

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, SEPTEMBER 12, 2012
2000 14TH STREET, N.W., SUITE 400S,
WASHINGTON, D.C. 20009**

Ruthanne Miller, Chairperson

Members:

Nick Alberti, Donald Brooks, Herman Jones, Calvin Nophlin, Mike Silverstein

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00064

750Biere, LLC, t/a Duchess and The Queen

2102 18th Street NW

License #89545

Retailer CR

ANC 1C

Transfer Application with Substantial Change

**Disposition: The Board scheduled the Protest Hearing for December 5, 2012
at 1:30 pm, 5-0.**

Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00063

Tacodog, LLC, t/a Taqueria Nacional

1407 T Street NW

License #89558

Retailer CR

ANC 2B

New Application

**Disposition: The Board scheduled the Protest Hearing for November 28,
2012 at 4:00 pm, 5-0.**

Board's Calendar
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Protest Hearing (Status)

9:30 AM

Case # 12-PRO-00061

Backdoor, Inc., t/a Bachelor's Mill/Back Door Pub
1104 8th Street SE
License #11277
Retailer CR
ANC 6B
Substantial Change

Disposition: The Board scheduled the Protest Hearing for October 24, 2012 at 4:00 pm, 5-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CC-00076

Park & Song, Inc., t/a Congress Market
421 East Capitol Street SE
License #76414
Retailer B
ANC 6B

Sale to Minor, Failed to Take Steps Necessary to Ascertain Legal Drinking Age

Disposition: The Board accepted an Offer in Compromise: \$3,000 to be paid within 60 days; five days of suspension with one day served on October 9, 2012; four days stayed for one year; Charge II dismissed, 5-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00141

Sierra Catering
1354 Leegate Road NW
License #86514
Retailer G
ANC 4A

Temporary License Application, Event held at The Historical Society of Washington, D.C., on March 26, 2011

Disposition: The Board rescheduled the Show Cause Status Hearing for October 17, 2012 at 9:30 am in order to effect service on the Respondent, 5-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00110

Vap H Street, LLC, t/a Vapiano
623 H Street NW
License #76727
Retailer CR
ANC 2C

No ABC Manager on Duty, Failed to Obtain Importation Permit, Failed to Maintain Books and Records

Disposition: The Board scheduled the Show Cause Hearing for October 24, 2012 at 2:30 pm, 5-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00153

1218 Wisconsin, Inc., t/a Third Edition
1218 Wisconsin Ave NW
License #604
Retailer CT
ANC 2E

Violation of Voluntary Agreement

Disposition: The Board scheduled the Show Cause Hearing for November 14, 2012 at 11:00 am, 5-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-CMP-00330

DJ Sun Market, Inc., t/a Sun Market
415 Rhode Island Ave NE
License #83937
Retailer B
ANC 5C

Sold Go-Cups, Violation of Voluntary Agreement

Disposition: The Board accepted an Offer in Compromise: \$500 to be paid on September 12, 2012; Charge II dismissed, 5-0.

Show Cause Hearing (Status)

9:30 AM

Case # 12-CMP-00051

Green Island Heaven and Hell, Inc., t/a Green Island Café/Heaven and Hell
2327 18th Street NW
License #74503
Retailer CT
ANC 1C

Violation of Voluntary Agreement

Disposition: The Board scheduled the Show Cause Hearing for November 14, 2012 at 10:00 am, 5-0.

Show Cause Hearing

10:00 AM

Case # 12-CMP-00054

Sunshine Bar & Lounge, LLC, t/a Sunshine Bar & Lounge
7331 Georgia Ave NW
License #85239
Retailer CR
ANC 4B

Substantial Change (Operating After Hours and Expansion of Establishment)

Disposition: The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days. The Motion to Intervene by ANC 4B was denied, 5-0.

Show Cause Hearing

10:00 AM

Case # 11-CMP-00562

Langston Bar & Grille, LLC, t/a Langston Bar & Grille
1831 Benning Road NE
License #76260
Retailer CR
ANC 6A

Violation of Voluntary Agreement

Disposition: The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days.

Board's Calendar
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Show Cause Hearing

11:00 AM

Case # 12-CMP-00073

Apple Hospitality, LLC, t/a Lincoln
1110 Vermont Ave NW
License #86125
Retailer CR
ANC 2F

Failed to Obtain an Entertainment Endorsement, Failed to Post Pregnancy Sign, Failed to Post Notice of Legal Drinking Age

Disposition: The Board accepted an Offer in Compromise: Charge I, \$750; Charge II, \$100; Charge III, \$500. The total of \$1,350 is to be paid within 30 days, 5-0.

BOARD RECESS AT 12:00 PM

Fact Finding Hearing

1:00 PM

Pub Crawl
Date of Event: September 22, 2012
The names of the establishments participating in the Pub Crawl are available upon request.

Disposition: The Board's approval of the Application is conditioned upon the submission of a list of participating ABC establishments, 5-0.

