



Specifically, the Notice charges the Respondent with the following violation:

Charge I: [On August 30, 2015] [y]ou violated your Security Plan by failing to properly handle an altercation in violation of D.C. Official Code § 22-823(6)...

*ABRA Show Cause File No., 15-251-00176, Notice of Status Hearing and Show Cause Hearing, 2 (May 19, 2015).*

At the Show Cause Status Hearing held on July 13, 2016, the Respondent and the Government entered into an Offer in Compromise (OIC), which resolved the charge set forth above. The Respondent acknowledged its consent to the terms of the OIC and waived its right to a Show Cause hearing and appeal.

The OIC has been reduced to writing and has been properly executed by the Government and the Respondent. The Board formally approves the OIC this which is appended to this Order.

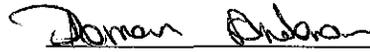
### **ORDER**

Accordingly, the Board having found the terms of the OIC to be fair, reasonable and adequate, does hereby, this 13th day of July, 2016, **APPROVE** the terms of the Offer in Compromise entered into by the Government and Acott Ventures, t/a Shadow Room, located at premises 2131 K Street N.W., Washington, D.C.

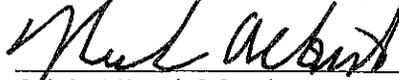
It is further **ORDERED** that the Respondent will operate in accordance with the terms of the OIC which are binding on the Respondent.

A copy of this Order shall be sent to the Respondent and to the Government.

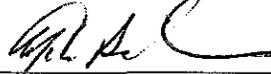
District of Columbia  
Alcoholic Beverage Control Board



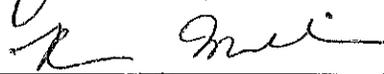
Donovan Anderson, Chairperson



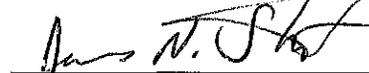
Nick Alberti, Member



Mike Silverstein, Member



Ruthanne Miller, Member



James Short, Member

Pursuant to 23 DCMR § 1719.1 (2008), 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, 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. 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).

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Office of the Attorney General



Public Interest Division  
Civil Enforcement Section



OFFER IN COMPROMISE<sup>1</sup>

In the Matter of: Acott Ventures t/a Shadow Room

Officer/owner: Stephen Acott, President

Case numbers: 15-251-00176. Hearing Date: July 13, 2016.

Incident occurring on: August 30, 2015.

For the Charge of: Violation of Security Plan §25-823(6) (2012 Repl.).

Statutory Authority: D.C. Official Code §25-823 (2012 Repl.).

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This offer in compromise (OIC) will be presented to the Alcoholic Beverage Control Board (ABC Board) by the Assistant Attorney General at the status hearing. Please be advised that this is a proposed compromise. Accordingly, it is the discretion of the Board to accept or reject this offer.

The offer in compromise consists of the following terms:

- (1) Acott Ventures t/a Shadow Room (Licensee) will pay a fine of \$4,000.00 within 30 days for a violation of D.C. Code § 25-823(6) (2012 Repl.) or the license will be suspended until payment of the fine is received.
- (2) Licensee agrees that its license shall be suspended for five days, which were stayed from prior cases, 14-CC-00189 and 14-251-00258, which were settled by Offer in Compromise adopted by the Board on July 8, 2015. The dates of license suspension will be July 26 through July 30, 2016.
- (3) The licensee will file with the Board a revised Security Plan within 45 days or the license will be suspended until the revised Security Plan is filed.
- (4) The revised Security Plan will include language in the section "Prevention of Fights/Altercations" that requires security staff to inform patrons who are not escorted from the premises but who are separated due to verbal or physical altercations that they will be immediately escorted from the premises and police notified if they become engaged in a verbal or physical altercation.
- (5) The revised Security Plan will include language in the section "Prevention of Fights/Altercations" that amends the text "Inform the manager" to "Inform the manager via radio."

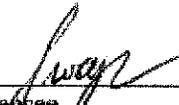
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<sup>1</sup> Authorized under 23 DCMR 1611.5 (2016).

- (6) The revised Security Plan will include language in the section “Fights/Altercations” that will specify which security staff are available for the purpose of reporting to a “Code Red” radio call.
- (7) The revised Security Plan will include language in the section “Fights/Altercations” detailing the procedure for how police will be contacted.
- (8) The revised Security Plan will include language in a new section detailing how an incident log will be completed and maintained on the premises. The section shall state that incident logs will be retained for at least six months and be available for inspection by police or ABRA Investigators. The section shall also state that incident logs will document that a patron refuses medical attention.
- (9) Licensee agrees to conduct training for all security staff on the revised Security Plan no later than 30 days after filing the revised Plan with the Board.
- (10) The training for security staff on the revised Security Plan will include practice drills on separating hostile parties, de-escalating verbal altercations, and checking identification.
- (11) After the training session required by this agreement, Licensee agrees to conduct quarterly training sessions on the revised Security Plan. No security employee will begin employment without training on the revised Security Plan.

CONSENT

By this settlement agreement I agree to accept and perform its terms. I acknowledge the validity of the settlement and waive a hearing to which I would have a right under D.C. Official Code § 25-826 (2012 Repl.). I also recognize that I am waiving any right to appeal an adverse ruling of the Board that might have followed any such hearing. By this settlement, I waive all such rights. I sign this settlement agreement without reservation, and I fully understand its meaning and my rights.

  
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Licensee

7/13/16  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Attorney for Licensee

\_\_\_\_\_  
Date