

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

In the Matter of:)
)
M&M Beer & Wine, Inc.)
t/a M&M Market)
)
Holder of a Retailer's)
Class B License)
)
at premises)
3544 East Capitol Street, N.E.)
Washington, D.C. 20019)
)
Licensee)
)

License No: ABRA-078461
Order No: 2015-351

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

M&M Beer & Wine, Inc., t/a M&M Market's (Licensee), is the holder of a Retailer's Class B License located at 3544 East Capitol Street, N.E., Washington, D.C. The Alcoholic Beverage Control Board (Board) has been notified by the Department of Consumer and Regulatory Affairs (DCRA) that the Licensee's Basic Business License Nos. 70103498, 70103499, and 70103400 were revoked on July 13, 2015, effective July 27, 2015, by the District of Columbia Office of Administrative Hearings. In re M&M Beer & Wine, Inc. v. District of Columbia Department of Consumer and Regulatory Affairs, Case No. 2015-DCRA-00030, Final Order (Jul. 13, 2015).

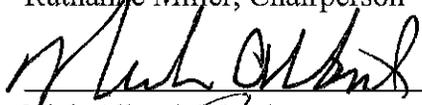
Pursuant to D.C. Official Code § 25-829 you are therefore **ORDERED** by the Board to **STOP selling alcoholic beverages under your Retailer's Class B License No. ABRA-078461.** You may not allow the sale of alcoholic beverages until your ABC License is reinstated by the Board.

Effective July 27, 2015.

Please be advised that a copy of this Order is being forwarded to the Metropolitan Police Department and District Wholesalers to ensure compliance. If it is found that you are continuing to sell alcoholic beverages under your Retailer's Class B License No. ABRA-078461 without approval from the Board, you may be subject to the maximum civil penalties provided by the law.

District of Columbia
Alcoholic Beverage Control Board

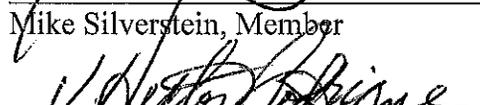

Ruthanne Miller, Chairperson


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).

DISTRICT OF COLUMBIA
OFFICE OF
ADMINISTRATIVE HEARINGS

2015 JUL 13 PM 2: 28

DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS
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441 Fourth Street, NW
Washington, DC 20001-2714
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M&M BEER & WINE INC
Petitioner

v.

DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND
REGULATORY AFFAIRS
Respondent

Case No.: 2015-DCRA-00030

FINAL ORDER

I. Introduction

At issue in this case is the appeal of Petitioner M&M Beer & Wine, Inc. of a Notice to Revoke its basic business licenses issued by the Department of Consumer and Regulatory Affairs (DCRA) on April 15, 2015, amended on May 13, 2015 (the Notice). The business licenses DCRA seeks to revoke are for Cigarette Retail, Delicatessen, and Patent Medicine sales at 3544 East Capitol Street, NE. In the Notice, DCRA states that it is seeking to revoke Petitioner's licenses because Petitioner sold illegal synthetic cannabinoids at its establishment in violation of District of Columbia law.¹ DCRA seeks to revoke Petitioner's licenses for a period of two years.

¹ A synthetic drug is defined as:

Any product possessed, provided, distributed, sold, and/or marketed with the intent that it be used as a recreational drug, such that its consumption or ingestion is intended to produce effects on the central nervous system or brain function to change perception, mood, consciousness, cognition and/or behavior in ways that are similar to the effects of marijuana, cocaine, amphetamines or Schedule 1 narcotics. Additionally, any chemically synthesized product (including products that contain both a chemically synthesized ingredient and herbal or plant material) possessed, provided, distributed, sold and/or marketed with the intent that the product produce effects substantially similar to the effects created by compounds banned by District or Federal synthetic drug laws or by the U.S. Drug

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Following a status conference held June 19, 2015, a hearing was set for June 20, 2015. At the hearing held on that date, Azaria Tubaqo, owner, appeared for M&M Beer & Wine and Adrienne Lord-Sorensen, Esq. appeared on behalf of DCRA. Azaria Tubaqo and Amanuel Mebrahtu testified for Petitioner. Witnesses testifying for DCRA were the Metropolitan Police Department (MPD) Detective Erick Alvarado and DCRA Investigator Clifford Dedrick.

