calendar  
October 5, 2016

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 16-CMP-00333**

Ima Pizza H Street, LLC, t/a H & Pizza  
1118 H Street, NE  
License #89158  
Retailer CR  
ANC 6A

**Violation of Settlement Agreement**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 16-CMP-00277**

RR4, LLC, t/a RedRocks  
1348 H Street, NE  
License #90997  
Retailer CR  
ANC 6A

**Operating After Board Approved Hours (Summer Garden), No ABC  
Manager on Duty**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 16-AUD-00021**

Laliguras DC, LLC, t/a Laliguras Indian & Napali Bistro  
4221 Connecticut Ave, NW  
License #95042  
Retailer CR  
ANC 3F

**Failed to File Quarterly Statements**

Board's Calendar  
October 5, 2016

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 16-CMP-00274**

Juanita's Inc., t/a Okapi  
4811 Georgia Ave, NW  
License #96523  
Retailer CT  
ANC 4D

**No ABC Manager on Duty**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 16-251-00065**

U Street Music Hall, LLC, t/a U Street Music Hall  
1115 U Street, NW  
License #83219  
Retailer CX  
ANC 1B

**Failed to Follow Security Plan**

**Show Cause Hearing (Status)**

**9:30 AM**

**Case # 16-CMP-00381**

2608 Connecticut Avenue, LLC, t/a Italian Pizza Kitchen  
2608 Connecticut Ave, NW  
License #85456  
Retailer CR  
ANC 3C

**Failed to Import Alcoholic Beverages from a Licensed Manufacturer or Wholesaler**

**Fact Finding Hearing\***

**9:30 AM**

Hopeful, Inc., t/a To Be Determined (formerly Bobby Lew's Saloon)  
1815 Connecticut Ave, NW  
License #91955  
Retailer CR  
ANC 1C

**Request to Extend Safekeeping**

Board's Calendar  
October 5, 2016

**Fact Finding Hearing\***

**9:30 AM**

Saul Urban Host, LLC, t/a To Be Determined  
15 Dupont Circle, NW  
License #103525  
Retailer CT  
ANC 2B  
**Application for a New CT License**

**Show Cause Hearing\***

**10:00 AM**

**Case # 15-CMP-00788**

HSR, Inc., t/a New Dodge Market  
3620 14th Street, NW  
License #99565  
Retailer B  
ANC 1A

**No ABC Manager on Duty, Failed to Post License Conspicuously in the Establishment**

**Show Cause Hearing\***

**11:00 AM**

**Case # 16-CMP-00006**

Lee Casa Lebrato, Inc., t/a Casa Lebrato  
1733 Columbia Road, NW  
License #98074  
Retailer B  
ANC 1C  
**Sold Go-Cups**

**BOARD RECESS AT 12:00 PM**

**ADMINISTRATIVE AGENDA  
1:00 PM**

Board's Calendar  
October 5, 2016

**Protest Hearing\***

**1:30 PM**

**Case # 16-PRO-00023**

Mendelsohn Hospitality Group, t/a Bearnaise  
313 Pennsylvania Ave, SE  
License #89622  
Retailer CR  
ANC 6B

**Application to Renew the License**

**Protest Hearing\***

**1:30 PM**

**Case # 16-PRO-00024**

Kookoovaya, Inc., t/a We, The Pizza  
305 Pennsylvania Ave, SE  
License #82062  
Retailer CR  
ANC 6B

**Application to Renew the License**

**Protest Hearing\***

**1:30 PM**

**Case # 16-PRO-00029**

Sunnyside Group, LLC, t/a Good Stuff Eatery  
303 Pennsylvania Ave, SE  
License #78027  
Retailer DR  
ANC 6B

**Application to Renew the License**

**\*The Board will hold a closed meeting for purposes of deliberating these hearings pursuant to D.C. Official Code §2-574(b)(13).**

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING  
LEGAL AGENDA**

**WEDNESDAY, OCTOBER 5, 2016 AT 1:00 PM  
2000 14<sup>th</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of the Group of Five or More Individuals' Motion Requesting the Board Apply the Group's Previously Filed Protest Letter to the License Renewal Application Expo Restaurant & Lounge Re-submitted After its Application was Dismissed. *Expo Restaurant & Lounge, Inc., t/a Expo Restaurant & Lounge*, 1928 9<sup>th</sup> St., N.W., Retailer CR License, License No.: 060872.

