

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

In the Matter of:)	
)	
Edger L. Cunningham)	
t/a G Spot Tavern)	
)	Case No. 11-251-00252
Holder of a Retailer's)	License No. ABRA-085208
Class CT License)	Order No. 2011-389
at premises)	
5413 Georgia Avenue, N.W.)	
Washington, D.C. 20011)	
)	
Licensee)	

BEFORE: Nick Alberti, Interim Chairperson
Donald Brooks, Member
Mike Silverstein, Member

ORDER LIFTING SUSPENSION

On July 28, 2011, the Alcoholic Beverage Control Board (Board) served a Notice of Summary Suspension (Notice), dated July 27, 2011, on Edger L. Cunningham, t/a G Spot Tavern (Respondent), at premises 5413 Georgia Avenue, N.W., Washington, D.C., summarily suspending the Respondent's Retailer's Class CT License.

On August 1, 2011, the Board held a Summary Suspension Hearing according to D.C. Official Code § 25-826(c). At the time of the hearing, the Office of the Attorney General submitted a proposed Offer in Compromise (OIC) to the Board, according to 23 DCMR § 1604.5 (2009). The Licensee acknowledged its understanding of and consent to the terms of the OIC, and the Board adopted the terms of the OIC by Board Order, dated August 17, 2011. *See* Board Order No. 2011-355.

As part of Board Order No. 2011-355, the Board ordered the continued suspension of the Respondent's Retailer's Class CT License until an Alcoholic Beverage Regulation Administration Investigator confirmed that the establishment's camera security system is installed and operable, and the Respondent submits a Security Plan.

Based upon the written results of a compliance check conducted by an ABRA Investigator, the Board is satisfied that the Respondent has met the conditions to merit the lifting of the suspension by installing a new camera security system and submitting an updated Security Plan that complies with D.C. Official Code § 25-402(f).

ORDER

As a result of the resolution and disposition of the charges against the Respondent, the Board does hereby, this 14th day of September, 2011, **ORDER** that the suspension of the Respondent's Retailer's Class CT License, held by Edger L. Cunningham, t/a G Spot Tavern is **LIFTED** effective September 8, 2011;

It is further **ORDERED** that the terms and conditions of the OIC, dated August 17, 2011, shall remain in full force and effect; and

It is further **ORDERED** that the Respondent shall abide by all laws and regulations of the District of Columbia, shall operate its establishment in a safe and competent manner, and shall refrain from engaging in the type of activity that led to this disciplinary action.

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

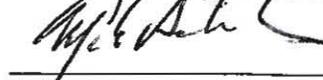
District of Columbia
Alcoholic Beverage Control Board



Nick Alberti, Interim Chairperson



Donald Brooks, Member



Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), 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, 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) (2004).