Based on the testimony of witnesses at the hearing and the exhibits admitted into evidence, I now make the following findings of fact and conclusions of law.

II. Findings of Fact.

1. M&M Beer and Wine, Inc. operates a convenience store at 3544 East Capitol Street, NE, where it sells snacks, sodas, beer, cigarettes and other products. Respondent's Exhibits (RX) 202, 203, 248.
2. DCRA issued business licenses to M&M Beer and Wine, Inc. for Delicatessen (70103498), Patent Medicine (70103499), and Cigarette Retail (70103400). The licenses expire on April 30, 2016. RX 264.
3. M&M has had on site packets of Scooby Snax and Bizzaro. Scooby Snax is described by its label as a "Potpourri Product Not for Human Consumption . . . must be 18 years of age to purchase. KEEP OUT OF REACH OF CHILDREN," RX 206.
4. Bizzaro and Scooby Snax are synthetic cannabinoids. Side effects of synthetic cannabinoids include altered mentation, glazed unfocused expression, red eyes, psychosis, increased blood pressure and heart attacks, kidney damage, vomiting, stumbling, and depression that led to suicide in some users. (Testimony of Erick Alvarado).

MPD Warnings:

5. On June 26, 2013, a MPD officer received consent from Yahannes Teclamariam, who was working at M&M at the time, to search the store. In that search, MPD found plastic

Enforcement Administration pursuant to its authority under the Controlled Substances Act.

17 DCMR 999.1

bags with Bizzaro and Scooby Snax behind the counter, under a trap door in the floor behind the counter, and on top of the cooler in the back of the store. None of the products were displayed on the shelves. In all, 1,043 packets of synthetic cannabinoids were seized that day. RX 204-208, 214-218. Mr. Teclamariam signed a receipt for the seized packets. RX 219. The officer warned Mr. Teclamariam that selling Bizzaro, Scooby Snax, or other synthetic cannabinoids was unlawful.

6. On March 16, 2014, a MPD officer returned to M&M and again received from Mr. Teclamariam consent to search the store. RX 221. At that time, Henok Fissah Negato was also working at the store. RX 224, 225. The March 16th search revealed plastic bags behind the counter with drug paraphernalia and 28 packets of synthetic cannabinoids. No packets were on display in the store. RX 227-233. Mr. Teclamariam signed a receipt for the 28 packets seized. RX 233. The officer warned Mr. Teclamariam and Mr. Negato that selling Bizzaro, Scooby Snax, or other synthetic cannabinoids was unlawful.

New Regulation and Courtesy Flyer

7. In April, 2014, DCRA promulgated emergency regulations prohibiting businesses in the District of Columbia from selling synthetic drugs. After the regulations were adopted, DCRA distributed flyers to businesses, including M&M, informing them that sale of these drugs could result in suspension or revocation of their business license. RX 249, 260. DCRA presented Azaria Daniel Tuqabo with the flyer on June 20, 2014. RX 250.
8. The flyer is titled "Notice of New DCRA Regulations." It states that "Synthetic drugs are prohibited in the District of Columbia," and "Any business selling, allowing for sale, marketing, or found to be in possession of synthetic drugs may incur a fine or have their license(s) suspended or revoked and the business licensee prohibited from obtaining a new license for two (2) years." RX 249, 260. The flyer informed business owners that the prohibited drugs are known by many names, including Spice, K2, and Scooby Snax. The flyer also indicated that prohibited products have labels that include statements such as "not for human consumption," and "must be 18 years or older to purchase." The flyer listed packaging labeling on prohibited products, and listed a website for more information, as well as an email address and telephone number if one had questions.

9. Before August 18, 2014, Yahannes Teclamariam was fired from his job at M&M. (Testimony of Amanuel Mebrahtu).
10. Azaria Tuqabo was a manager at M&M and is now an owner.