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2. Review of The Park at 14<sup>th</sup>'s Petition to Unilaterally Amend or Terminate its Settlement Agreement, dated July 26, 2007, between The Park at 14<sup>th</sup> and 1400 K Co. LLC c/o Brookfield Properties LLC and ANC 2F, and approved by the Board on August 15, 2007. *Park Place, Inc., t/a The Park at 14<sup>th</sup>*, 920 14<sup>th</sup> St., N.W., Retailer CN, License No.: 075548.

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3. Review of The Brig's Petition to Unilaterally Amend or Terminate its Settlement Agreement, dated January 11, 2011, between Bavarian Beer Garden and ANC 6B, and approved by the Board on January 26, 2011. *Canal 5, LLC, t/a The Brig*, 1007 8<sup>th</sup> St., S.E., Retailer CT, License No.: 055710.

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4. Review of the Addendum to the Voluntary Settlement Agreement, dated September 25, 2016, between Driftwood Kitchen and ANC 6C. *TBM Holdings LLC, t/a Driftwood Kitchen*, 400 H St., N.E., Retailer CR, License No.: 086210.

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5. Review of DC Shenangians' Petition to Unilaterally Terminate or Amend its Settlement Agreement, dated April 4, 2007, between Adams Morgan Partners, LLC, ANC 1C, and the Kalorama Citizens Association, and approved by the Board on September 19, 2007. *Twins T's LLC, t/a DC Shenanigans*, 2450 18<sup>th</sup> St., N.W., Retailer CT, License No.: 088119.

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6. Review of Bukom Café's Petition to Unilaterally Terminate or Amend its Settlement Agreement, dated March 1, 2006, between Bukom Café, ANC 1C, and the Kalorama Citizens Association, and approved by the Board on April 12, 2006. *Marabu, Inc., t/a Bukom Café*, 2442 18<sup>th</sup> St., N.W., Retailer CT, License No.: 026466.

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7. Review of Georgetown Piano Bar's Petition to Unilaterally Terminate or Amend its Settlement Agreement, dated June 1, 2001, between Sports Fan, ANC 2E, and the Citizens Association of Georgetown, and approved by the Board on June 20, 2001. ***NPB Group, LLC, t/a Georgetown Piano Bar***, 3287 M St., N.W., Retailer CT, License No.: 095632.

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8. Review of Songbyrd's Petition to Unilaterally Terminate or Amend its Settlement Agreement, dated September 24, 2008, between Saki, ANC 1C, and the Kalorama Citizens Association, and approved by the Board on October 1, 2008. ***Songyrd, LLC, t/a Songbyrd***, 2477 18<sup>th</sup> St., N.W., Retailer CT, License No.: 096137.

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9. Review of Nomad Hooka Bar's Petition to Unilaterally Terminate or Amend its Settlement Agreement, dated January 14, 2012, between Central and ANC 6A, and approved by the Board on April 18, 2012. ***Raso Corporation, t/a Nomad Hookah Bar***, 1200 H St., N.E., Retailer CT, License No.: 087558.

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***\* In accordance with D.C. Official Code §2-574(b) Open Meetings Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.***

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING  
SUPPLEMENTAL LEGAL AGENDA**

**WEDNESDAY, OCTOBER 5, 2016 AT 1:00 PM  
2000 14<sup>th</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of the Termination of Cooperative Agreement, dated September 22, 2016, between The Star and the Shamrock and the Group of Five or More. ***Irish H, LLC, t/a The Star and the Shamrock***, 1341 H St., N.E., Retailer CT, License No.: 081804.

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2. Review of a letter, dated September 29, 2016, from The Park at 14<sup>th</sup> Withdrawing its Petition to Unilaterally Amend or Terminate its Settlement Agreement. ***Park Place, Inc., t/a The Park at 14<sup>th</sup>***, 920 14<sup>th</sup> St., N.W., Retailer CN, License No.: 075548.

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3. Review of Amsterdam Lounge's Petition to Terminate its Settlement Agreement, dated February 19, 2009, between Indulj and ANC 1B, and approved by the Board on March 11, 2009. ***Belay Abere, t/a Amsterdam Lounge***, 1208 U St., N.W., Retailer CT, License No.: 100340.

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4. Review of Decade's Motion for Reconsideration of the Board's Denial of its Request for Reinstatement. ***Decades, LLC, t/a Decades***, 1219 Connecticut Ave., N.W., Retailer CN, License No.: 103505.

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5. Review of a Petition to Unilaterally Amend or Terminate a Settlement Agreement, between Vegas Lounge, ANC 2F, and the Abutting Property Owner, dated September 2, 2009, and approved by the Board on September 9, 2009. ***Edith Mae and Jessie Kittrell, t/a Vegas Lounge***, 1415 P St., N.W., Retailer CN, License No.: 0001273.

