

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, FEBRUARY 22, 2012
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009

Ruthanne Miller, Chairperson

Members:

Nick Alberti, Donald Brooks, Herman Jones, Calvin Nophlin, Mike Silverstein
and Jeannette Mobley

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00001

Pirosi, LLC, t/a Café Sorriso

2311 Calvert Street NW

License #88262

Retailer CR

ANC 3C

New Application

Disposition: Hearing Cancelled. The parties submitted a Voluntary Agreement for Board consideration.

Show Cause Hearing (Status)

9:30 AM

Case #s 11-CMP-00157, #11-251-00266 and #11-CMP-00322

Polo D.C, LLC,/Rugby Café, LLC, t/a Rugby Café

1065 Wisconsin Ave NW

License #75703

Retailer CR

ANC 2E

Sale to Minor, Failed to Take Steps Necessary to Ascertain Legal Drinking Age, Failed to Obtain an Entertainment Endorsement, Substantial Change (Entertainment Endorsement), Failed to Maintain Books and Records, Failed to File Quarterly Statements

Disposition: The Board REJECTED an Offer in Compromise: \$11,000 to be paid within 60 days; dismissal of Charges II, III, and IV; Suspension for 10 days: 4 served (3/4/2012-3/7/2012); Sunday through Wednesday), 6 stayed. The Board scheduled the Show Cause Hearing on March 14, 2012 at 2:30 pm, 6-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00368

Soussi, Inc., t/a Soussi
2228 18th Street NW
License #60448
Retailer CR
ANC 1C

Violation of Voluntary Agreement (Operating Sidewalk Café After Hours)

Disposition: The Board scheduled the Show Cause Hearing on March 4, 2012 at 10:00 am. Licensee failed to appear.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00357

Kampai, LLC, t/a Zabb Asian Restaurant
1836 18th Street NW
License #86253
Retailer CR
ANC 2B

Operating After Hours, Failed to Conspicuously Post ABC License

Disposition: The Board accepted an Offer in Compromise: \$1,500 to be paid within 30 days, 6-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-251-00266

Mio D.C., LLC, t/a Mio Restaurant
1110 Vermont Ave NW
License #76072
Retailer CR
ANC 2F

Allowed the Establishment to be Used for an Unlawful or Disorderly Purpose

Disposition: The Board accepted an Offer in Compromise: \$1,500 to be paid within 60 days, 1 day served on 5/26/2012 (Saturday), 6-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-251-00201

1716 I, LLC, t/a Eye Bar/Garden of Eden
1716 I Street NW
License #83133
Retailer CT
ANC 2B

Failed to Follow Security Plan

Disposition: The Board REJECTED an Offer in Compromise: \$1,500 to be paid within 60 days; fined as Primary and treated as Secondary. The Board scheduled the Show Cause Hearing on March 28, 2012 at 11:00 am, 6-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00421

Chateau, Inc., t/a Chateau
3439 Benning Road NE
License #10574
Retailer CR
ANC 7D

Failed to File Quarterly Statements

Disposition: The Board scheduled the Show Cause Hearing on March 28, 2012 at 11:00 am. Licensee failed to appear.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00292

Sodexo Management, Inc., t/a Sodexo@Intelsat
3400 International Drive NW
License #60536
Retailer CR
ANC 3F

Failed to Maintain Books and Records

The Board accepted an Offer in Compromise: \$2,000 to be paid by March 7, 2012; Dismissal of Charge II, 6-0.

Fact Finding Hearing

10:00 AM

U Street Theatre Foundation, Inc., t/a Lincoln Theatre
1215 U Street NW
License #60044
ANC 1B
Retailer CX
Status of Transfer of License

Disposition: The Board rescheduled the Fact Finding Hearing on March 7, 2012 at 11:30 am.

Remand/Motion Hearing

11:00 AM

Case #s: 10-CMP-00540 and 10-251-00282
Jasper Ventures, LLC, t/a K Street
1301 K Street NW
License #72225
ANC 2F
Retailer CN
Treatment of Violations Not Listed on the Penalty Schedule

Disposition: The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days, 5-0 (Recusal by Nophlin).

BOARD RECESS AT 12:00 PM

**ADMINISTRATIVE AGENDA
1:00 PM**

Show Cause Hearing

1:30 PM

Case # 11-AUD-00002
European Restaurant Group, LLC, t/a One
1606 20th Street NW
License #83468
Retailer CR
ANC 2B
Failed to Meet Food Sales Requirements

Disposition: The Board granted the OAG's Motion to Dismiss, 6-0.