Protest Hearing

1:30 AM

Case # 12-PRO-00036

I and J Baik Corporation Stipulation, t/a Alabama Express
2846 Alabama Ave SE
License #24971
Retailer A
ANC 7B

Renewal Application

Disposition: The Board dismissed the Protest due to ANC 7B's failure to appear at the Protest Hearing. ANC 7B may file a Motion for Reconsideration within 10 days of receipt of the Board Order, 5-0.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, SEPTEMBER 12, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of request from Andrew Kline on behalf of Applicant to allow placarding of a new Retailer's Class "B" License Application to proceed prior to the scheduled Fact Finding Hearing. ***Glen's Garden Market***, 2001 S Street NW Retailer B, Lic.#: 90082.*
Decision: The Board scheduled a Fact Finding Hearing for September 19, 2012 at 4:00 pm, 5-0.
2. Review of letter, dated July 17, 2012, from Murray Kivitz requesting clarification on whether the license is a Class "C" Nightclub that permits nude dancing. The license is in safekeeping. ***Champel's***, Retailer CN02, Lic.#: 76295.*
Decision: The Board determined that the Retailer Class CN License #76295 is not authorized to permit nude dancing, 5-0.
3. Review of letter, dated August 23, 2012, from Jonathan Farmer informing the Board that the Dancing Crab has been sold. ***Dancing Crab***, 4615 41st Street NW Retailer CR02, Lic.#: 889.
Decision: FYI.
4. Review of request for a single sales moratorium exception for Harry's Reserve, dated August 21, 2012. ANC 6D supports the request. ***Harry's Reserve***, 909 New Jersey Avenue SE Retailer A, Lic.#: 84834.
Decision: Approved, 5-0.
5. Review of request for reinstatement, dated August 20, 2012, for Lorraine White, and response from Andre Barlow. Ms. White's protest letter was dismissed on August 8, 2012 for failure to appear at the Roll Call Hearing. The Board Order dismissing the Protest was sent to the parties on August 10, 2012. ***VeraCruz***, 2106-2108 Vermont Avenue NW Retailer CX, Lic.#: 89601.*
Decision: Denied, 5-0.
6. Review of letter, dated August 10, 2012, from Emanuel Mpras requesting that the Arboretum Neighborhood Association produce its Articles of Incorporation and Bylaws, Certificate of Good Standing, proof of a 10 day meeting notice, and meeting resolution. ***Club Illusions***, 2101 New York Avenue NE Retailer CN05, Lic.#: 88682.
Decision: Approved, 5-0.

7. Review of ANC 7C opposition to standing, dated June 20, 2012, from Commissioner Khaliq Elhillali and response from Licensee. **Uncle Lee's Seafood**, 1102 Eastern Avenue NE Retailer A, Lic.#: 85918.*
Decision: Denied, 5-0.
8. Review of Memorandum of Points and Authorities in Support of Request of ANC 4B01 Commissioner Sara Green and Andre Carley to Intervene, dated August 29, 2012, and response from the Office of the Attorney General. **Sunshine Bar & Lounge**, 7331 Georgia Avenue NW Retailer CR02, Lic.#: 85239.*
Decision: Motion to Intervene Denied, 5-0.
9. Review of Voluntary Agreement, dated August 28, 2012, between Table DC and Edda Ramos. **Table DC**, 903 N Street NW Retailer CR01, Lic.#: 89395.*
Decision: Approved, 5-0.
10. Review of Voluntary Agreement, dated July 19, 2012, between Fairfax Liquors and ANC 7B. **Fairfax Liquors**, 3851 Pennsylvania Avenue SE Retailer A, Lic.#: 78013.*
Decision: Approved with Modifications, 5-0.
11. Review of Voluntary Agreement, dated August 15, 2012, between Kitty O'Shea's DC and ANC 3E. **Kitty O'Shea's DC**, 4624 Wisconsin Avenue NW Retailer CR01, Lic.#: 83505.*
Decision: Approved with Modifications, 5-0.
12. Review of Voluntary Agreement, dated July 11, 2012, between Lalibela Ethiopian Restaurant and the Rockingham Condominium Association. **Lalibela Ethiopian Restaurant**, 1409 14th Street NW Retailer CR01, Lic.#: 89806.*
Decision: Approved with Modifications, 5-0.
13. Review of Voluntary Agreement, dated August 6, 2012, between The Showtime and Dr. Paul Collins. **The Showtime**, 113 Rhode Island Avenue NE Retailer CT01, Lic.#: 89186.*
Decision: Approved with Modifications, 5-0.
14. Review of Voluntary Agreement, dated June 19, 2012, between Super Liqors and ANC 5C. **Super Liquors**, 1633 North Capitol Street NE Retailer A, Lic.#: 79241.*
Decision: Approved with Modifications, 5-0.

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
SUPPLEMENTAL AGENDA**

**WEDNESDAY, SEPTEMBER 12, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of Motion to Stay, dated September 10, 2012, from Emanuel Mpras. *Lotus*, 1420 K Street NW Retailer CN03, Lic.#: 75162.*

Decision: Approved, 5-0.