MPD Arrest

11. On August 18, 2014, MPD officers returned to M&M and requested a search. Amanuel Membrahtu, who was working as manager at the time, denied that synthetic cannabinoids were being sold from the store and gave consent for a search. The search revealed 18 synthetic cannabinoid packets in a plastic bag, concealed in the side of a wooden pallet that was on top of a cooler, in the back room. RX 240. The side of the pallet looked like a solid piece of wood. Only because a small part of a bag was visible did the Officers realize there was an opening in the pallet. The search also revealed DCRA's "courtesy flyer" in the office cubicle. RX 249. Detective Alvarado arrested Mr. Membrahtu for possession with intent to distribute synthetic cannabinoids and seized the packets. RX 250.

Description of Product Seized

12. Each of the 18 packets seized on August 18, 2014, contained 4 grams of Scooby Snax with an estimated retail value of \$504. A field test of one packet was positive for indole based synthetic cannabinoid. RX 249, 250.

DCRA's Notice

13. Based on the MPD investigations and applicable regulations, DCRA Investigator Clifford Dedrick issued a Notice to Revoke the Business Licenses of M&M on April 15, 2015. In his search of corporate records, Investigator Dedrick found that M&M's corporate records began in 2010. Azeb Gabriel signed the corporate data sheet. RX 265. Haile Gabriel was identified as President. RX 266. In the 2012 Two Year Report for the Corporate Division, Azeb Gabriel was listed as owner. RX 267.
14. On April 20, 2015, Petitioner, through Azaria Tubaqo, filed a timely request for a hearing on the Notice to Revoke.

III. Conclusions of Law

DCRA alleges that Petitioner violated regulations it promulgated which prohibit any business required to hold a business license in the District of Columbia from selling or possessing synthetic drugs. This regulation was originally promulgated as an emergency rule, effective for 120 days from April 25, 2014, and re-promulgated on August 14, 2014, and thus was in effect on August 18, 2014, the date on which packages of Scooby Snax were seized at Petitioner's business.² Under this regulation, when a business licensee violates DCRA's synthetic drug regulation, DCRA may revoke its license pursuant to D.C. Official Code § 47-2844(a-1)(1), (authorizing the revocation of license when licensee has knowingly permitted the sale of controlled substance or drug paraphernalia on licensed premises), and the licensee is ineligible to apply for a new basic business license for a substantially similar business for two years.³ 17 DCMR 904.3.

² This regulation was originally promulgated in a Notice of Emergency and Proposed Rulemaking on April 24, 2014, effective April 25, 2014 for 120 days. The regulation was promulgated on an emergency basis to address an imminent danger to public health and to bring enforcement regulation in line with legislation enacted by the Council of the District of Columbia, which added synthetic drugs, such as synthetic marijuana and "bath salts" to the schedule of controlled substances, effective as of June 19, 2013. (D.C. Law 19-320; 60 DCR 3390 (March 15, 2013) DCRA's regulation was re-promulgated in a second emergency rule-making on August 15, 2014 and adopted as a Final Rule on November 28, 2014.

D.C. Official Code 47-2844(b) (authorizing revocation of license for failure of licensee to comply with the laws and regulations applicable to the licensed business); D.C. Official Code §47-2851.03c (agencies responsible for the issuance of license endorsements shall revoke, deny, or suspend any license endorsements and issue fines as required by statute or regulation)

The Office of Administrative Hearing's jurisdiction in this case is conferred by D.C. Official Code § 2-1831.03(b)(2).

³ D.C. Official Code § 47-2844(a-1)(1) provides:

In accordance with § 2-509, the Mayor shall revoke the license of any licensee who knowingly has permitted on the licensed premises:

(A) The illegal sale, negotiation for sale, or use of any controlled substance as that term is defined in Chapter 9 of Title 48, or the Controlled Substances Act of 1970, approved October 27, 1970 (84 Stat. 1243; 21 U.S.C. § 801 et seq.)

(B) The possession, sale, or negotiation for sale of drug paraphernalia in violation of Chapter 11 of Title 48; or

Legislation enacted by the Council of the District of Columbia added synthetic drugs, such as synthetic marijuana, to the schedule of controlled substances, effective as of June 19, 2013. (D.C. Law 19-320; 60 DCR 3390 (March 15, 2013)). Although the sale of synthetic drugs was a criminal offense as of June 19, 2013, regulations authorizing revocation of a business license for the sale of synthetic drugs were not adopted until April 25, 2014.

