

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

In the Matter of:)
)
Shamiana, LLC)
t/a Heritage India Brasserie and Lounge)
)
Holder of a Retailer's)
Class CR License)
at premises)
1337 Connecticut Avenue, N.W.)
Washington, D.C.)
)
Respondent)
_____)

Case No. 11-251-00366
License No. ABRA-075074
Order No. 2012-001

BEFORE: Nick Alberti, Interim Chairperson
Herman Jones, Member
Calvin Nophlin, Member
Mike Silverstein, Member

ALSO PRESENT: Andrew Kline, Representative for the Respondent

Amy Schmidt, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER LIFTING SUMMARY SUSPENSION OF LICENSE

On November 30, 2011, the Alcoholic Beverage Control Board (Board) served a Notice of Summary Suspension (Notice), dated November 30, 2011, on Shamiana, LLC, t/a Heritage India Brasserie and Lounge (Respondent), located at premises 1337 Connecticut Avenue, N.W., Washington, D.C.

On Friday, December 2, 2011, the Respondent requested a Summary Suspension Hearing pursuant to D.C. Official Code § 25-826(c), which was held on December 13, 2011. At the time of the hearing, the Board placed conditions on the Respondent pursuant to 23 DCMR § 1601.1. All of the conditions were to be met to the Board's satisfaction before the Board would consider lifting the suspension of the license. *See* Board Order No. 2011-508.

Additionally, as part of Board Order No. 2011-508, the Board ordered the continued suspension of the Respondent's Retailer's Class CR License until an Alcoholic Beverage Regulation Administration Investigator could conduct a walk-through and assessment of the Respondent's security camera system installation, operability, and view coverage. The Respondent also filed an updated Security Plan and a diagram of the cameras' locations as requested by the Board.

Based upon the Respondent's compliance with the conditions set forth in Board Order No. 2011-508, and the written results of a compliance check conducted by the ABRA Investigator confirming the Respondent's installation of an operable security camera system, the Board is satisfied that the Respondent met the conditions to warrant the lifting of the suspension of the license.

ORDER

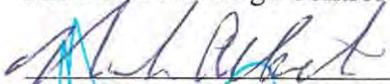
As a result of the resolution of the Notice of Summary Suspension filed against the Respondent, the Board does hereby, this 11th day of January, 2012, **ORDER** that the suspension of the Respondent's Retailer's Class CR License, held by Shamiana, LLC, t/a Heritage India Brasserie and Lounge is **LIFTED** effective December 22, 2011;

It is further **ORDERED** that the terms and conditions of the Order on Summary Suspension, dated December 14, 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.

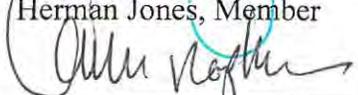
District of Columbia
Alcoholic Beverage Control Board



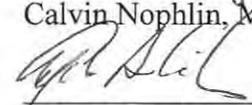
Nick Alberti, Interim Chairperson



Herman Jones, Member



Calvin Nophlin, 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).