

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, JUNE 13, 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

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00016

**HGH 1610, LLC
1610 14th Street NW
License #88785
Retailer CT
ANC 2F
New Application**

Disposition: The Board scheduled the Protest Hearing for August 1, 2012 at 1:30 pm.

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00026

**Café Dupont, LLC, t/a Café Citron
1343 Connecticut Ave NW
License #60138
Retailer CR
ANC 2B
Substantial Change (Change of Hours)**

Disposition: The Board scheduled the Protest Hearing for July 25, 2012 at 4:00 pm.

Show Cause Hearing (Status)

9:30 AM

Case # 12-251-00111, # 12-251-00111(a)
Financial Group, LLC, t/a The Library Saloon
3514 12th Street NE
License #80666
Retailer CT
ANC 5A

Allowed the Establishment to be Used for an Unlawful or Disorderly Purpose, Failed to Obtain an Entertainment Endorsement
(Continued to June 20, 2012 at 9:30 a.m.)

Disposition: The Board continued the Show Cause Status Hearing to June 20, 2012 at 9:30am.

Show Cause Hearing (Status)

9:30 AM

Case # 12-251-00086
Suk In Hyun, t/a DC Fish Carryout
3475 14th Street NW
License #74236
Retailer B
ANC 1A

Allowed the Establishment to be Used for the Sale of Illegal Drugs and Paraphernalia

Disposition: The Board scheduled the Show Cause Hearing for August 1, 2012 at 3:30 pm.

Show Cause Hearing (Status)

9:30 AM

Case # 12-AUD-00020

Z Kitchens, LLC, t/a Zola Wine and Kitchen

505 9th Street NW

License #79757

Retailer CR

ANC 2C

Failed to File Quarterly Statements

Disposition: The Board scheduled the Show Cause Hearing for August 8, 2012 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00057

West End Bar & Grill, LLC, t/a Marshall's

2524 L Street NW

License #23505

Retailer CT

ANC 2A

Substantial Change (Operating After Hours)

Disposition: The Board scheduled the Show Cause Hearing for August 1, 2012 at 2:30 pm.

Show Cause Hearing (Status)

9:30 AM

Case # 12-AUD-00015

3905 Dix Street NE, LLC, t/a Ray's the Steak at East River
3905 Dix Street NE
License #83202
Retailer CR
ANC 7A

Failed to File Quarterly Statements

Disposition: The Board accepted an Offer in Compromise: \$750 to be paid within 30 days, 5-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-AUD-00010

HML Rose, Inc., t/a Lindy's Bon Appetit
2040 I Street NW
License #23533
Retailer CR
ANC 2A

Failed to File Quarterly Statements

Disposition: The Board scheduled the Show Cause Hearing for August 1, 2012 at 11:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00037

Concepts, LLC, t/a Leopold's Kafe Konditorei/L2
3315 Cady's Alley NW
License #25268
Retailer CR
ANC 2E

Failed to File Quarterly Statements

Disposition: The Board accepted an Offer in Compromise: \$500 to be paid by June 14, 2012, 5-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-251-00103, # 12-251-00103(a)

Caribbean Vibes, Inc., t/a Club Timehri

2439 18th Street NW

License #77730

Retailer CT

ANC 1C

Failed to Comply With Security Plan, Allowed the Establishment to be Used for an Unlawful or Disorderly Purpose

Disposition: The Board scheduled the Show Cause Hearing for July 25, 2012 at 10:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00021

Cesar Guzman, t/a Casa Blanca Restaurant

1014 Vermont Ave NW

License #20067

Retailer DR

ANC 2F

Failed to File Quarterly Statements, Failed to Maintain Books and Records

Disposition: The Board scheduled the Show Cause Hearing for July 25, 2012 at 11:00 am.

Show Cause Hearing (Status)

9:30 AM

Case # 12-AUD-00016, # 11-CMP-00463
S & W D.C., LLC, t/a Smith & Wollensky
1112 19th Street NW
License #60001
Retailer CR
ANC 2B
Failed to File Quarterly Statements

Disposition: The Board accepted an Offer in Compromise: \$1,000 for 12-AUD-00016 and \$750 for 11-CMP-00463. The total of \$1,750 is to be paid within 60 days, 5-0.

Public Hearing

10:30 AM

MPD Reimbursable Detail Rulemaking

Disposition: The Board took this matter under advisement and will issue an Order within 90 days.

Public Hearing

11:00 AM

Egregious Sale to Minor Rulemaking

Disposition: The Board took this matter under advisement and will issue an Order within 90 days.

BOARD RECESS AT 12:00 PM

**ADMINISTRATIVE AGENDA
1:00 PM**

Show Cause Hearing

1:30 PM

Case # 12-251-00001, # 11-CMP-00470, # 11-CMP-00511

Mimi & D, LLC, t/a Mood

1318 9th Street NW

License #86037

Retailer CT

ANC 2F

Interfered with an ABRA Investigation, Failed to Comply With Security Plan, Allowed a Controlled Substance to be Used in the Establishment, Violation of Voluntary Agreement

Disposition: The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days.