Burden of Proof

Under the Administrative Procedure Act, D.C. Official Code § 2-509(b), “the proponent of a rule or order shall have the burden of proof” in a contested case such as this one. The Act, however, does not say how an Administrative Law Judge should identify the “proponent” of an order. Because all parties want the Administrative Law Judge to rule in their favor, any of them could be considered the “proponent” of an order. *See, e.g., Director, Office of Workers’ Compensation Programs, v. Greenwich Collieries*, 512 U.S. 267, 285-87 (1994) (Souter, J., dissenting).

In an analysis based on a survey of case law in a number of jurisdictions, a judge of this tribunal concluded that the “proponent” of an order is the person who “generally seeks to change

(C) An act of prostitution as defined in [§ 22-2701.01(1)], or any act that violates any provision of [§§ 22-2701 through 22-2712 and 22-2718 through 22-2723].

In the Notice, DCRA stated that it was also seeking to revoke the license pursuant to D.C. Official Code 47-2844(b) (authorizing revocation of license for failure of licensee to comply with the laws and regulations applicable to the licensed business); D.C Official Code §47-2851.03c (agencies responsible for the issuance of license endorsements shall revoke, deny, or suspend any license endorsements and issue fines as required by statute or regulation); D.C Official Code §47-2851.02 (requiring a business license to engage in business in the District of Columbia); and 17 DCMR 3802. However, by regulation (17 DCMR 904.3) license revocations for violating the synthetic drug regulations (Title 717 Chapter 9) are only pursuant to D.C Official Code § 47-2844(a-1)(1)

In addition, 17 DCMR 904.3 provides that following the issuance of a Notice of Infraction, DCRA may issue a notice to revoke a business license, and that DCRA shall revoke the license following an adjudication that is adverse to the licensee. A Notice of Infraction, seeking a fine for the violation was not issued in this case. However, since that omission means only that Petitioner cannot be held liable for a fine, in addition to license revocation if it is found in violation of the synthetic drug regulations, this omission is not prejudicial to Petitioner and therefore is not a basis for finding the Notice of Intent to Revoke was invalid.

the present state of affairs.” *L.P. v. DHS*, 2009 D.C. Off. Adj. Hear. LEXIS 40; HS-P-07-101688A (2009). at *12 (quoting MCCORMICK ON EVIDENCE § 337 (John W. Strong et al. eds., 5th ed. 1999)). This analysis has been followed in numerous OAH cases and I find it persuasive.⁴ In this case, DCRA issued business licenses to Petitioner, now in effect, which it seeks to revoke. Since DCRA seeks to change the status quo by revoking a license it previously issued, DCRA has the burden of persuasion.

The standard of proof in administrative adjudications is preponderance of evidence. *WMATA v. Dep’t of Employment Servs.*, 926 A.2d 140, n13 (D.C. 2007). The DCAPA requires that “findings of fact and conclusions of law shall be supported by and in accordance with . . . reliable, probative, and substantial evidence.” D.C. Code, § 2-509(e).

Petitioner’s Contentions

Azaria Tuqabo stated that he agrees about the harm synthetic cannabinoids can bring to users, particularly young users. He argued that he personally has combatted the problem at the store. First, he fired the employee, Yahannes Teclamariam, who had sold the synthetic drugs. Next, he rid the store of the drugs, evidenced by the reduction in packets seized between March of 2013 and August of 2014. Finally, he denied knowing that any synthetic cannabinoids were in the store on August 18, 2014.

Mr. Tuqabo’s arguments might prevail were this a case against him, personally. But it is not. DCRA charged M&M Beer & Wine, Inc., not Mr. Tuqabo, with possessing synthetic cannabinoids. Evidence supporting a license revocation includes: “The business licensee or any employee has been warned by DCRA or any law enforcement agency that the product or a similarly labeled product contains a synthetic drug.” 17 DCMR 903.1(f). Employees at M & M had been warned three times that the products contained synthetic drugs. Two warning

⁴ See, e.g., *Robinson v. DHCF and Trusted Health Plan*, 2014-DHCF-00137; Final Order (July 31, 2014), *Adams Morgan for Reasonable Development v. DCRA, Sabbakan, and Ontario Residential*, 2014-DCRA-00050 Final Order (Dec. 5, 2014), and *Semhar Enterprises, Inc. v. DCRA*, 2014-DCRA-00078 Final Order (Feb. 3, 2015).