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***\* In accordance with D.C. Official Code §2-574(b) Open Meetings Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.***

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING  
SECOND SUPPLEMENTAL INVESTIGATIVE AGENDA**

**WEDNESDAY, OCTOBER 5, 2016  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

**On Wednesday, October 5, 2016 at 4:00 pm., the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”**

1. Case#16-CC-00121, Lion’s Fine Wine & Spirits, 3614 Georgia Avenue N.W., Retailer A, License# ABRA-088221. *Previously published September 28, 2016.*

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2. Case#16-CC-00138, 100 Montaditos, 300 Tingey Street S.E., Retailer DR, License# ABRA-094846. *Previously published September 28, 2016.*

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3. Case#16-CC-00105, Hi Market, 2655 15th Street N.W., Retailer B, License# ABRA-088752. *Previously published on September 21, 2016.*

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4. Case#16-PRO-00023, Bearnaise, 313 -315 Pennsylvania Avenue S.E., Retailer CR, License# ABRA-089622.

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5. Case#16-PRO-00024, We the Pizza, 305 Pennsylvania Avenue S.E., Retailer CR, License# ABRA-082062.

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6. Case#16-PRO-00029, Good Stuff Eatery, 303 Pennsylvania Avenue S.E., Retailer DR, License# ABRA-078027.

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**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

**CASE REPORT**

<b>Investigation Number</b> 16-CC-00121	<b>Date of Occurrence</b> July 29, 2016	<b>License Number</b> ABRA-088221	<b>Application Number</b>
<b>Trade Name</b> Lion's Fine Wine & Spirits		<b>Owner/Licensee</b> Lion Gate Inc. Yun Yi (President)	
<b>Address</b> 3614 Georgia Ave N.W., Washington DC 20010		<b>License Description</b> A	<b>Date of Complaint</b> July 29, 2016
<b>Complainant Name, Phone and Address</b>			<input type="checkbox"/> <b>Anonymous</b>
<b>Investigator Name</b> Vanessa Pleitez		<b>Type of Report</b> <input checked="" type="checkbox"/> Investigative <input type="checkbox"/> Supplemental <input type="checkbox"/> Information	
D.C. Official Code §25-781 Sale to minors or intoxicated persons prohibited.			Yes
D.C. Official Code §25-783 Production of valid identification document required.			Yes
<b>Manager-in-charge/Owner's name at the time of inspection and identification:</b> Eyol Aleme (ABRA-095985 Exp. 7/30/2016)			
<b>All Licenses in Compliance:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable			
<b>List Licenses not in Compliance:</b>			

**SUMMARY:**

Alcoholic Beverage Regulation Administration (ABRA) Investigator Vanessa Pleitez determined that on Friday, July 29, 2016, Lion's Fine Wine & Spirits, located at 3614 Georgia Avenue N.W., Washington D.C. was in violation of D.C. Official Codes §25-781, and §25-783, Specifically, an employee at Lion's Fine Wine & Spirits sold an alcoholic beverage to a minor after checking the identification of the minor. The establishment did not take reasonable steps to ascertain the age of the minor. This was determined when Investigator Pleitez, while in an undercover capacity, witnessed a male clerk at the establishment sell, one (1) Bud Light beer (25 fl oz) to a minor.

**DETAILS:**

On Friday, July 29, 2016, at approximately 5:00 p.m., ABRA investigators met with the minor assisting ABRA to conduct compliance checks. The minor is identified in this report as UC1. Prior to meeting with the minor, ABRA compiled a list of establishments for the compliance checks; Lion's Fine Wine & Spirits was on the list. During the compliance checks, at least one ABRA investigator visually monitored the minor at all times.

There are two (2) photographs attached of the minor, listed as Exhibit #1, and Exhibit #2. Exhibit #1 is a head/shoulder photograph of UC1, and Exhibit #2 is a full body photograph of UC1. The photographs were taken on the day of the compliance checks. UC1, who is 18 years old was searched, and did not have any items in her possession except for the identification to be used (Exhibit #3) and money given to her by ABRA investigators to purchase the alcoholic beverages. UC1's ID clearly states that her birthday is "**January 2, 1998**".

