

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**WEDNESDAY, FEBRUARY 8, 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
and Jeannette Mobley**

Protest Hearing (Status)

9:30 AM

Case # 11-PRO-00090

All Souls, LLC, t/a All Souls

725 T Street NW

License #88179

Retailer CT

ANC 1B

New Application

Disposition: The Board granted both Groups of Five standing. ANC 1B was dismissed for failure to appear. The Board set the matter for a Protest Hearing on March 21, 2012 at 4:00 pm, 7-0.

Protest Hearing (Status)

9:30 AM

Case # 11-PRO-00061

Yerom Gebremichael, t/a Aman Liquors Store

3661 Georgia Avenue NW

License #88128

Retailer A

ANC 1A

New Application

Disposition: The Board granted the Group of Five standing. The Board set the matter for a Protest Hearing on March 7, 2012 at 5:00 pm, 7-0.

Show Cause Hearing (Status)

9:30 AM

Case #s 11-CMP-00157, # 11-251-00226 & # 11-CMP-00322

Polo D.C, LLC/Rugby Café, LLC, t/a Rugby Café

1065 Wisconsin Avenue NW

License #75703

Retailer CR

ANC 2E

Sale to Minor, Failed to Take Steps Necessary to Ascertain Legal Drinking Age, Failed to Obtain an Entertainment Endorsement, Failed to Maintain Books and Records, Failed to File Quarterly Statements

Disposition: The Board set the matter for a Show Cause Hearing on March 14, 2012 at 2:30 pm, 7-0.

Show Cause Hearing (Status)

9:30 AM

Case #s 10-CMP-00660 & # 10-CMP-00659

Terfneh Kahsay, t/a Salina Restaurant

1936 9th Street NW

License #82969

Retailer CR

ANC 1B

Failed to Comply With the Terms of a Board Order

Disposition: The Board set the matter for a Show Cause Hearing on March 14, 2012 at 1:30 pm, 7-0.

Board's Calendar
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Show Cause Hearing (Status)

9:30 AM

Case # 11-251-00059

1900 M Restaurant Associates, Inc., t/a Rumors Restaurant
1900 M Street NW
License #71717
Retailer CN
ANC 2B

Allowed the Establishment to be Used for an Unlawful or Disorderly Purpose, Failed to Comply With Security Plan

Disposition: The Board set the matter for a Show Cause Hearing on March 14, 2012 at 11:00 am. The Motion for Continuance must be filed for Board consideration, 7-0.

Show Cause Hearing (Status)

9:30 AM

Case # 11-251-000197

Bouزيد, Inc. t/a Marrakesh Palace Pasha Lounge
2147 P Street NW
License #60695
Retailer CT
ANC 2B

Failed to Follow Security Plan

Disposition: The Board accepted an Offer in Compromise (please see attachment), 7-0.

Fact Finding Hearing

9:30 AM

Shaw's Tavern, LLC, t/a Shaw's Tavern
520 Florida Avenue NW
License #88569
Retailer CT
ANC 2C

New Application

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

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Show Cause Hearing

10:00 AM

Case # 11-CMP-00261
Ameda Sofenias, t/a Queen Makeda
1917 9th Street NW
License #60510
Retailer CR
ANC 1B
Failed to File Quarterly Statements

Disposition: The Board accepted an Offer in Compromise: \$2,000 to be paid within 60 days, 6-1 (Jones).

Show Cause Hearing

11:00 AM

Case # 11-CMP-00323
Armand's Chicago Pizzeria, Inc., t/a Armand's Chicago Pizzeria
4231 Wisconsin Avenue NW
License #826
Retailer CR
ANC 3F
Failed to File Quarterly Statement, No ABC Manager on Duty

Disposition: The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days, 7-0.

BOARD RECESS AT 12:00 PM

**ADMINISTRATIVE AGENDA
1:00 PM**

Board's Calendar
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Show Cause Hearing

1:30 PM

Case # 11-CMP-00059

Bhuller's Corporation t/a JJ Mutt Wine & Spirits
643 Pennsylvania Avenue SE
License #25523
Retailer A
ANC 6B

Failed to Obtain Importation Permit, Failed to Maintain Books and Records

Disposition: The Board accepted an Offer in Compromise: Dismissal of Charge I; \$2,000 to be paid within 60 days, 7-0.