The Supreme Court, interpreting the term “proponent” in the federal Administrative Procedure Act, 5 U.S.C. § 556(a), came to the same conclusion *Metropolitan Stevedore Co. v. Rambo*, 521 U.S. 121, 139 (1997) (although claimant has burden of persuasion when claim is first filed, a party seeking to modify previously granted benefits must bear that burden).

inspections were conducted, and then DCRA gave Mr. Tubaqo a flyer about the new regulations. At the two warning searches, packets were seized, and employees warned about the illegality of possessing and selling Scooby Snax and other synthetic cannabinoids. At the warning inspections, synthetic cannabinoids were in plastic bags behind the counter and hidden in a trap door under the counter. When officers returned for the search on August 18, 2015, no packets were seen where they had been before. From an unlikely place, an opening created in a pallet, an officer saw part of a plastic bag protruding. In that bag were several packets of Scooby Snax. The opening in the wooden pallet had been deliberately created to conceal synthetic cannabinoids. Contrary to Mr. Tubaqo's assertions, the total number of packets seized is not determinative.

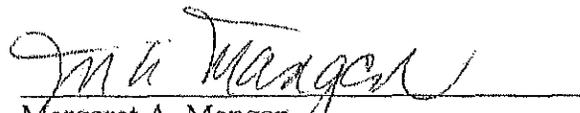
In this case, the record contains abundant evidence that Petitioner possessed products prohibited by DCRA's synthetic drug regulation. I find that Petitioner knowingly possessed controlled substances on the licensed premises, making M&M's licenses subject to revocation pursuant to D.C Official Code § 47-2844(a-1)(1).

IV. Order

Based on the above findings of fact, conclusions of law, and the entire record in this matter, it is this 13th day of July 2015:

ORDERED, that the Notice to Revoke Basic Business License Nos. 70103498, 70103499, and 70103400 issued to M&M Beer & Wine, Inc. is **AFFIRMED** and the license are revoked, effective July 27, 2015. Pursuant to 17 DCMR 904.3, the licensee shall be ineligible to apply for a new basic business license for a substantially similar business for two (2) years, until July 27, 2017.

ORDERED, that the appeal rights of any party aggrieved by this Order are stated below.


 Margaret A. Mangan
 Administrative Law Judge

Appendix I

900 SALE OF SYNTHETIC DRUGS PROHIBITED (17 DCMR 900)

900.1 No person doing business in the District of Columbia that has or is required to have a Basic Business License issued under D.C. Official Code § 47-2851.01 *et seq.* (2012 Repl. & 2013 Supp.) shall sell, offer for sale, allow the sale of, display for sale, possess, market, trade, barter, give, devise, or otherwise make or attempt to make available:

- (a) Synthetic Drugs;
- (b) Products packaged as common non-consumable products, which contain warning notices or age restrictions not typically found on products marketed for that purpose. For example, potpourri, incense, or bath salt packages that bear a warning label, including, but not limited to: “Not for purchase by minors”, “Manufacturer and retailer are not responsible for misuse of this product”, “Not for human consumption”, “Must be 18 years or older to purchase”, or equivalent language;
- (c) Products containing notices on the packaging not typically found on products marketed for that purpose. For example, potpourri or shoe oil containing notices such as “Legal in 50 states”, “100% legal blend”, or language affirming conformance with specific state or federal statutes or regulations. Such notices may also include, but are not limited to, “does not contain any chemical compounds prohibited by law”, “contains no prohibited chemicals”, “product is in accordance with State and Federal laws”, “legal herbal substance”, “100% chemical free”, “100% synthetic free”, or equivalent language;
- (d) Products whose package labeling suggests the user will achieve a high, euphoria, relaxation, mood enhancement, or a hallucinogenic effect, or that the product has other mind or body-altering effects on the consumer; or
- (e) Products that have been enhanced with a synthetic chemical or synthetic chemical compound that has no legitimate relation to the advertised use of the product, but mimics the effects of a controlled substance when the product, or the smoke from the burned product, is introduced into the human body and/or the product is topically applied to the human body.