Remand Hearing

4:00 PM

Case # 10-PRO-00094

Leeds The Way, LLC, t/a Hank's Oyster Bar

1622 Q Street NW

License #71913

Retailer CR

ANC 2B

Termination of Voluntary Agreement

Disposition: The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
AGENDA

WEDNESDAY, JUNE 13, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Manager's Application for Robert E. McElwee, III. **
Decision: Approved, 4-0.
2. Review of Application for Safekeeping to allow for the transfer of the license to a potential buyer. No pending investigative matters. No outstanding citations/fines. No conflict with Voluntary Agreement. ANC 2E. **Papa Razzi**, 1064-1066 Wisconsin Avenue NW Retailer CR03, Lic.#: 20054.
Decision: Approved for 60 days, 4-0.
3. Review of Application for Safekeeping pending approval of transfer application. Pending investigative matters. Outstanding citations/fines. No voluntary agreement. ANC 3C. **Tackle Box**, 3407 Connecticut Avenue NW Retailer CR02, Lic.#: 86074.
Decision: Transfer approved on June 6, 2012. If safekeeping is still needed, approved for 60 days, 4-0.
4. Review of letter, dated May 9, 2012, from Louis Courembis, on behalf of the landlord, requesting an involuntary transfer of the license held by Bouzid, Inc., pursuant to Section 10 of the Lease Agreement and Court Order. **Marrakesh Palace Pasha Lounge**, 2147 P Street NW Retailer CT03, Lic.#: 60695.*
Decision: Fact Finding Hearing scheduled on July 20, 2012 at 1:30 pm, 4-0.
5. Review of correspondence, dated May 27, 2012, from Brendan Smith requesting clarification of Board Order No. 2011-448 for Capitol Food Mart regarding single sales. **Capitol Food Mart**, 1634 North Capitol Street NW Retailer B, Lic.#: 86246.
Decision: Postponed until June 27, 2012.
6. Review of Voluntary Agreement, dated May 22, 2012, between Best One Liquor, ANC 5C, 1700 4th Street Homeowners Group, and Bates Area Civic Association, Inc. **Best One Liquor**, 322 Florida Avenue NW Retailer A, Lic.#: 86168.*
Decision: Approved with modifications to Sections 4(f), 10, and 11, 4-0.
7. Review of Voluntary Agreement, dated May 10, 2012, between Union Liquors and ANC 8A. **Union Liquors**, 1537 Good Hope Road SE Retailer A, Lic.#: 79922.*
Decision: Approved with modifications to Sections 2(d), 2(i), and 2(j), 4-0.

8. Review of Voluntary Agreement, dated May 25, 2012, between King's Mini Market and ANC 8A. *King's Mini Market*, 2400 Martin Luther King Jr Avenue SE Retailer A, Lic.#: 26650.*

Decision: Approved with modifications to Sections 2(d), 2(i), and 2(j), 4-0.

*** 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, JUNE 13, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of letter, dated June 1, 2012, from David Briggs requesting the Board's approval to waive the requirement for additional placarding for a Summer Garden. *Yo! Sushi*, 50 Massachusetts Avenue NE Retailer CR01, Lic.#: 89282.*
Decision: Approved without additional placarding, 4-0.
2. Review of request for a stipulated license, dated June 6, 2012, and support from ANC 3F. *876 Café*, 4221 Connecticut Avenue NW Retailer CR01, Lic.#: 89461.
Decision: Approved, 4-0.
3. Review of letter, dated June 7, 2012, from Reverend Frederick Close on behalf of the St. Anthony of Padua Catholic Church requesting a reduction or waiver of fees for a temporary license for a fundraising gala on June 15, 2012.
Decision: Approved, 4-0.
4. Review of correspondence, dated June 7, 2012, from Paul Pascal requesting the Board's permission for Premium Distributors to deliver products to the Nationals on Sunday, June 17, 2012. *Premium Distributors*, 3500 Fort Lincoln Drive NE Wholesaler A, Lic.#: 60290.
Decision: Approved, 4-0.
5. Review of letter, dated June 5, 2012, from Don Padou requesting the Board's permission to waive the requirement that the members of a Group of Five or More appear in person on the June 18, 2012 Roll Call Hearing and instead appear through their representative. The same Group is also protesting Club Illusions and will appear at the Roll Call Hearing scheduled on June 11, 2012. *Hush Restaurant and Lounge*, 2121 New York Avenue NE Retailer CT03, Lic.#: 89332.*
Decision: Denied, 4-0.

6. Review of Motion for Reconsideration of Order No. 2012-224, dated June 6, 2012, from Joseph Muigai in regards to the cancellation of Safari DC's License. *Safari DC*, 4306 Georgia Avenue NW Retailer CR02, Lic.#: 60481.*

Decision: Denied until all outstanding fees are paid, 4-0.