Protest Hearing

3:30 PM

Case # 11-PRO-00047

Shin & Jang, Inc., t/a King's Deli & Grocery
3651 Georgia Ave NW
License #87806
Retailer A
ANC 1A

New Application

Disposition: The Board held a Closed Meeting under the Open Meetings Act and will issue an Order within 90 days, 6-0 (Recusal by Mobley).

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



Civil Litigation Division
Civil Enforcement Section

OFFER IN COMPROMISE¹

In the Matter of: Bouزيد, Inc. t/a Marrakesh Palace Pasha Lounge

Officer/owner: Jamal Bouزيد (President), Khalid Khartami (Treasurer)

Case number: 11-251-000197. Show Cause Hearing Date: February 22, 2012.

Incidents occurring on: May 28, 2011.

For the Charge of: Violation of security plan.

Statutory Authority: D.C. Official Code §25-823(6) (2001).

- Proposed Fine: 2,000 payable in 28 days. (RK)
- Suspension: 30 days; 30 days served, 0 days stayed for one year.
- Other: Conditions as specified below; submission of revised Security Plan.

This offer in compromise will be presented to the Alcoholic Beverage Control Board by the Assistant Attorney General at the status hearing. 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 following terms:

- (1) Upon expiration of the license suspension period, the license shall be deemed surrendered for safekeeping.
- (2) Submission to the Board, prior to retrieval of the license, of a revised security plan, which will address the requirements for a security plan under Title 25 of the D.C. Code, including:
 - a. Installation, operation, and recording of video cameras. The video must show the area in front of the establishment. The camera video tapes must be maintained for 30 days. The video must be available within 48 hours of a request by a law enforcement entity or ABRA.
 - b. Employment of MPD Reimbursable Detail in accordance Board Order 2011-402 (for at least 4 hours when there is entertainment until one hour after establishment closes).
 - c. Maintenance of a detailed incident log for one year to be made available to any law enforcement entity or ABRA upon request.
 - d. Detailed procedures addressing violent altercations in the establishment.

¹ Authorized under 23 DCMR 1604.5 (2011).

- (3) Payment to ABRA, prior to retrieval of the license, of all outstanding license fees.
- (4) Submission to the Board, prior to retrieval of the license, of a business plan.
- (5) The license shall only be returned to an officer having controlling interest in Bouzid, Inc.
- (6) In accordance with Board Order 2011-402, entertainment is limited to 1:00 a.m. Sunday through Thursday and 2:00 a.m. Friday and Saturday).

CONSENT

By this settlement agreement I agree to accept and perform its terms. I acknowledge the validity of the settlement and waive a hearing to which I would have a right under D.C. Official Code § 25-826 (2001). I also recognize that I am waiving any right to appeal an adverse ruling of the Board that might have followed any such hearing. By this settlement, I waive all such rights. I sign this settlement agreement without reservation, and I fully understand its meaning and my rights.

