

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

In the Matter of:)	
)	
P Street Gourmet Empanadas, LLC)	
t/a Panas Gourmet Empanadas)	
)	Case Nos.: 14-AUD-00066
)	14-AUD-00098
)	14-CMP-00157
)	
Holder of a)	License No.: 088954
Retailer's Class DR License)	Order No.: 2014-483
)	
at premises)	
2316 4th Street, N.E.)	
Washington, D.C. 20011)	

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

ALSO PRESENT: Zergabachen Muramo, President, on behalf of ZG Market, Inc. t/a Jubilee Market

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 case arises from three Notices of Status Hearing and Show Cause Hearing (Notices) issued by the Alcoholic Beverage Control Board (Board) in the matter of P Street Gourmet Empanadas, LLC t/a Panas Gourmet Empanadas (Respondent) located at 2316 4th Street, N.E., Washington, D.C. Specifically, the Notices charge the Respondent with the following violations:

I. Case Number 14-AUD-00066

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case Number 14-AUD-00066 on the Respondent on November 6, 2014. The Notice charges the Respondent with two 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: [For the quarter ending December 31, 2013] [y]ou failed to timely file with the Board the required quarterly statements reporting for the preceding quarter: gross receipts for the establishment; gross receipts for sales of alcoholic beverages; gross receipts for food sales; total expenses for the purchase of food and alcoholic beverages; and the expenses for purchases of food; and the expenses for alcoholic beverages, in violations D.C. Official Code § 25-113 (b) (2) (A) and 23 DCMR § 1207.1 . . .
- Charge II: [For the quarter ending March 31, 2014] [y]ou failed to timely file with the Board the required quarterly statements reporting for the preceding quarter: gross receipts for the establishment; gross receipts for sales of alcoholic beverages; gross receipts for food sales; total expenses for the purchase of food and alcoholic beverages; and the expenses for purchases of food; and the expenses for alcoholic beverages, in violations D.C. Official Code § 25-113 (b) (2) (A) and 23 DCMR § 1207.1 . . .

ABRA Show Cause File No., 14-AUD-00066, Notice of Status Hearing and Show Cause Hearing, 2-3 (October 29, 2014).

II. Case Number 14-AUD-00098

ABRA served the Notice in Case Number 14-AUD-00098 on the Respondent on November 8, 2014. The Notice charges the Respondent with one violation, 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 violation:

- Charge I: [For the quarter ending June 30, 2014,] [y]ou failed to timely file with the Board the required quarterly statements reporting for the preceding quarter: gross receipts for the establishment; gross receipts for sales of alcoholic beverages; gross receipts for food sales; total expenses for the purchase of food and alcoholic beverages; and the expenses for purchases of food; and the

expenses for alcoholic beverages, in violations D.C. Official Code § 25-113 (b) (2) (A) and 23 DCMR § 1207.1 . . .

ABRA Show Cause File No., 14-AUD-00098, Notice of Status Hearing and Show Cause Hearing, 2-3 (November 7, 2014).

III. Case Number 14-CMP-00157

ABRA served the Notice in Case Number 14-CMP-00157 on the Respondent on August 12, 2014. The Notice charges the Respondent with two 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 April 18, 2014,] [y]ou failed to superintend in person or keep a licensed ABC manager on duty at all times in violation of D.C. Official Code § 25-701(a) and 23 DCMR § 707.1 . . .
- Charge II: [On April 18, 2014,] [y]ou failed to timely file with the Board the required quarterly statements reporting for the preceding quarter: gross receipts for the establishment; gross receipts for sales of alcoholic beverages; gross receipts for food sales; total expenses for the purchase of food and alcoholic beverages; and the expenses for purchases of food and the expenses for alcoholic beverages in violation of D.C. Official Code § 25-113 (b)(2)(A) and 23 DCMR § 1207.1 . . .

ABRA Show Cause File No., 14-CMP-00157, Notice of Status Hearing and Show Cause Hearing, 2-3 (August 6, 2014).

At the Show Cause Hearing held on November 19, 2014, the Respondent and the Government entered into an Offer in Compromise (OIC), which resolved the allegations set forth in the above enumerated Notices.

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.

The terms of the OIC are as follows:

- I. The Respondent will file all outstanding quarterly statements no later than December 15, 2014.
- II. The Respondent will remit a fine in the total amount of \$5,250 by no later than sixty (60) days of this Order.

The specific fines for each case are as follows:

A. In Case No. 14-AUD-00066:

- a. Charge I is dismissed.
- b. The Respondent shall pay a \$1,250 fine for the violation alleged in Charge II.

B. In Case No. 14-AUD-00098:

- a. The Respondent shall pay a \$1,500 fine for the violation alleged in Charge I.

C. In Case No. 14-CMP-00157:

- a. The Respondent shall pay a \$1,250 fine for the violation alleged in Charge I.
- b. The Respondent shall pay a \$1,250 fine for the violation alleged in Charge II.

ORDER

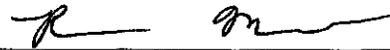
Therefore, the Board, on this 19th day of November, 2014, hereby **APPROVES** the OIC between the Government and the Respondent, P Street Gourmet Empanadas, LLC t/a Panas Gourmet Empanadas located at 2316 4th Street, N.E., Washington D.C.

It is further **ORDERED** that the Respondent shall abide by all laws and regulations of the District of Columbia and shall operate in accordance with the terms of the OIC.

It is further **ORDERED** that the Respondent must file all outstanding quarterly statements by December 15, 2014. Additionally, the Respondent must pay the fines imposed by the Board within sixty (60) days from the date of this Order. If either condition is not met, the Respondent's license shall be immediately suspended.

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

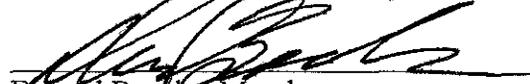
District of Columbia
Alcoholic Beverage Control Board



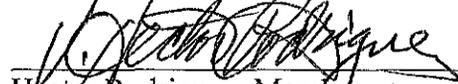
Ruthanne Miller, Chairperson



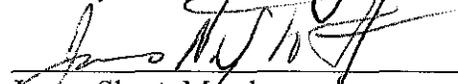
Nick Alberti, Member



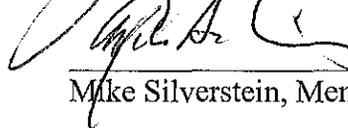
Donald Brooks, Member



Héctor Rodríguez, Member



James Short, Member



Mike Silverstein, 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, 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).