THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of: HML Rose, Inc. t/a Lindys Bon Appetit Holder of a Retailer's Class CR License at premises 2040 I Street, N.W. Washington, D.C. 20006	)	License No.: ABRA-023533 Order No.: 2016-186

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Ruthanne Miller, Member
James Short, Member

ORDER TO CEASE AND DESIST

This notice constitutes a Cease and Desist Order issued by the Alcoholic Beverage Control Board (Board) pursuant to D.C. Official Code § 25-829. This Cease and Desist Order applies to HML Rose, Inc., t/a Lindys Bon Appetit (Respondent), holder of a Retailer's Class CR License No. ABRA-023533, located at premises 2040 I Street, N.W., Washington, D.C.

The basis of this Order is that a review of the Board's official records by the Alcoholic Beverage Regulation Administration (ABRA) has determined that the Respondent failed to renew its license by March 31, 2016, the deadline for renewal of all Retailer's Class CR licenses. Notwithstanding ABRA's efforts to notify the Respondent of the renewal date, the Respondent has yet to renew its Retailer's Class CR license, and it is unlawfully operating or attempting to operate with an expired license in violation of Title 25 of the D.C. Official Code. The Respondent's license has **EXPIRED** and it will remain expired until the Respondent pays the required renewal fee and the daily fine of $50.00 imposed by the Board for late payment.

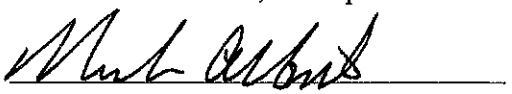
Pursuant to D.C. Official Code § 25-829, the Respondent is therefore **ORDERED** by the Board on this 27th day of April, 2016, to **STOP selling, serving, or permitting the consumption of alcoholic beverages at the Respondent's establishment** until payment of the renewal fee and any associated fines are received by ABRA. The Respondent may not allow the

sale, service, or consumption of alcoholic beverages on the licensed premises until the ABC License is reinstated by the Board.

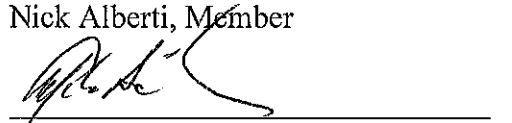
A copy of this Order is being forwarded to the Metropolitan Police Department and D.C. licensed Wholesalers to ensure compliance. Failure to comply with this Order will subject the Respondent to the maximum civil penalties provided by the law.

District of Columbia
Alcoholic Beverage Control Board

Donovan Anderson, Chairperson

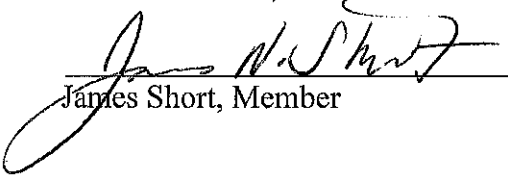


Nick Alberti, Member



Mike Silverstein, Member

Ruthanne Miller, Member



James Short, Member

Pursuant to D.C. Official Code § 25-433(d)(1), 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, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). 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).