*** 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
LICENSE CANCELLATION

WEDNESDAY, JUNE 13, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

The Board is requested to approve the following license cancellations for the reasons outlined below.

ABRA – 076159 – **Penn Branch Liquors** – A – 3232 Pennsylvania Avenue, SE. [Licensee did not renew by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-260, 4-0.

ABRA – 084814 – **Capital City Diner** – CR – 1050 Bladensburg Road, NE. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-261, 4-0.

ABRA – 077140 – **El Sol de America** – CR – 1930 9th Street, NW. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-262, 4-0.

ABRA – 082980 – **Galileo III** – CR – 600 14th Street, NW. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-263, 4-0.

ABRA – 060382 – **H R - 57** – CR – 1610 14th Street, NW. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-264, 4-0.

ABRA-082332 – **IPOH** – CR – 2625 Connecticut Avenue, NW. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-265, 4-0.

ABRA-060198 – **Madjet Restaurant** – CR – 1101 U Street, NW. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-266, 4-0.

ABRA-084239 – **Sizzling Express** – CR – 1150 Connecticut Avenue, NW. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-267, 4-0.

ABRA-086023 – **Tegeste Ethiopian Restaurant** – CR – 3521 14th Street, NW. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-268, 4-0.

ABRA-086015 – **Zee's Restaurant & Bar** – CR – 600 Florida Avenue, NW. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-269, 4-0.

ABRA-076025 – **Quite a Stir** – Caterer – 3212 O Street, NW. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-270, 4-0.

ABRA-088332 – **Montserrat House Catering** – Caterer – 2018 9th Street, NW. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-271, 4-0.

ABRA-074384 – **3 Citron, LLC** – Caterer – 6513 76th Place, Cabin John, MD, 20818. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-272, 4-0.

ABRA-081362 – **Epicurean Experience** – Caterer – 1900 Tremont Street, SE. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-273, 4-0.

ABRA-085897 – **All Tyme Catering** – Caterer – 2757 South Glebe Road, Arlington, VA 22206. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-274, 4-0.

ABRA-082438 – **Marvelous Market** – DR – 4530 Wisconsin Avenue, NW. [Licensee did not make 3rd Year Payment by March 31, 2012. Licensee issued Cease and Desist Order on May 9, 2012.]

Decision: Cancelled via Board Order No. 2012-275, 4-0.

ABRA – 060420 – **Southeast People’s Market** – B – 3041 Naylor Road, SE. [Licensee did not renew in 2011. Licensee issued Cease and Desist Order on December 14, 2011.]

Decision: Cancelled via Board Order No. 2012-276, 4-0.

ABRA–060403 – **Ruby Tuesday’s** – CR – 4200 Wisconsin Avenue, NW. [Request for cancellation received.]

Decision: Cancelled via Board Order No. 2012-277, 4-0.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
INVESTIGATIVE AGENDA

WEDNESDAY, JUNE 13, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

On JUNE 13, 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#12-251-00133 Lotus, 1420 K ST NW Retailer C Nightclub, License#: ABRA-075162
Decision: Show Cause.

2. Case#12-251-00168 Ibiza, 1222 1ST ST NE Retailer C Nightclub, License#: ABRA-074456
Decision: Show Cause.

3. Case#11-251-00274 19th, 1919 PENNSYLVANIA AVE NW Retailer C Restaurant,
License#: ABRA-078475
Decision: Sale to Minor Warning Letter (Establishment); Fact Finding (ABC Manager's License).

4. Case#12-251-00126 Haydee's 2000, 6303 GEORGIA AVE NW Retailer C Nightclub,
License#: ABRA-060187
Decision: No Further Action.

5. Case#12-251-00153 Sesto Senso/ Andalu/Spot/Lupe/M I A, 1214 18TH ST NW Retailer C
Tavern, License#: ABRA-081092
Decision: Fact Finding.

6. Case#12-251-00124 Stadium, 2127 QUEENS CHAPEL RD NE Retailer C Nightclub,
License#: ABRA-082005
Decision: No Further Action.

7. Case#12-251-00107(a) Town Square Gourmet, 4418 MACARTHUR BLVD N Retailer A
Retail - Liquor Store, License#: ABRA-078664
Decision: Show Cause.

8. Case#12-PRO-00041 M Cafe, 1634 14TH ST NW Retailer C Restaurant, License#: ABRA-089205(Previously published in the 6/6/12 DC Register)

Decision: This matter was placed on the Board's June 6, 2012, Investigative Agenda and incorrectly indicated that it was resolved via a voluntary agreement. This remains a pending protest matter, which is scheduled for hearing on October 10, 2012 at 4:00pm.

Instead, the following matter was resolved via a voluntary agreement:

Case #11-PRO-00055 M Café, 3236 Prospect Street NW, Retailer C Restaurant, License#: ABRA-87240.