On Friday, July 29, 2016, at approximately 6:00 p.m., Investigator Pleitez directed UC1 to enter Lion's Fine Wine & Spirits, located at 3614 Georgia Avenue N.W., Washington D.C. Investigator Pleitez entered the establishment first and stood within five (5) feet of the cash register. A few minutes later, UC1 entered the

establishment empty handed and proceeded to the refrigerator in the establishment that contained alcoholic beverages and retrieved one (1) 25 fl. Oz. Bud Light beer (Exhibit #4). UC1 proceeded to the cash register and placed the one (1) 25 fl. Oz. Bud Light beer on the counter to complete the transaction. Investigator Pleitez observed UC1's actions, and overheard all of the conversation exchanged while in the establishment. UC1 and Investigator Pleitez did not acknowledge or have contact with one another during this transaction. The male clerk, who was later identified as Legesse Ayano Teshome, acknowledged the one (1) 25 fl. Oz. Bud Light beer, and requested \$2.20 from UC1 to purchase the alcoholic beverage. Mr. Teshome did check the identification of UC1. UC1 paid Mr. Teshome for the alcoholic beverage. UC1 then exited the establishment in possession of the one (1) 25 fl. Oz. Bud Light beer.

On Friday, July 29, 2016, at approximately 6:15 p.m. ABRA Investigator Anthony Howze entered the establishment to make notification of the violation. Investigator Howze entered the establishment and identified himself as an ABRA investigator to a male clerk and requested to speak with an owner or ABC Manager. Ms. Eyol Aleme (ABRA – 095985 Exp. 7/30/2016) acknowledged being the ABC Manager of the establishment and agreed to assist Investigator Howze with the Regulatory Inspection and the Sale to Minor Notification Form. Investigator Howze informed Ms. Aleme that selling alcoholic beverages to a minor is a violation of ABRA regulations. Ms. Aleme read and signed the Sale to Minor Notification Form (Exhibit #5). Investigator Howze completed the Regulatory Inspection (Exhibit #6), and then transported the evidence back to ABRA, where it was labeled and locked in ABRA's evidence storage cabinet.

**On Friday, July 29, 2016, of the three (3) establishments that were checked by ABRA investigators for compliance using the UC1 described in Exhibit #1, one (1) establishment sold alcoholic beverages without asking UC1 for identification; one (1) establishment sold alcoholic beverage after asking UC1's identification; one (1) of the establishments did not sell an alcoholic beverage after asking UC1 for identification.**

**EXHIBITS ATTACHED:**

- Exhibit #1 Head/Shoulder photograph of UC1.
- Exhibit #2 Full body photograph of UC1
- Exhibit #3 Copy of Identification to be used by UC1
- Exhibit #4 Photo of alcoholic beverages
- Exhibit #5 Sale to Minor Notification
- Exhibit #6 ABRA Regulatory Inspection dated 7/29/2016
- Exhibit #7 Evidence Transmittal Sheet

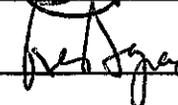
**INVESTIGATIVE HISTORY**

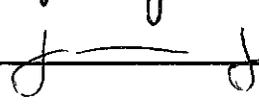
1. 7/16/14: **Case #12-CMP-00144(NCBO)**, Case for non-compliance of Board Order. 7/16/14: The Board scheduled a Show Cause Hearing for 10/1/14. 10/1/14: The Board accepted an OIC of a \$1,750 fine payable within 30 days if fine is not received by 11/1/14 the license will be suspended until payment is received. 11/3/14: Fine paid
2. 3/24/12: **Case #12-CMP-00144**, No ABC Manager on duty, Citation #7948, \$250 fine. (Secondary) 10/16/13: The Board scheduled a Show Cause Hearing for 12/11/13. 12/11/13: The Board held a closed meeting under §405(b)(13) of the Open Meetings Act and will issue an Order within 90 days. 1/29/14: The Board ordered a \$750 fine payable within 30 days. 6/16/14: The Board scheduled a Status Herding for 7/16/14 and a Show Cause Hearing for 10/1/14. 11/3/14: See **Case #12-CMP-00144(NCBO)**.

