

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

In the Matter of:)	
)	
Inner Circle 1413, LLC)	
t/a Tattoo)	
)	Case No.: 15-251-00032
Holder of a)	License No.: ABRA-075156
Retailer's Class CN License)	Order No.: 2015-446
)	
at premises)	
1413 K Street, N.W.)	
Washington, D.C. 20005)	

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member
Hector Rodriguez, Member
James Short, Member

ALSO PRESENT: Michael Rehman, on behalf of Inner Circle 1413, LLC t/a Tattoo

Stephen Whelan, Esq., on behalf of the Inner Circle 1413, LLC t/a
Tattoo

Amy Schmidt, Assistant Attorney General, on behalf of the
District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

This case arises from a Notice of Status and Show Cause Hearing (Notice) issued by the Alcoholic Beverage Control Board (Board) in the matter of Inner Circle 1413, LLC t/a Tattoo (Respondent) located at 1413 K Street, N.W., Washington, D.C. The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case

Number 15-251-00032 on the Respondent on April 22, 2015. *ABRA Show Cause File No., 15-251-00032*. The Notice charges the Respondent with two violations, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

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

- Charge I: [On Saturday, December 13, 2014] [y]ou failed to take steps reasonably necessary to ascertain whether any person to whom you sell, deliver, or serve an alcoholic beverage is of legal drinking age, in violation of D.C. Official Code § 25-783 (a)...
- Charge II: [On Saturday, December 13, 2014] [y]ou permitted the sale of an alcoholic beverage to a person under the age of twenty-one (21) years, in violation of D.C. Official Code § 22-781(c)...

ABRA Show Cause File No., 15-251-00032, Notice of Status Hearing and Show Cause Hearing, 2 (April 22, 2015).

At the Show Cause Status Hearing held on September 30, 2015, the Respondent and the Government entered into an Offer in Compromise (OIC), which resolved the charges set forth above.

The terms of the OIC are as follows:

1. For Charge I - The Respondent shall pay a \$3,000 fine for the violation alleged in Charge I.
2. For Charge I - the Respondent shall have its license suspended for five (5) days. The suspension will be stayed for a period of one (1) year unless the Board finds that the Respondent committed a violation with one (1) year from the date of this Order.
3. For Charge II - The Respondent shall pay a \$2,000 fine for the violation alleged in Charge IV.
4. For Charge II - the Respondent shall have its license suspended for five (5) days. The suspension will be stayed for a period of one (1) year unless the Board finds that the Respondent committed a violation with one (1) year from the date of this Order.

By agreeing to the terms of the OIC, the Respondent hereby waives its right to a Show Cause Hearing and appeal. The OIC has been reduced to writing and has been properly executed and filed with the Board. The Board formally approves the OIC through this Order.

ORDER

Therefore, the Board, on this 30th day of September, 2015, hereby **APPROVES** the OIC proffered by the Government and the Respondent on September 30, 2015, and **ORDERS** Inner Circle 1413, LLC t/a Tattoo, to comply with the terms of the OIC.

IT IS FURTHER ORDERED that the Respondent will remit the fine in the total amount of \$5,000 no later than sixty (60) days from the date of this Order. Failure to remit the amount in full within the time specified will result in the suspension of the license until the amount is paid.

IT IS FURTHER ORDERED that the Respondent's Investigative History will reflect the adjudication of a primary tier violation for this matter.

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

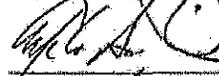
District of Columbia
Alcoholic Beverage Control Board


Ruthanne Miller, Chairperson


Nick Alberti, Member


Donald Brooks, Member


Herman Jones, Member


Mike Silverstein, Member


Hector Rodriguez, Member


James Short, Member¹

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).

¹ BM Short is recused from this matter and did not vote.