Fernando Rivero 02/08/12
Fernando Rivero
Assistant Attorney General

[Signature] 12/18/12
Licensee

_____/_____/_____
Attorney for Licensee

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

**NOTICE OF MEETING
AGENDA**

**WEDNESDAY, FEBRUARY 8, 2012 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review of e-mail from Licensee requesting refund or re-application of late fee payment. ANC 6A. ***The Atlas Room***, 1015 H Street NE Retailer CT, Lic.#: 84689.*
Decision: Denied, 6-0.
2. Review of Change of Hours Application to change Hours of Operation and Hours of Alcoholic Beverage Sales/Consumption. ***Current Hours of Operation and Hours of Alcoholic Beverage Sales/Consumption:*** Monday through Thursday 11am-12am, Friday through Sunday 11am-2am. ***Proposed Hours of Operation and Hours of Alcoholic Beverage Sales/Consumption:*** Sunday through Thursday 11am-2am, and Friday & Saturday 11am-3am. No pending violations. No outstanding citations/fines. No voluntary agreement. ANC 2E. ***Pizzeria Uno***, 3211 M Street NW Retailer CR, Lic.#: 3854.*
Decision: Approved, 6-0.
3. Review of letter from Licensee requesting cancellation of license and refund of license fee payments made on April 29, 2011 in the amount of \$3900. ANC 2B. ***Restaurant Associates***, 1225 Connecticut Avenue NW Retailer CR, Lic.#: 85712.*
Decision: Denied (Refund), 6-0. Approved (Cancellation), 6-0.
4. Review of Change of Hours Application to change Hours of Operation, Hours of Alcoholic Beverage Sales/Consumption, Hours of Entertainment, Sidewalk Café Hours of Operation, and Sidewalk Café Hours of Alcoholic Beverage Sales/Consumption. ***Current Hours of Operation:*** Sunday through Thursday 6am-11pm, Friday and Saturday 6am-12am. ***Current Hours of Alcoholic Beverage Sales/Consumption:*** Sunday 10am-11pm, Monday through Thursday 8am-11pm, Friday and Saturday 8am-12am. ***Current Hours of Entertainment:*** Sunday 8am-10pm, Monday through Saturday 8am-11pm. ***Current Sidewalk Café Hours of Operation:*** Sunday through Thursday 7am-9pm, Friday and Saturday 7am-10pm. ***Current Sidewalk Café Hours of Alcoholic Beverage Sales/Consumption:*** Sunday 10am-9pm, Monday through Thursday 9am-9pm, Friday and Saturday 9am-10pm. ***Proposed Hours of Operation:*** Monday through Sunday 6am-1am. ***Proposed Hours of Alcoholic Beverage Sales/Consumption:*** Monday through Saturday 8am-1am, Sunday 10am-1am. ***Proposed Hours of Entertainment:*** Monday through Sunday 8am-1am. ***Proposed Sidewalk Café Hours of Operation:*** Sunday through Thursday 7am-12am, Friday and Saturday 7am-1am. ***Proposed Sidewalk Café Hours of Alcoholic Beverage Sales/Consumption:*** Sunday 10am-12am, Monday through Thursday 9am-12am, Friday and Saturday 9am-1am. No pending violations. No outstanding citations/fines. Conflict with Board Order. ANC 5C. ***Big Bear Café***, 1700 1st Street NW Retailer CR, Lic.#: 84379.*
Decision: Denied, 6-0.

5. Review of Application for Safekeeping pending approval of transfer of license to new tenant in same location. Pending Enforcement matter. No outstanding citations/fines. ANC 3B. **Town Hall**, 2218 Wisconsin Avenue NW Retailer CR, Lic.#: 72640.
Decision: Approved for six months, 6-0.
6. Review of Request for Reinstatement, dated January 22, 2012, from Keith Spinner, the designated representative for John Wesley A.M.E. Zion Church. **Parc Deux Restaurant Partners, LLC**, 1601 14th Street NW Retailer CR, Lic.#: 88243.*
Decision: Denied, 5-1 (Mobley).
7. Review of Opposition to Motion for Reinstatement, dated January 30, 2012, from Stephen O'Brien. **Parc Deux Restaurant Partners, LLC**, 1601 14th Street NW Retailer CR, Lic.#: 88243.*
Decision: Request for Reinstatement was denied.
8. Review of letter, dated December 16, 2011, from Safeway requesting reinstatement after being dismissed at the Roll Call Hearing for failure to appear. **Safeway**, 2845 Alabama Avenue SE Retailer B, Lic.#: 60504.*
Decision: Approved, 6-0.
9. Review of letter, dated January 30, 2012, from ANC 7B opposing Safeway's request for reinstatement. **Safeway**, 2845 Alabama Avenue SE Retailer B, Lic.#: 60504.*
Decision: Request for Reinstatement was approved.
10. Review of letter, dated January 26, 2012, from Palitha Kalawane, owner of Southeast Market, requesting reinstatement after being dismissed at the Status Hearing for failure to appear. **Southeast Market**, 1500 Independence Avenue SE Retailer B, Lic.#: 76399.*
Decision: Approved, 4-2 (Alberti, Jones).
11. Review of letter, dated January 24, 2012, from T. Carlton Richardson requesting reinstatement as a protestant of Pennsylvania Avenue Market's application. **Pennsylvania Avenue Market**, 1501 Pennsylvania Avenue SE Retailer B, Lic.#: 79255.*
Decision: Denied, 6-0.
12. Review of letter, dated January 23, 2012, from Kathy Henderson requesting reinstatement of the Group of Five's protest after being dismissed for failure to appear at the Status Hearing. **Jimmy Valentine's Lonely Hearts Club**, 1103 Bladensburg Road NE Retailer CT, Lic.#: 76330.*
Decision: Denied, 6-0.
13. Review of Opposition to Request for Reinstatement, dated February 1, 2012, from Matthew LeFande. **Jimmy Valentine's Lonely Hearts Club**, 1103 Bladensburg Road NE Retailer CT, Lic.#: 76330.*
Decision: Request for Reinstatement was denied.