Show Cause Hearing

4:00 PM

Case # 11-AUD-00004

Prospect Dining, LLC, t/a George

3251 Prospect Street NW

License #78058

Retailer CR

ANC 2E

Failed to Meet Food Sales Requirements, Failed to Maintain Books and Records
(Continued to April 4, 2012 at 3:00 pm)

Disposition: The Board continued this matter until April 4, 2012 at 3:00 pm.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
AGENDA

WEDNESDAY, FEBRUARY 22, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Manager's Application for Michael R. Stone.**
Decision: Approved, 4-2 (Miller, Silverstein).
2. Review of a letter from Bernard Dietz on behalf of Puneeta Singh a judgment creditor of Dupont Wine & Spirits, LLC, holder of a Retailer's Class "A" License located at 1325 Connecticut Avenue, NW, requesting an Order granting said client permission to remove the inventory from the business premises and store or dispose of the inventory. ANC 2B. *Dupont Fine Wines & Spirits*, 1325 Connecticut Avenue NW Retailer A, Lic.#: 83212.*
Decision: Postponed.
3. Review of an email from Andrew Kline on behalf Raj Mallick and Theadora Mallick, landlords of 1325 Connecticut Avenue, NW, requesting reinstatement of a disposal permit previously issued on October 14, 2011, so that the landlords can transfer the inventory of the previous license-holder to the new licensee. ANC 2B. *Crown Liquors*, 1325 Connecticut Avenue NW Retailer A, Lic.#: 88121.*
Decision: Postponed.
4. Review of a letter from Bernard Dietz on behalf of Priyanka Malhotra (transferee) requesting approval of an involuntary transfer of Wine & Spirits Expo, LLC, t/a Cork N Bottle, holder of a Retailer's Class "A" License located at 7421 Georgia Avenue, NW, to Cork & Bottle, Inc., t/a Cork N Bottle Wine N Spirits, pursuant to an Order of the United States Bankruptcy Court for the District of Columbia. ANC 4B. *Cork N Bottle*, 7421 Georgia Avenue NW Retailer A, Lic.#: 74582.*
Decision: Approved, 6-0.
5. Review of Change of Hours Application to change the Hours of Operation and Hours of Alcoholic Beverage Sales and Consumption. *Current Hours of Operation:* Sunday through Thursday 7am-8pm, Friday and Saturday 7am-12am. *Current Hours of Alcoholic Beverage Sales and Consumption:* Sunday 10am-8pm, Monday through Thursday 8am-8pm, Friday and Saturday 8am-12am. *Proposed Hours of Operation:* Sunday 10am-2am, Monday through Thursday 7am-2am, Friday and Saturday 7am-3am. *Proposed Hours of Alcoholic Beverage Sales and Consumption:* Sunday 10am-2am, Monday through Thursday 8am-2am, Friday and Saturday 8am-3am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 2B. *Keren Restaurant*, 1780 Florida Avenue NW Retailer CR, Lic.#: 88512.*
Decision: Placard, 6-0.

6. Review of Entertainment Endorsement Application to include entertainment. **Current Hours of Operation:** Sunday through Thursday 7am-8pm, Friday and Saturday 7am-12am. **Current Hours of Alcoholic Beverage Sales and Consumption:** Sunday 10am-8pm, Monday through Thursday 8am-8pm, Friday and Saturday 8am-12am. **Proposed Hours of Entertainment:** Sunday through Thursday 8am-2am, Friday and Saturday 8am-3am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 2B. **Keren Restaurant**, 1780 Florida Avenue NW Retailer CR, Lic.#: 88512.*
Decision: Placard, 6-0.
7. Review of letter, dated February 10, 2012, from Commissioner Kent Boese of ANC 1A requesting that the Protest Hearing for Aman Liquor Store be postponed until after the Board Order is issued for King's Deli and Grocery. The Protest Hearing is currently scheduled for March 7, 2012. **Aman Liquor Store**, 3661 Goergia Avenue NW Retailer A, Lic.#: 88128.*
Decision: Approved, 6-0. The Board rescheduled the matter for May 2, 2012 at 3:00 pm.
8. Review of Voluntary Agreement, dated February 8, 2012, between El Tamarindo, ANC 2B, ANC 1C, and the Kalorama Citizens Association. **El Tamarindo Adam Morgan**, 1785 Florida Avenue NW Retailer CR, Lic.#: 71179.*
Decision: Approved, 6-0.
9. Review of Voluntary Agreement, dated February 3, 2012, between Sushi Sai and ANC 3F. **Sushi Sai**, 4221 Connecticut Avenue NW Retailer DR, Lic.#: 88557.*
Decision: Approved with modification to Section 12, 6-0.
10. Review of Voluntary Agreement, dated February 8, 2012, between The Pinch and ANC 1A. **The Pinch**, 3548 14th Street NW Retailer CT, Lic.#: 88333.*
Decision: Approved with modifications to Sections 2 and 7, 6-0.
11. Review of Voluntary Agreement, dated February 13, 2012, between The Guitar Bar and ANC 2B. **The Guitar Bar**, 1216 18th Street NW Retailer CR, Lic.#: 86903.*
Decision: Approved with modification to Section 3(a), 6-0.

