

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:)	
Makamboo Corp.)	Case No.: 15-251-00053
t/a Awash)	License No: 20102
Holder of a)	Order No: 2016-014
Retailer's Class CR License)	
at premises)	
2218 18th Street, N.W.)	
Washington, D.C. 20009)	

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Ruthanne Miller, Member
James Short, Member

ALSO PRESENT: Makamboo Corp., t/a Awash, Respondent

Fernando Rivero, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DENYING MOTION FOR RECONSIDERATION

INTRODUCTION

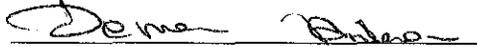
In Board Order No. 2015-583, the Alcoholic Beverage Control Board (Board) found Makamboo Corp., t/a Awash, (hereinafter "Respondent" or "Awash") in violation of one count of violating District of Columbia (D.C.) Official Code § 25-701 for failing to have a licensed manager or owner present at the establishment on March 8, 2015. *In re Makamboo Corp., t/a Awash*, Case No. 15-251-00053, Board Order No. 2014-583, 2 (D.C.A.B.C.B. Dec. 9, 2015). In response to the violation, the Board ordered the Respondent to pay a \$1,500 fine for the violation. *Id.* at 4. The Respondent filed a motion for reconsideration asking for a reduced fine because an owner or manager returned to the establishment before the investigator entered the

premises and because the business had ceased serving alcoholic beverages. *Mot. for Recon.*, 1-2. The Board is not inclined to reduce the fine because this is the Respondent's second violation of the ABC manager requirement; consequently, the Respondent knew or should have known that the owner or manager had to be present when the Respondent committed the violation. *In re Makambo Corp., t/a Awash*, Board Order No. 2014-583 at 3.

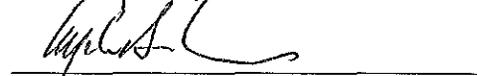
ORDER

Therefore, the Board, on this 13th day of January 2016, **DENIES** the motion for reconsideration. The ABRA shall deliver copies of this Order to the Government and the Respondent.

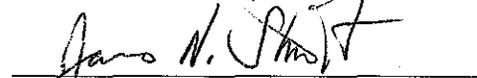
District of Columbia
Alcoholic Beverage Control Board


Donoyan Anderson, Chairperson


Nick Alberti, Member


Mike Silverstein, Member


Ruthanne Miller, Member


James Short, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code § 2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. *See* D.C. App. Rule 15(b) (2004).