14. Review of email, dated January 30, 2012, from Mark Thorp regarding Kathy Henderson's request for reinstatement. ***Jimmy Valentine's Lonely Hearts Club***, 1103 Bladensburg Road NE Retailer CT, Lic.#: 76330.*
Decision: Request for Reinstatement was denied.
15. Review of letter, dated January 25, 2012, requesting that Dimitrios Lontiris becomes the sole owner of the license. Sami Ghulais no longer holds a valid lease for 2420 18th Street. ***Formerly Bistro 18/Jamaican Joe's***, 2420 18th Street NW Retailer CR, Lic.#: 84390.*
Decision: Fact Finding scheduled for March 7, 2012 at 1:30 pm, 6-0.
16. Review of letter, dated January 25, 2012, from Michael Hibey requesting ABRA investigators to review Marrakesh's security plan and check the installation of cameras to determine whether it is in compliance with Board Order 2011-402. ***Marrakesh Palace Pasha Lounge***, 2147 P Street NW Retailer CT, Lic.#: 60695.*
Decision: Security plan complies with Board Order 2011-042; Refer to Enforcement for investigation of cameras; See Offer in Compromise from Show Cause Case No. 11-251-000197, 6-0.
17. Review of request from Licensee to cancel pending transfer application from Bouzid, Inc. to MAD LLC due to nonpayment and to place the license in safekeeping because Licensee no longer has a valid lease. Pending Show Cause Hearing. No outstanding citations/fines. Voluntary agreement. ANC 2B. ***Marrakesh Palace Pasha Lounge***, 2147 P Street NW Retailer CT, Lic.#: 60695. *
Decision: See Offer in Compromise from Show Cause Case No. 11-251-000197, 6-0.
18. Review of letters from residents requesting reconsideration of the Summary Suspension Hearing decision for Mood. ***Mood***, 1318 9 Street NW Retailer CT, Lic.#: 86037.*
Decision: The residents are not a party and do not have standing to seek reconsideration under 25-433 and 1719.1, 6-0.
19. Review of Motion to Reconsider, dated October 21, 2011, for K Street Lounge. ***K Street***, 1301 K Street NW Retailer CN, Lic.#: 72225.*
Decision: Remand/Motion Hearing scheduled for February 22, 2012 at 11:00 am, 6-0.
20. Review of Opposition to Motion to Reconsider, dated January 24, 2012, for K Street Lounge. ***K Street***, 1301 K Street NW Retailer CN, Lic.#: 72225.*
Decision: Remand/Motion Hearing scheduled for February 22, 2012 at 11:00 am, 6-0.
21. Review of letter, dated January 26, 2012, from Randy Alan Weis requesting clarification for 23 DCMR § 1902, § 25-371, and § 25-372.*
Decision: The Board declines issuance of advisory opinion pursuant to 23 DCMR 1902, 6-0.

*** 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
LICENSE CANCELLATION**

**WEDNESDAY, FEBRUARY 8, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

The Board is requested to approve the following license cancellations for the reasons outlined below.

ABRA – 085712 – **Restaurant Associates** – CR – 1225 Connecticut Avenue, NW. [Request for cancellation received.]

Decision: Cancelled, 6-0.

ABRA – 071802 – **The Olympic** – CR – 1206 H Street, NE. [Request for cancellation received.]