**GOVERNMENT WITNESS INTERVIEWED**

NAME	ADDRESS:	TEL
NAME:	ADDRESS:	TEL
NAME:	ADDRESS:	TEL #

Investigator's Printed Name Vanessa Pleitez Signature and Date  # 23 10/2/16

Reviewed By Printed Name Kevin Hargrave Signature and Date  10/2/16

Approved By Printed Name Johnnie E. Jackson, Jr. Signature and Date  10/2/16

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
CASE REPORT**

<b>Investigation Number</b> 16-CC-00138	<b>Date of Occurrence</b> August 13, 2016	<b>License Number</b> ABRA-094846	<b>Application Number</b>
<b>Trade Name</b> 100 Montaditas		<b>Owner/Licensee (List Sole Owner or Principal)</b> CM- Yards, LLC/ Saleh Mohamed/ Managing Member	
<b>Address</b> 300 Tingey Street S.E. Washington, D.C. 20003		<b>License Description</b> DR	<b>Date of Complaint</b> August 13, 2016
<b>Complainant Name, Phone and Address</b>			<input type="checkbox"/> <b>Anonymous</b>
<b>Investigator Name</b> Countee Gilliam		<b>Type of Report</b> <input checked="" type="checkbox"/> Investigative <input type="checkbox"/> Supplemental <input type="checkbox"/> Information	
<b>Alleged Violation (s) and Code/Regulation Citation</b>			<b>Substantiated Yes/No</b>
D.C. Official Code §25-781 Sale to minors or intoxicated persons prohibited.			Yes
D.C. Official Code §25-783 Production of valid identification document required; penalty.			Yes
D.C. Official Code §25-701 Board-approved manager required.			Yes
DCMR §23-707.1 Manager's License.			Yes
<b>Manager-in-charge/Owner's name at the time of inspection and identification:</b>			
<b>All Licenses in Compliance:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable			
<b>SUMMARY:</b> Alcoholic Beverage Regulation Administration (ABRA) Investigator Countee Gilliam determined that on Saturday, August 13, 2016, 100 Montaditas, located at 300 Tingey Street S.E., Washington, D.C., was in violation of D.C. Official Codes §25-781; §25-783; §25-701; and DCMR §23-707.1. Specifically, a male employee sold an alcoholic beverage to a minor and did not check the minor's ID. The establishment did not take reasonable steps to ascertain the age of the minor. This was determined when Investigator Gilliam, while working in an undercover capacity, witnessed a male employee at the establishment sell alcoholic beverages to a minor. Additionally, the establishment did not have a Board-approved ABC Manager on duty at the licensed premises during the licensee's Board-approved hours of sale.			
<b>DETAILS:</b> On Saturday, August 13, 2016, at 5:30 p.m. ABRA investigators met with the minor assisting ABRA to conduct compliance checks. The minor is identified in this report as UC1. Prior to meeting with the minor, ABRA compiled a list of establishments for the compliance checks and 100 Montaditas was on the list. During the compliance checks, at least one ABRA investigator visually monitored UC1 at all times.			
There are two (2) photographs attached of the minor, listed as Exhibit #1, and Exhibit #2. Exhibit #1 is a head and shoulder photograph of UC1 and Exhibit #2 is a full body photograph of UC1. The photographs were taken on the day of the compliance checks. UC1, who is 17 years old, was searched, and did not have any items in her possession except for the identification to be used (Exhibits #3), and the money given to her by ABRA investigators to purchase the alcoholic beverage. UC1's ID clearly states that her date of birth is <b>(04, MAR, 1999)</b> .			

On Saturday, August 13, 2016, at approximately 7:35 p.m., Investigator Gilliam directed UC1 to enter 100 Montaditas. Investigator Gilliam entered 100 Montaditas first and positioned himself at a table to have direct observation of the cashiers counter. A few minutes later, UC1 entered the establishment empty handed. UC1 went directly to the cash register, and ordered (1) one 16 fl oz glass of Budweiser beer. The male employee later identified as Shift Manager, Mr. Nikola Jovanovic (no identification on his person), advised UC1 the price for the beer. Mr. Jovanovic never asked to view the minors identification. UC1 then paid for the alcoholic beverage (\$3.30) and received \$16.70 change. Upon payment of the alcoholic beverage, Mr. Jovanovic delivered (1) one 16 fl oz glass of Budweiser beer to the minor (Exhibit #4). UC1 then picked up the beer from the cashiers counter, and proceeded to sit down at a table inside the establishment. This was directly observed by Investigator Gilliam. UC1 then got up from the table, and exited the establishment.

