

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

In the Matter of:

K&D, LLC,
t/a Cork

License No: 077111
Order No: 2015-037

Holder of a
Retailer's Class CR License

at premises
1720 14th Street, N.W.
Washington, D.C. 20009

In the Matter of:

DKDC, LLC
t/a Cork Market & Tasting Room

License No: 082443

Holder of a
Retailer's Class B License

at premises
1805 14th Street, N.W.
Washington, D.C. 20018

TO: Andrew Kline, Counsel, on behalf of K&D, LLC, and DKDC, LLC
1225 19th Street, N.W., Suite 320
Washington, D.C. 20036

**NOTICE OF FACT FINDING HEARING AND ORDER REQUIRING SUBMISSION OF
DOCUMENTS PURSUANT TO 23 DCMR § 403.2**

The Alcoholic Beverage Control Board ("Board") recently reviewed Case Report No. 14-CMP-00710. Based on the report, the Board is concerned that both K&D, LLC, t/a Cork ("Cork"), and DKDC, LLC, t/a Cork Market & Tasting Room ("Cork Market"), are not in compliance with District of Columbia ("D.C.") Official Code §§ 25-301(a)(5), 25-301(a)(7), 25-

303(a)(2), 25-303(a)(3), 25-401(a), 25-401(c), and § 403 of Title 23 of the D.C. Municipal Regulations ("DCMR").

In order to determine whether further action on Case Report No. 14-CMP-00710 is required, the Board is requesting the presence of Cork, Cork Market, Khalid Pitts, and Diane Gross at a Fact Finding Hearing on February 25, 2015 at 1:30 p.m. in order to respond to questions related to the report and the operations of Cork and Cork Market.

The Board further requests that you provide the following documents pursuant to 23 § DCMR 403.2:

1. A list of all bank accounts used or maintained by Cork and Cork Market;
2. Bank records showing account ownership information for each account used or maintained by Cork and Cork Market;
3. All W-2 or 1099 tax forms issued to Diane Gross by Cork Market in 2013 and 2014;
4. Federal tax returns for Diane Gross and Khalid Pitts for 2012 and 2013;
5. A list of all current directors, officers, members, and shareholders of Kokie C. Holdings, LLC;
6. A list of all current directors, officers, members, and shareholders of DKDC, LLC;
7. A list of all current directors, officers, members, and shareholders of K&D, LLC;
8. All documents assigning the authority to sign checks, legal documents, and financial instruments on behalf of Cork Market to Diane Gross.

Pursuant to § 403.2 you have ten (10) days from the date of service of this Order to provide the requested documents. You may request an extension of time, if necessary. Please note that your failure to comply with this Order may result in the suspension or revocation of either or both licenses.

You should be advised that any information obtained by the Board may be used to determine (1) whether it is appropriate to forward this matter to the Office of the Attorney General for prosecution, (2) whether the Board can legally renew the license of Cork and Cork Market based on the current operations of the businesses; and (3) whether the imposition of conditions on the operations of Cork and Cork Market may be sufficient to resolve the issues alleged by Case Report No. 14-CMP-00710.

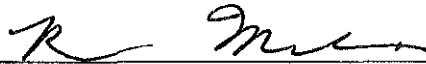
ORDER

Therefore, the Board, on this 4th day of February 2015, hereby schedules the Fact Finding Hearing for February 25, 2015, at 1:30 p.m.

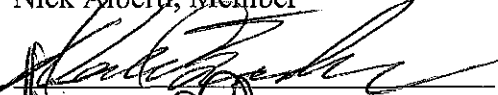
IT IS FURTHER ORDERED that Cork and Cork Market shall submit all documents requested by the Board within ten (10) days of service of this Order pursuant to 23 DCMR § 403.2.


The ABRA shall deliver a copy of this order to Andrew Kline on behalf of Cork and Cork Market.

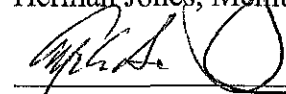
District of Columbia
Alcoholic Beverage Control Board

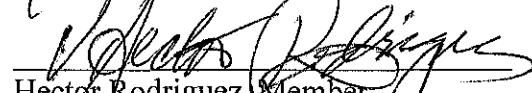

Ruthanne Miller, Chairperson

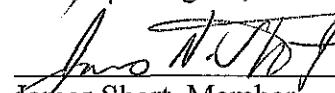

Nick Alberti, Member


Donald Brooks, Member


Herman Jones, Member


Mike Silverstein, Member


Hector Rodriguez, Member


James Short, Member

Pursuant to 23 DCMR § 1719.1, 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).