Decision: Cancelled, 6-0.

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

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, FEBRUARY 8, 2012
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On FEBRUARY 8, 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-AUD-00002 Armand's Chicago Pizzeria, 226 MASSACHUSETTS AVE NE Retailer C Restaurant, License#: ABRA-075464

Decision: Show Cause.

2. Case#11-251-00406 Shadow Room, 2131 K ST NW Retailer C Nightclub, License#: ABRA-075871

Decision: No Further Action

3. Case#12-AUD-00012 Mio Restaurant, 1110 VERMONT AVE NW Retailer C Restaurant, License#: ABRA-076072

Decision: Show Cause.

4. Case#12-AUD-00013 Queen Makeda, 1917 9TH ST NW Retailer C Restaurant, License#: ABRA-060510

Decision: Show Cause.

5. Case#12-AUD-00009 El Sauce Restaurant And Carry-out, 1227 11TH ST NW Retailer D Restaurant, License#: ABRA-072654

Decision: Show Cause.

6. Case#12-AUD-00005 Churreria Madrid Restaurant, 2505 CHAMPLAIN ST NW Retailer C Restaurant, License#: ABRA-060806

Decision: Show Cause.

7. Case#12-AUD-00010 Lindys Bon Appetit, 2040 I ST NW Retailer C Restaurant, License#: ABRA-023533

Decision: Show Cause.

8. Case#12-AUD-00018 Tosca, 555 12TH ST NW B Retailer C Restaurant, License#: ABRA-060256

Decision: Staff Settlement.

9. Case#12-AUD-00004 Afghan Grill, 2309 CALVERT ST NW Retailer C Restaurant, License#: ABRA-060278

Decision: Staff Settlement.

10. Case#12-AUD-00016 Smith & Wollensky, 1112 19TH ST NW Retailer C Restaurant, License#: ABRA-060001

Decision: Show Cause.

11. Case#12-AUD-00006 Carolina Palace, 3700 14TH ST NW Retailer C Restaurant, License#: ABRA-021055

Decision: Show Cause.

12. Case#11-251-00354 Local 16, 1600 U ST NW Retailer C Restaurant, License#: ABRA-060467

Decision: No Further Action.

13. Case#12-AUD-00017 Taberna Del Alabardero, 1776 I ST NW Retailer C Restaurant, License#: ABRA-013218

Decision: Staff Settlement.

14. Case#12-AUD-00011 M & S Grill, 600 13TH ST NW Retailer C Restaurant, License#: ABRA-060429

Decision: Staff Settlement.

15. Case#12-AUD-00007 Cafe Japone, 2032 P ST NW Retailer C Restaurant, License#: ABRA-010581

Decision: Staff Settlement.

16. Case#12-AUD-00003 Armands Chicago Pizzeria, 4231 WISCONSIN AVE NW Retailer C Restaurant, License#: ABRA-000826

Decision: Show Cause.

17. Case#12-CC-00004 Casa Lebrato, 1733 COLUMBIA RD NW Retailer B Retail - Grocery, License#: ABRA-080584

Decision: Sale to Minor Warning Letter.

18. Case#12-AUD-00020 Zola Wine And Kitchen, 505 9TH ST NW Retailer C Restaurant, License#: ABRA-079757

Decision: Show Cause.

19. Case#12-AUD-00008 Cafe Green, 1513 17th ST NW Retailer C Restaurant, License#: ABRA-081752

Decision: Show Cause.

20. Case#12-AUD-00014 Radius, 3155 Mt. Pleasant ST NW Retailer C Restaurant, License#: ABRA-081818

Decision: Staff Settlement.

21. Case#12-AUD-00019 W Washington DC, 515 15TH ST NW Retailer C Hotel, License#: ABRA-075952

Decision: Staff Settlement.

22. Case#12-AUD-00015 Ray's the Steaks at East River, 3905 DIX ST NE Retailer C Restaurant, License#: ABRA-083202

Decision: Show Cause.

23. Case #11-PRO-00047 King's Deli & Grocery, 3651 Georgia AVE, NW Retailer A Retail Liquor Store, License #: ABRA-087806

Decision: FYI – Protest Report.