

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

**NOTICE OF PUBLIC HEARINGS
CALENDAR**

**TUESDAY, MARCH 6, 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**

Summary Suspension Hearing

2:30 PM

Case #12-251-00065

Shabuy, Inc. t/a Tabaq Bistro

1336 U Street NW

License #070707

Retailer CT

Chief of Police Closure February 25, 2012

**Disposition: The Board voted 5-0 to accept the attached Offer in
Compromise and to lift the suspension of the license. The Board voted 5-0 to
send Case No. 12-251-00065 for Show Cause.**

***This matter constitutes an emergency under the Open Meetings Act. The
notice requirements of Section 406(4) were satisfied.**

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General

Civil Litigation Division
Civil Enforcement Section



OFFER IN COMPROMISE¹

In the Matter of: Shabuy, Inc. t/a Tabag Bistro

Officer/owner: Omer Buyukbayak (President)

Case number: _____ Summary Suspension Hearing Date: March 6, 2012.

Incidents occurring on: February 25, 2012.

For the Charge of: Summary suspension based upon imminent danger.

Statutory Authority: D.C. Official Code §25-826(a) (2001).

- Proposed Fine: _____ payable in ____ days.
- Suspension: 11 days; _____ days served, _____ 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) ABRA will inspect the newly-installed camera system before Wednesday, March 7, 2012.
- (2) Licensee is required familiarize security employee with security procedures by March 7, 2012, to include: new camera system (viewing and storage), security positions, incident log completion, ID check, and prevention of overcrowding and overdrinking, and procedure for calling MPD.
- (3) Licensee shall not engage any promoter nor charge a cover.
- (4) Formal training for all security employees within 30 days.
- (5) Submission of a revised security plan within 21 days to comply with DC Official Code § 25-403 (2001) and to include: video storage for 30 days, uniforms for security employees, employee contact information on file at premises and available to MPD and ABRA.

¹ Authorized under 23 DCMR 1604.5 (2011).

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 03/06/12

Fernando Rivero
Assistant Attorney General

[Signature] 3/6/12
Licensee

[Signature] 3/6/12
Attorney for Licensee

[Signature]
Chair, ARS Board

[Signature]
General Counsel