On Saturday, August 13, 2016, at approximately 7:42 p.m., ABRA Investigator Torren Fox entered 100 Montaditas, and went directly to the table where Investigator Gilliam was located. Investigator Gilliam was taking a photo of the alcohol beverage (Exhibit#4), that was sold to UC1. Investigator Gilliam completed taking the photographic evidence and then exited the establishment. Investigator Fox then identified herself as an ABRA investigator to Shift Manager, Mr. Jovanovic and asked to speak to an ABC Manager or owner. Mr. Jovanovic advised Investigator Fox that, neither the owner, nor an ABC Manager, were present at the establishment. Investigator Fox informed Mr. Jovanovic that she would be conducting a Regulatory Inspection, as well as serving a Sale to Minor Notification Form to the establishment. Mr. Jovanovic agreed to assist with the Regulatory Inspection. Investigator Fox advised Mr. Jovanovic that ABRA Regulations require the presence of an ABC Manager or owner during the Board-approved hours of sale. Investigator Fox then directed Mr. Jovanovic's attention to 100 Montaditas ABC License (Exhibit #5), which indicated the hours of sale for Saturday from 11:00 a.m. through 12:00 a.m. Investigator Fox advised Mr. Jovanovic regarding the process on how to obtain a 90 Day Temporary ABC Manager's License for qualified employees. Investigator Fox explained to Mr. Jovanovic that an alcoholic beverage was sold to a minor. Mr. Jovanovic read and signed the Sale to Minor Notification Form (Exhibit #6). Investigator Fox then conducted a Regulatory Inspection and no other ABRA violations were found (Exhibit #7). Investigator Fox then exited the establishment.

**On Friday, August 13, 2016, of the seven (7) establishments that were checked by ABRA for compliance using the UC described in Exhibits #1, three 31) establishment sold alcoholic beverages, without asking the minor for identification. Four (4) establishments did not sell alcoholic beverages, after asking the minor for identification.**

**EXHIBITS ATTACHED:**

- Exhibit #1 Head/Shoulder photograph of UC1.
- Exhibit #2 A full body photograph UC1.
- Exhibit #3 Copy of redacted UC1's ID
- Exhibit #4 Photo of (1) 16 fl oz glass of Budweiser beer.
- Exhibit #5 Copy of 100 Montaditas ABC License.
- Exhibit #6 Copy of Sale to Minor Notification.
- Exhibit #7 Copy of Regulatory Inspection dated 8/12/16.

## INVESTIGATIVE HISTORY

1. 11/1/15: **Case#16-CMP-00083**, Quarterly statement (*Secondary*); Citation #5316, warning.

### Abbreviations

ADW = Assault with a Dangerous Weapon

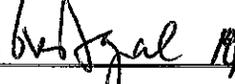
NFA = No Further Action

OIC = Offer in compromise

### GOVERNMENT WITNESS INTERVIEWED

NAME	ADDRESS:	TEL #
NAME:	ADDRESS:	TEL #
NAME:	ADDRESS:	TEL #

Investigator's Printed Name Countee Gilliam Signature and Date  10/2/16

Reviewed By Printed Name Kevin Hargrave Signature and Date  10/2/16

Approved By Printed Name Johnnie E. Jackson, Jr. Signature and Date  10/2/16

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

**CASE REPORT**

<b>Investigation Number</b> 16-CC-00105	<b>Date of Occurrence</b> July 16, 2016	<b>License Number</b> ABRA-088752	<b>Application Number</b>
<b>Trade Name</b> Hi- Market		<b>Owner/Licensee</b> Hi- Market Inc. Sebastian C. Kim (President)	
<b>Address</b> 2655 15 <sup>th</sup> Street N.W. Washington D.C. 20009		<b>License Description</b> B	<b>Date of Complaint</b> July 16, 2016
<b>Complainant Name, Phone and Address</b>			<input type="checkbox"/> <b>Anonymous</b>
<b>Investigator Name</b> Dorshae Demby		<b>Type of Report</b> <input checked="" type="checkbox"/> Investigative <input type="checkbox"/> Supplemental <input type="checkbox"/> Information	
D.C. Official Code §25-701 Board approved manager required			Yes
D.C. Official Code §25-781 Sale to minors or intoxicated persons prohibited.			Yes
D.C. Official Code §25-783 Production of valid identification document required.			Yes
D.C. Official Code §25-823 (3),(5),Revocation or suspension for violations of this title or misuse of the licensed premises			Yes
DCMR §23-707.1 Managers License			Yes
<b>Manager-in-charge/Owner's name at the time of inspection and identification:</b>			
<b>All Licenses in Compliance:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable			
<b>List Licenses not in Compliance:</b>			
<p><b>SUMMARY:</b> Alcoholic Beverage Regulation Administration (ABRA) Investigator Dorshae Demby determined that on Saturday, July 16, 2016, Hi- Market, located at 2655 15<sup>th</sup> Street N.W. Washington, D.C., was in violation of D.C. Official Codes §25-701; §25-781; §25-783, and §25-823 (3)(5). Specifically, an employee at Hi- Market sold alcoholic beverages to a minor without checking his/her identification. The establishment did not take reasonable steps to ascertain the age of the minor. This was determined when Investigator Demby, while in an undercover capacity, witnessed a male employee at the establishment sell, two (2) cans of Raz-Ber-Rita beer to a minor. Additionally, during the notification process the male store clerk interfered with an ABRA investigation by refusing to cooperate and provide identification to ABRA investigators. Additionally, there was no ABC Manager or owner present at the establishment.</p> <p><b>DETAILS:</b> On Saturday, July 16, 2016, at approximately 12:00 p.m., ABRA investigators met with the minor assisting ABRA to conduct compliance checks. The minor is identified in this report as UC1. Prior to meeting with the minor, ABRA compiled a list of establishments for the compliance checks; Hi- Market was on the list. During the compliance checks, at least one ABRA investigator visually monitored the UC at all times.</p> <p>There are two (2) photographs attached of the minor, listed as Exhibit #1, and Exhibit #2,. Exhibit #1 is a head/shoulder photograph of UC1 and Exhibit #2 is a full body photograph of UC1. The photographs were taken on the day of the compliance checks. UC1, who is 16 years old was searched, and did not have any items</p>			

