

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

In the Matter of:)	
Shenpos in DC, Inc.)	License No.: 23557
t/a Market of Columbia Plaza)	Case No.: 14-CC-00005
Holder of a Retailer's Class B License)	14-CC-00007
at premises)	Order No. 2014-385
516 23rd Street, N.W.)	
Washington, D.C. 20037)	

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

ALSO PRESENT: Shenpos in DC, Inc., t/a Market of Columbia Plaza, Respondent

Michael Stern, Senior 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 matter arises from the charges brought by the Office of the Attorney General for the District of Columbia (OAG) against Retailer's Class B License holder Shenpos in DC, Inc., t/a Market of Columbia Plaza s (hereinafter, "MCP" or "Respondent") in Case Number 14-CC-00005 and 14-CC-00007. The OAG and MCP have agreed to resolve this matter through an Offer-in-Compromise (OIC), which the Board votes to accept.

ORDER

Therefore, on this 15th day of October 2014, the Board accepts the OIC presented by the OAG and MCP. The requirements of the OIC are as follows:

(1) MCP waives its right to a Show Cause Hearing for the charges arising from Case Number 14-CC-00005.

(2) Case Number 14-CC-00007 is resolved as follows:

- a. For the violation described in Charge I, the Respondent shall pay a \$5,000 fine. The Respondent shall also serve a four day suspension. The Respondent shall also receive six (6) stayed suspension days, which shall be stayed on the condition that the Respondent not commit any additional violations within one year from the date of this Order.
- b. For the violation described in Charge II, the Respondent shall pay a \$2,000 fine. The Respondent shall also receive five (5) stayed suspension days, which shall be stayed on the condition that the Respondent not commit any additional violations within one year from the date of this Order.
- c. For the violation described in Charge III, the Respondent shall pay a \$2,000 fine. The Respondent shall also receive five (5) stayed suspension days, which shall be stayed on the condition that the Respondent not commit any additional violations within one year from the date of this Order.
- d. In total, the Respondent shall pay a \$9,000 fine and serve a four (4) day suspension. The Respondent shall also receive sixteen (16) stayed suspension days.

(3) Case Number 14-CC-00005 is resolved as follows:

- a. For the violation described in Charge I, the Respondent shall pay a \$5,000 fine. The Respondent shall also serve a four day suspension. The Respondent shall also receive six (6) stayed suspension days, which shall be stayed on the condition that the Respondent not commit any additional violations within one year from the date of this Order.
- b. For the violation described in Charge II, the Respondent shall pay a \$2,000 fine. The Respondent shall also receive five (5) stayed suspension days, which shall be stayed on the condition that the Respondent not commit any additional violations within one year from the date of this Order.
- c. Charge III is dismissed.
- d. For the violation described in Charge IV, the Respondent shall pay a \$2,000 fine. The Respondent shall also receive five (5) stayed suspension days, which shall be stayed on the condition that the Respondent not commit any additional violations within one year from the date of this Order.
- e. Charge V is dismissed.

- f. For the violation described in Charge VI, the Respondent shall pay a \$2,000 fine. The Respondent shall also receive five (5) stayed suspension days, which shall be stayed on the condition that the Respondent not commit any additional violations within one year from the date of this Order.
- g. Charge VII is dismissed.
- h. In total, the Respondent shall pay a \$11,000 fine and serve a four (4) day suspension. The Respondent shall also receive twenty-one (21) stayed suspension days.

IT IS FURTHER ORDERED that the transfer application shall be filed by Friday, October 24, 2014.

IT IS FURTHER ORDERED that the current owners of Shenpos in D.C., Inc. shall not apply for a new liquor license for five years from the date of this Order.

IT IS FURTHER ORDERED that the \$20,000 fine shall be paid within thirty (30) days from the date the transfer Application is approved. The Board will not issue a new license until the \$20,000 fine is paid.

IT IS FURTHER ORDERED that the eight (8) suspension days shall begin on Monday, October 20, 2014, and end on Monday, October 27, 2014 at 11:59 p.m.

The ABRA shall deliver copies of this Order to the OAG and the Respondent.

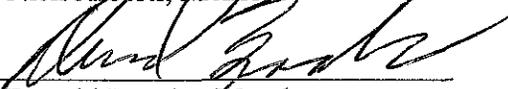
District of Columbia
Alcoholic Beverage Control Board



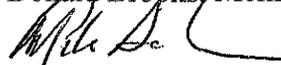
Ruthanne Miller, Chairperson



Nick Alberti, Member



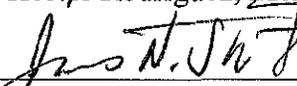
Donald Brooks, Member



Mike Silverstein, Member



Hector Rodriguez, Member



James Short, 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, Reeves Center, 2000 14th Street, N.W., 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, District of Columbia 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 (April 2004) 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).