THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of: Fresh Pizza, LLC t/a Bergami's Holder of a Retailer's Class CR License at premises 2350 Washington Place, N.E. Washington, D.C. 20018	)	License No: ABRA-094064 Order No: 2015-177

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member
Hector Rodriguez, Member
James Short, Member

ORDER TO CEASE AND DESIST

This notice constitutes a Cease and Desist Order issued by the Alcoholic Beverage Control Board (Board) pursuant to D.C. Official Code § 25-829. This Cease and Desist Order applies to Fresh Pizza, LLC, t/a Bergami's (Respondent), holder of a Retailer's Class CR License No. ABRA-094064, located at premises 2350 Washington Place, N.E., Washington, D.C.

The basis of this Order is that a review of the Board's official records by the Alcoholic Beverage Regulation Administration (ABRA) has determined that the Respondent failed to pay the third year license fees for the period of 2015 to 2016 by March 31, 2015, the deadline for all Retailer's Class CR licenses. Therefore, the Respondent's license has been **SUSPENDED** until the Respondent pays the required license fees and the daily fine of $50.00 imposed by the Board for late payment.

Pursuant to D.C. Official Code § 25-829, the Respondent is therefore **ORDERED** by the Board on this 22nd day of April, 2015, to **STOP selling, serving, or permitting the consumption of alcoholic beverages at your establishment** until payment of the license fees, late fees, and any unpaid fines are received by ABRA. The Respondent may not allow the sale of alcoholic beverages on the licensed premises until the ABC License is reinstated by the Board.

A copy of this Order is being forwarded to the Metropolitan Police Department and D.C. licensed Wholesalers to ensure compliance. Failure to comply with this Order will subject the Respondent to the maximum civil penalties provided by the law.

District of Columbia
Alcoholic Beverage Control Board

Ruthanne Miller, Chairperson

Nick Alberti, Member

Donald Brooks, Member

Herman Jones, Member

Mike Silverstein, Member

Hector Rodriguez, Member

James Short, Member

Pursuant to D.C. Official Code § 25-433, 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, 2000 14th Street, N.W., Suite 400S, Washington, DC 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 (2008) 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).