in her possession except for her identification to be used (Exhibit #3) and money given to her by ABRA investigators to purchase the alcoholic beverages. UC1's District of Columbia identification card clearly states that she was born "4/24/2000".

On Saturday, July 16, 2016, at approximately 1:10 p.m., Investigator Demby directed UC1 to enter Hi- Market, located at 2655 15<sup>th</sup> Street N.W. Washington, D.C. Investigator Demby entered the establishment first and stood within five (5) feet of the register. A few minutes later, UC1 entered the establishment empty handed. UC1 retrieved a two (2) pack of Raz-Ber-Rita beer from the refrigerator and took the beer to the register, all within the view of Investigator Demby. UC1 and Investigator Demby did not acknowledge or have contact with one another during this transaction. The unidentified male store clerk, processed the transaction of two cans of Raz-Ber-Rita beer. The unidentified male store clerk did not check the UC's identification. The male store clerk asked UC1 for \$7.19 to complete the transaction. UC1 paid for the two (2) cans of Raz- Ber-Rita beer and exited the establishment.

On Saturday, July 16, 2016, at approximately 2:25 p.m., ABRA Investigator Anthony Howze retrieved the beer from the UC and entered the establishment to make notification of the violation. Investigator Howze entered the establishment and identified himself as an ABRA investigator and requested to speak with an owner or ABC Manager. The unknown male store clerk stated that he did not have identification and that the owner was on his way. Investigator Howze advised the male store clerk that he had just sold alcohol to a minor and that it was a violation of D.C. Official Code. Investigator Howze further advised the male store clerk that he needed his identification, to which the male store clerk did not comply. Investigator Howze telephoned Investigator Demby, who was the Senior Investigator working on the Sale to Minor operation, to advise him of what was taking place during the notification process and to request a witness as to the male store clerk's refusal to cooperate. Investigator Demby entered the establishment and identified himself to the male store clerk as an ABRA investigator and requested to speak with an owner or ABC Manager. The male store clerk stated that the owner was on the way. Investigator Demby advised the male store clerk that D.C. Official code requires an ABC Licensed establishment to have an owner or ABC Manager present during the establishment's licensed hours of sale. The male store clerk gave no response. Investigator Demby further advised the male store clerk that his refusal to produce identification or communicate with ABRA investigators would result in a violation of interference. Investigator Demby advised the male store clerk that selling alcohol to a minor in the District of Columbia was a violation of D.C. Official Code. Investigator Demby read aloud the Sale to Minor Notification Form to the male store clerk, who refused to sign the Sale to Minor Notification Form. Investigator Demby advised the male store clerk that a Regulatory Inspection had also been conducted and requested a signature on the Regulatory Inspection Form and the male store clerk refused. Investigator Demby advised the male store clerk that a report would be generated to document the Sale to Minor, No ABC Manager and Interference violations that occurred. Investigator Demby and Howze then exited the establishment. Investigator Demby then transported the evidence back to ABRA, where it was labeled and locked in ABRA's evidence storage cabinet.

On Saturday, July 16, 2016, Investigator Demby completed the Evidence Transmittal Sheet (Exhibit #6) for the two (2) cans of Raz-Ber-Rita beer purchased at Hi- Market.

**On Saturday, July 16, 2016, of the six (6) establishments that were checked by ABRA investigators for compliance using the UC described in Exhibits #1, and #2, ; one (1) establishment sold alcoholic beverages after not asking the minors for identification; five (5) of the establishments did not sell an alcoholic beverage after asking the UC for identification.**

**EXHIBITS ATTACHED:**

- Exhibit #1 Head/Shoulder photograph of UC1.
- Exhibit #2 A full body photograph UC1.
- Exhibit #3 Identification used by UC1.