*** In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, SEPTEMBER 12, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On September 12, 2012 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case#12-CMP-00391 Tattoo, 1413 K ST NW Retailer C Nightclub, License#: ABRA-075156
Decision: Staff Settlement.

2. Case#12-251-00249 Odalis Restaurant, 827 KENNEDY ST NW Retailer C Restaurant, License#: ABRA-076432
Decision: No Further Action.

3. Case#12-251-00240 Ibiza, 1222 1ST ST NE Retailer C Nightclub, License#: ABRA-074456
Decision: No Further Action.

4. Case#12-251-00208 Ibiza, 1222 1ST ST NE Retailer C Nightclub, License#: ABRA-074456
Decision: No Further Action.

5. Case#12-CMP-00224 El Rinconcito Cafe, 1326 PARK RD NW Retailer C Restaurant, License#: ABRA-060552
Decision: Staff Settlement.

6. Case#12-251-00224 EL DON Restaurant, 4403 14th ST NW Retailer C Restaurant, License#: ABRA-088757
Decision: Staff Settlement.

7. Case#12-CMP-00244 Latham Hotel, 3000 M ST NW A Retailer C Hotel, License#: ABRA-078884
Decision: Staff Settlement.

8. Case#12-251-00242 Tenley Wine & Liquors, 4525 Wisconsin AVE NW Retailer A Retail - Liquor Store, License#: ABRA-078014
Decision: Staff Settlement (Second in Two Years).

9. Case#12-CMP-00308 Mac's Wine & Liquors, 401 RHODE ISLAND AVE NE Retailer A Retail - Liquor Store, License#: ABRA-060758

Decision: Show Cause.

10. Case#12-251-00146 Churreria Madrid Restaurant, 2505 CHAMPLAIN ST NW Retailer C Restaurant, License#: ABRA-060806

Decision: No Further Action.

11. Case#12-CMP-00386 Mandarin Oriental Wash DC Hotel, 1330 MARYLAND AVE SW Retailer C Hotel, License#: ABRA-060811

Decision: Staff Settlement.

12. Case#12-251-00188 Fur Factory, 33 PATTERSON ST NE Retailer C Nightclub, License#: ABRA-060626

Decision: No Further Action.

13. Case#12-CC-00087 7 Food Store, 1830 BENNING RD NE Retailer B Retail - Grocery, License#: ABRA-060663

Decision: Show Cause.

14. Case#12-CMP-00325 Alero Restaurant, 3500 CONNECTICUT AVE NW Retailer C Restaurant, License#: ABRA-013738

Decision: Staff Settlement.

15. Case#12-CMP-00332 Alabama Convenience, 2209 Alabama AVE SE Retailer B Retail - Class B, License#: ABRA-080896

Decision: Staff Settlement.

16. Case#12-251-00017 The Town Tavern, 2323 18TH ST NW Retailer C Tavern, License#: ABRA-079996

Decision: No Further Action.

17. Case#12-251-00222 Stadium, 2127 QUEENS CHAPEL RD NE Retailer C Nightclub, License#: ABRA-082005

Decision: No Further Action.

18. Case#12-251-00197 Lost Society, 2001 14TH ST NW Retailer C Tavern, License#: ABRA-083420

Decision: Show Cause.

19. Case#12-251-00213 Sign of the Whale, 1825 M ST NW Retailer C Tavern, License#: ABRA-085120

Decision: No Further Action.

20. Case#12-CMP-00324 District of Pi, 910 F ST NW Retailer C Restaurant, License#: ABRA-086361

Decision: Staff Settlement.

21. Case#12-CMP-00183 Whole Foods Market, 2201 I ST NW B Retailer D Restaurant, License#: ABRA-086913

Decision: Staff Settlement.

22. Case#12-CMP-00307 DC Shenanigans (formerly McNastys), 2450 18th ST NW Retailer C Tavern, License#: ABRA-088119

Decision: Show Cause.

23. Case#12-251-00066 Rumors Restaurant, 1900 M ST NW Retailer C Nightclub, License#: ABRA-071717

Decision: No Further Action.

24. Case#12-CMP-00155(b) Rumors Restaurant, 1900 M ST NW Retailer C Nightclub, License#: ABRA-071717

Decision: FYI.

25. Case#12-PRO-00036 Alabama Express, 2846 ALABAMA AVE SE Retailer A Retail - Liquor Store, License#: ABRA-024971

Decision: FYI.

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**NOTICE OF MEETING
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**WEDNESDAY, SEPTEMBER 12, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On September 12, 2012, the Alcoholic Beverage Control Board will hold an emergency closed meeting regarding the matter identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed for the following reasons: (1) To consult with an attorney to obtain legal advice; (2) To discuss and hear a report concerning alleged criminal or civil misconduct or violations of the law or regulations; and (3) To discuss and take action regarding specific methods and procedures to protect the public from substantial dangers to the public, and to receive briefings by staff members, legal counsel, or law enforcement concerning these methods and procedures.

**1. Case#12-251-00292 Fur Factory, 33 PATTERSON ST NE Retailer C Nightclub, License#:
ABRA-060626**

Decision: No Further Action.