Appendix I (cont'd)

903 PROOF OF INTENT

903.1 Any reasonable evidence may be utilized to demonstrate that a product's marketed and/or intended use causes it to fit the definition of a synthetic drug including, but not limited to, any of the following evidentiary factors:

- (a) The product is not suitable for its marketed use (such as a crystalline or powder product being marketed as "glass cleaner");
- (b) The individual or business providing, distributing, displaying or selling the product does not typically provide, distribute, or sell products that are used for that product's marketed use (such as liquor stores, smoke shops, or gas/convenience stores selling "plant food");
- (c) The product contains a warning label that is not typically present on products that are used for that product's marketed use including, but not limited to, "Not for human consumption", "Not for purchase by minors", "Must be 18 years or older to purchase", "100% legal blend", or similar statements;
- (d) The product is significantly more expensive than products that are used for that product's marketed use. For example, 0.5 grams of a substance marketed as "glass cleaner" costing \$50.00, 1 gram of potpourri costing \$10.00, or 0.5 grams of incense costing \$15.00;
- (e) The product resembles an illicit street drug (such as cocaine, methamphetamine, marijuana, or schedule 1 narcotic); or
- (f) The business licensee or any employee has been warned by DCRA or any law enforcement agency that the product or a similarly labeled product contains a synthetic drug.

After an administrative law judge has issued a Final Order, a party may ask the judge to change the Final Order and ask the District of Columbia Court of Appeals to change the Final Order. There are important time limitations described below for doing so.

HOW TO REQUEST THE ADMINISTRATIVE LAW JUDGE TO CHANGE THE FINAL ORDER

Under certain limited circumstances and within certain time limits, a party may file a written request asking the administrative law judge to change a final order. OAH Rule 2828 explains the circumstances under which such a request may be made. Rule 2828 and other OAH rules are available at www.oah.dc.gov and at OAH's office.

A request to change a final order does not affect the party's obligation to comply with the final order and to pay any fine or penalty. If a request to change a final order is received at OAH **within 10 calendar days** of the date the Final Order was filed (**15 calendar days** if OAH mailed the final order to you), the period for filing an appeal with the District of Columbia Court of Appeals does not begin to run until the Administrative Law Judge rules on the request. **A request for a change in a final order will not be considered if it is received at OAH more than 120 calendar days of the date the Final Order was filed (125 calendar days if OAH mailed the Final Order to you).**

HOW TO APPEAL THE FINAL ORDER TO THE DISTRICT OF COLUMBIA COURT OF APPEALS

Pursuant to D.C. Official Code § 2-1831.16(c)-(e), any party suffering a legal wrong or adversely affected or aggrieved by this Order may seek judicial review by filing a Petition for Review and six copies with the District of Columbia Court of Appeals at the following address:

Clerk
District of Columbia Court of Appeals
430 E Street, NW, Room 115
Washington, DC 20001

The Petition for Review (and required copies) may be mailed or delivered to the Court of Appeals, and must be received there within 30 calendar days of the mailing date of this Order, pursuant to D.C. App. R. 15(a)(2). There is a \$100 fee for filing a Petition for Review. Persons who are unable to pay the filing fee may file a motion and affidavit to proceed without the payment of the fee when they file the Petition for Review. Information on petitions for review can be found in Title III of the Court of Appeals' Rules, which are available from the Clerk of the Court of Appeals, or at www.dcappeals.gov.

Certificate of Service:

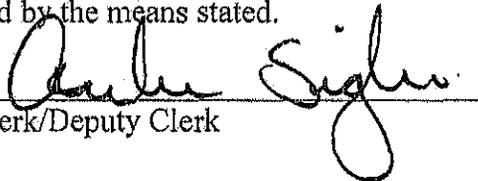
By First Class Mail (Postage Paid):

M&M Beer & Wine Inc.
Azaria Tuqabo
3544 East Capitol St NE
Washington, DC 20019

By Inter-Agency Mail:

Charles E. Thomas, General Counsel
Adrienne Lord-Sorensen, Assistant General
Counsel
Dep't of Consumer and Regulatory Affairs
1100 4th Street, SW – 5th Floor
Washington, DC 20024

I hereby certify that on July 13,
2015, this document was served upon the
parties named on this page at the address(es)
and by the means stated.


Clerk/Deputy Clerk