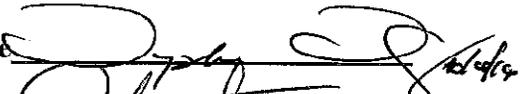
- Exhibit #4 Sale to Minor Notification
- Exhibit #5 ABRA Regulatory Inspection dated 7/16/16
- Exhibit #6 Evidence Transmittal Form dated 7/16/16
- Exhibit #7 Photo of alcoholic beverage purchased
- Exhibit #8 Photo of male store clerk who refused to cooperate
- Exhibit #9 Copy of establishment's Settlement Agreement

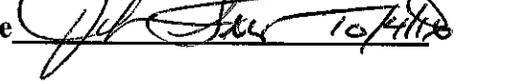
**INVESTIGATIVE HISTORY**

1. 8/23/13: Case #13-CMP-00387, No loitering sign per SA, Citation #7656, warning.
2. 2/9/13: Case #13-CMP-00098, Posting and carrying of licenses (legible lettering), Citation #7501, warning.

**GOVERNMENT WITNESS INTERVIEWED**

NAME	ADDRESS:	TEL
NAME:	ADDRESS:	TEL
NAME:	ADDRESS:	TEL #

Investigator's Printed Name Dorshae Demby Signature and Date 

Reviewed By Printed Name Kevin Hargrave Signature and Date  10/11/16

Approved By Printed Name Johnnie E. Jackson, Jr. Signature and Date \_\_\_\_\_

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING  
LICENSING AGENDA**

**WEDNESDAY, OCTOBER 5, 2016 AT 1:00 PM  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review Request to remove Tasting Permit from License effective in next licensing year (beginning October 1, 2017). Licensee has paid tasting permit fee for the current licensing year. ANC 2B. SMD 2B04. A fine is outstanding for citation #3671. No pending enforcement matters. No Settlement Agreement. *Prego Again*, 1617 17<sup>th</sup> Street NW, Retailer B, License No. 090326.

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**\*In accordance with D.C. Official Code §2-574(b) of the Open Meetings Amendment Act this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING  
INVESTIGATIVE AGENDA**

**WEDNESDAY, OCTOBER 5, 2016  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

**On Wednesday, October 5<sup>th</sup>, 2016 at 4:00 pm., the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”**

1. Case#16-CC-00092, Glen’s Garden Market, 2001 S Street N.W., Retailer B, License # ABRA-090082

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2. Case#16-CC-00132, Kovacs Liquors, 1237 Mount Olivet Road N.E., Retailer A, License # ABRA-076573

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3. Case#16-CC-00123, Embassy Suites, 5335 Wisconsin Avenue N.W., Retailer CH, License # ABRA-074223

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4. Case#16-CC-00088, Sportsman Wine & Liquor, 3249 Mt. Pleasant Street. N.W., Retailer A, License # ABRA-070310

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5. Case#16-251-00205, Salty Dog Tavern, 1723 Connecticut Avenue N.W., Retailer CT, License# ABRA-098331

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6. Case#16-CC-00047, Continental Wine & Liquor, 1100 Vermont Avenue N.W., Retailer A, License# ABRA-078964

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7. Case#16-251-00069, Madam’s Organ, 2461 18<sup>th</sup> Street N.W., Retailer CT, License# ABRA-025273

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8. Case#16-CC-00074, Good Ole Reliable, 1513 Rhode Island Avenue N.E., Retailer A, License #ABRA-060116

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9. Case#16-CMP-00620, Nile Market & Kitchen, 7815 Georgia Avenue N.W., Retailer CR, License # ABRA-060432.

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10. Case#16-CC-00140, The Haymaker, 1015 H Street N.E., Retailer CT, License # ABRA-084689

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11. Case#16-CC-00115, Afghan Grill, 2309 Calvert Street N.W., Retailer CR, License # ABRA-060278

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12. Case#16-CC-00109, Georgetown Wine & Spirits, 1500 27<sup>th</sup> Street N.W., Retailer A, License# ABRA-085209

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13. Case#16-CC-00078, New Seven Market, 1406 Good Hope Road N.E., Retailer B, License # ABRA-095880

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14. Case#16-251-00207, Club 2020 Bar & Lounge, 2434 18<sup>th</sup> Street N.W., Retailer CR, License# ABRA-101093

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