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, 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.**

**** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of 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. 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 AGENDA

WEDNESDAY, FEBRUARY 22, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of request from Licensee for approval of a Stipulated License and letter of support from ANC 6A. *Souk Restaurant*, 1208 H Street NE Retailer CT, Lic.#: 88675.*
Decision: Postponed until February 29, 2012.
2. Review of email, dated February 21, 2012, asking if Fasil Ethiopian Restaurant can sell product if its LLC charter was revoked by DCRA. *Fasil Ethiopian Restaurant*, 1608 7th Street NW Retailer CR, Lic.#: 81849.*
Decision: Cease and Desist, 6-0.

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, 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, FEBRUARY 22, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On FEBRUARY 22, 2012 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#12-CMP-00004 Hudson, 2030 M ST NW Retailer C Restaurant, License#: ABRA-077128

Decision: Staff Settlement.

2. Case#12-CMP-00051 Green Island Cafe/Heaven & Hell (The), 2327 18TH ST NW Retailer C Tavern, License#:ABRA-074503

Decision: Show Cause.

3. Case#11-251-00408 Mason Inn, 2408 WISCONSIN AVE NW Retailer C Tavern, License#: ABRA-079644

Decision: Postponed.

4. Case#11-251-00379 Lima Restaurant and Lounge, 1401 K ST NW B Retailer C Tavern, License#: ABRA-073817

Decision: No Further Action.

5. Case#11-CMP-00497 Kearney's Grocery, 90 O ST NW Retailer B Retail - Grocery, License#: ABRA-078591

Decision: No Further Action.

6. Case#12-CMP-00010 Sweet Mango Cafe, 3701 NEW HAMPSHIRE AVE NW Retailer C Restaurant, License#:ABRA-072512

Decision: Show Cause.

7. Case#12-CMP-00009 Town Hall, 2218 WISCONSIN AVE NW Retailer C Restaurant, License#: ABRA-072640

Decision: Staff Settlement.

8. Case#12-CMP-00048 Rock N Roll Hotel, 1353 H ST NE Retailer C Tavern, License#: ABRA-072777

Decision: Refer back to Enforcement.

9. Case#11-CMP-00565 Rose Bud Liquor's Store, 1711 17TH ST NW Retailer A Retail - Liquor Store, License#:ABRA-060751

Decision: Staff Settlement.

10. Case#12-CMP-00026 Fur Factory, 33 PATTERSON ST NE Retailer C Nightclub, License#: ABRA-060626

Decision: Show Cause.

11. Case#12-CMP-00047 The Grill From Ipanema, 1858 COLUMBIA RD NW Retailer C Restaurant, License#:ABRA-017199

Decision: Staff Settlement.

12. Case#11-251-00380 Jr's Bar and Grill, 1519 17TH ST NW Retailer C Tavern, License#: ABRA-009267

Decision: Fact Finding.

13. Case#11-CC-00092 Russia House, 1800 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-080952

Decision: Postponed.

14. Case#11-251-00388 Sign of the Whale, 1825 M ST NW Retailer C Tavern, License#: ABRA-085120

Decision: Fact Finding.

15. Case#12-251-00010 Ras Restaurant & Lounge, 4809 GEORGIA AVE NW Retailer C Tavern, License#:ABRA-085722

Decision: No Further Action.