

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

In the Matter of:)	
Superclub Ibiza, LLC)	
t/a Ibiza)	
)	Case Nos.: 14-251-00308
)	15-251-00004
)	
Holder of a)	License No.: ABRA-074456
Retailer's Class CN License)	Order No.: 2015-266
)	
at premises)	
1222 First Street, NE)	
Washington, D.C. 20002)	
)	

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

ALSO PRESENT: Aldo Truong, Managing Member, on behalf of Superclub Ibiza, LLC t/a Ibiza

Fernando Rivero, 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 Superclub Ibiza, LLC t/a Ibiza (Respondent) located at 1222 First Street, N.E., Washington, D.C. The Alcoholic Beverage Regulation Administration (ABRA) electronically served the Notice in Case

Numbers 14-251-00308 and 15-251-00004 on the Respondent on May 7, 2015. *ABRA Show Cause File No., 14-251-00308, 15-251-00004*. The Notice charges the Respondent with several 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 October 18, 2014] [y]ou violated your Security Plan by failing to train security staff, by failing to write an incident report, by failing to provide video footage as requested, and by permitting the use of pepper spray in violation of D.C. Official Code § 25-823(6)...
- Charge II: [On October 18, 2014] [y]ou interfered with an investigation being conducted by an ABRA Investigator in violation of D.C. Official Code § 25-823(5)...
- Charge III: [On December 14, 2014] [y]ou knowingly permitted, in the licensed establishment the use of a controlled substance identified in the Uniformed Controlled Substances Act in violation of D.C. Official Code § 25-822(2)...
- Charge IV: [On December 14, 2014] [y]ou allowed the licensed establishment to be used for an unlawful or disorderly purpose in violation of D.C. Official Code § 25-823(2)...
- Charge V: [On December 14, 2014] [y]ou failed to follow your Security Plan in violation of D.C. Official Code § 25-823(6)...
- Charge VI: [On December 14, 2014] [y]ou failed to follow your Security Plan in violation of D.C. Official Code § 25-823(6)...
- Charge VII: [On December 14, 2014] [y]ou failed to follow your Settlement Agreement, which required that you contact police upon observing illegal activity, in violation of D.C. Official Code § 25-823(6)...

ABRA Show Cause File No., 14-251-00308, 15-251-00004, Notice of Status Hearing and Show Cause Hearing, 2-5 (May 6, 2015).

At the Show Cause Status Hearing held on May 13, 2015, the Respondent and the Government entered into an Offer in Compromise (OIC), which resolved the outstanding matters within Case Nos. 14-251-00308 and 15-251-00308.

The terms of the OIC are as follows:

I. The Respondent shall surrender its Retailers Class CN License for cancellation by the Board by close of business on May 15, 2015.

By agreeing to the terms of the OIC, the Respondent hereby waives its right to a Show Cause Hearing and appeal. The Board formally approves the OIC through this Order.

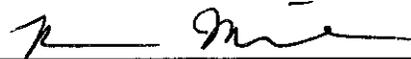
ORDER

Therefore, the Board, on this 13th day of May, 2015, hereby **APPROVES** the OIC entered between the Respondent and the Government on May 13, 2015, and **ORDERS** Superclub Ibiza, LLC t/a Ibiza to surrender its Retailer's Class CN License for cancellation by the Board no later than close of business on May 15, 2015.

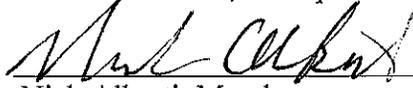
The failure to comply with these conditions may result in the immediate revocation of the Respondent's license.

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

District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson



Nick Alberti, Member



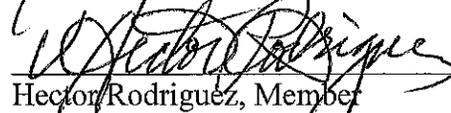
Donald Brooks, Member



Herman Jones, Member



Mike Silverstein, Member



Hector Rodriguez, Member



James Short, 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).