

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

In the Matter of:)	
)	
MPAC, LLC)	
t/a The Scene)	
)	Case No. 14-251-00133
Holder of a)	License No. ABRA-078642
Retailer's Class CX Multipurpose Facility License)	Order No. 2014-416
)	
at premises)	
2221 Adams Place, N.E.)	
Washington, D.C. 20018)	
)	

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Hector Rodriguez, Member

ALSO PRESENT: MPAC, LLC, t/a The Scene, Respondent

Willie Blakeney, Respondent

Walter Adams, Assistant Attorney General, on behalf of the
District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

The official records of the Alcoholic Beverage Control Board (Board) reflect that MPAC, LLC, t/a The Scene (Respondent), located at 2221 Adams Place, N.E., Washington, D.C., and the Government have entered into an Offer-in-Compromise (OIC), dated October 29, 2014, which resolved the allegations raised in Case No.14-251-00133 filed by the Office of the Attorney General (OAG).

The OIC has been reduced to writing and has been properly executed and filed with the Board. The Respondent is a signatory to the OIC.

The terms of the OIC are appended to this Order. The Board formally accepts this OIC through this Order.

Therefore, the Board lifted the summary suspension imposed on The Scene on May 31, 2014, and permitted the Respondent to resume operations in accordance with the OIC.

ORDER

Therefore, the Board, on this 29th day of October, 2014, hereby **APPROVES** the Offer-in-Compromise submitted on October 29, 2014, and **ORDERS** MPAC, LLC, t/a The Scene to operate in accordance with the terms of the OIC.

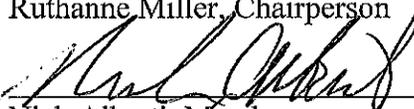
It is further **ORDERED** that the Board will impose the conditions set forth in the OIC which are binding on the Respondent.

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 and the OIC shall be sent to the Respondent and to the Government.

District of Columbia
Alcoholic Beverage Control Board

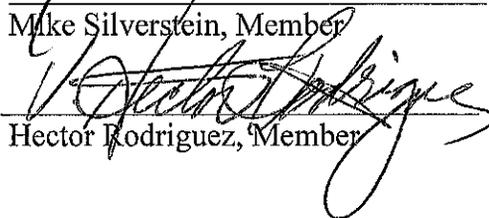
Ruthanne Miller, Chairperson



Nick Albert, Member



Mike Silverstein, Member



Hector Rodriguez, 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).

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



Public Interest Division
Civil Enforcement Section



OFFER IN COMPROMISE¹

In the Matter of: MPAC, LLC, t/a The Scene

Officer/owner: Willie J. Blakeney, Jr., Owner

Case number: 14-251-00133, Summary Suspension Hearing Date: N/A.

Incidents occurring on: May 17, 2014.

For the Charge of: Licensee failed to follow your settlement agreement, security plan, or Board order

Licensee allowed the establishment to be used for an unlawful and disorderly purpose.

Statutory Authority: D.C. Official Code §25-823 (2) and (6) (2012).

This offer in compromise will be presented to the Alcoholic Beverage Control Board by the Assistant Attorney General at the show cause proceeding. Please be advised that this is a proposed compromise. Accordingly, it is the discretion of the Board to accept or reject this offer.

In addition to the suspension above, the offer in compromise consists of the Licensee agreeing to all the following terms:

- (1) \$3,000 fine to be paid within 120 days. This would be a \$1,500 fine for Charge I and a \$1,500 fine for Charge II. License to be suspended if licensee fails to pay within 120 days.
- (2) The payment or resolution of outstanding MPD detail fees prior to suspension being lifted. (The current amount outstanding is \$7,689.36.)
- (3) Entry into a new enforceable agreement/memorandum with MPD regarding the provision of detail or acknowledgement that the current agreement signed by the Willie Blakeney III is effective.

¹ Authorized under 23 DCMR 1604.5 (2011).

WA/WB
musical

- (4) Acknowledgement that establishment must use a reimbursable detail whenever it has live ~~entertainment (or a musical performance)~~ with the exception of performances of jazz² band(s).
- (5) Completion of formal training class for all security personnel within 30 days.
- (6) Completion of formal training class for any newly hired security personnel within 30 days of the hiring date.
- (7) Agreement that all security personnel shall be required to be familiar with and review the establishment's the security plan.

Licensee hereby agrees to the foregoing conditions in resolution of the summary suspension and disciplinary proceedings in this matter.

Stiller J. Blaylock 10-29-14
Licensee

Attorney for Licensee

² A type of music of black American origin characterized by improvisation, syncopation, and usually a regular or forceful rhythm, emerging at the beginning of the 20th century. Brass and woodwind instruments and piano are particularly associated with jazz, although guitar and occasionally violin are also used; styles include Dixieland, swing, bebop, free jazz and smooth jazz. (taken for Oxford Dictionary American English). The genre is consistent with that recognized as jazz by the National Academy of Recording Arts & Sciences (NARAS).