

DISTRICT OF COLUMBIA  
 + + + + +  
 ALCOHOLIC BEVERAGE CONTROL BOARD  
 + + + + +  
 MEETING

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 IN THE MATTER OF: :  
 :  
 Green Zebra, LLC :  
 t/a Lost Society :  
 2001 14th Street NW :  
 Retailer CT - ANC 1B : Show Cause  
 License No. 83420 : Hearing (Status)  
 Case #22-CMP-00054 :  
 :  
 (Substantial Change - :  
 Increase Summer Garden :  
 Capacity) :  
 :  
 Case #22-251-00005 :  
 :  
 (Failed to Follow :  
 Security Plan, Violation :  
 of Settlement Agreement) :  
 -----=

Wednesday  
 October 5, 2022

The Alcoholic Beverage Control Board  
 met via WebEx videoconference, Chairperson  
 Donovan W. Anderson presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson  
 BOBBY CATO, JR., Member  
 RAFI ALIYA CROCKETT, Member  
 EDWARD S. GRANDIS, Member  
 JENI HANSEN, Member  
 JAMES SHORT, JR., Member  
 ALSO PRESENT:  
 MR. ORELLANA, DC ABRA Staff  
 MAKAN SHIRAFKAN, Applicant  
 KEVIN LUTES, DC OAG

1 P-R-O-C-E-E-D-I-N-G-S

2 10:53 a.m.

3 CHAIRPERSON ANDERSON: All right, the  
4 next case on our calendar is case number 22-CMP-  
5 00054, Lost Society, license number 83420. Mr.  
6 Orellana, can you please elevate the rights of  
7 the licensee in Lost Society please?

8 MR. ORELLANA: Makan Shirafkan, your  
9 access has been elevated. That is all chairman.

10 CHAIRPERSON ANDERSON: Thank you. All  
11 right, good morning everyone. Mr. Lutes, can you  
12 please identify yourself for the record please?

13 MR. LUTES: Of course. Good morning  
14 Mr. Chairperson, this is Assistant Attorney  
15 General Kevin Lutes for the District. That's K-  
16 E-V-I-N L-U-T-E-S.

17 CHAIRPERSON ANDERSON: Mr. Shirafkan,  
18 can you please spell, and state your name for the  
19 record please?

20 MR. SHIRAFKAN: Good morning, Mr.  
21 Shirafkan coming live to you from Fairfax County  
22 Hallways Courthouse, it's Makan, M-A-K-A-N, last  
23 name is Shirafkan, S-H-I-R-A-F as Frank, K-A-N as  
24 Nancy. Good morning Mr. Chair, and members of  
25 the board.

1                   CHAIRPERSON ANDERSON: Good morning Mr.  
2 Shirafkan. Mr. Lutes, are there any preliminary  
3 matters in this case please?

4                   MR. LUTES: Yes Mr. Chairperson, the  
5 District, and the licensee have conferred, and  
6 agreed to in principle on a global offer in  
7 compromise, and the District is prepared to read  
8 the terms of the OIC off the record today.

9                   CHAIRPERSON ANDERSON: All right, so  
10 you said global, so the only case that we were  
11 calling today is case number 22-CMP-00054. What  
12 other case are you settling today?

13                  MR. LUTES: The global OIC included, in  
14 addition to 22-CMP-00054, would also include 22-  
15 251-00005.

16                  CHAIRPERSON ANDERSON: All right, thank  
17 you. So, what are the terms for the settlement  
18 for case number 22-CMP-00054?

19                  MR. LUTES: Of course. So, for case  
20 number 22-251-00054, there are two charges.  
21 Charge one is a failed to follow security plan  
22 according to D.C. Code Section 25823A6. For  
23 this, the ABC Board will issue a warning. And  
24 then for charge two, it was a failed to follow a  
25 settlement agreement pursuant to D.C. Code

1 Section 25823A6, and this would be a 250 dollar  
2 fine payable within 120 days, or the license  
3 shall be suspended indefinitely until the fine is  
4 paid.

5 CHAIRPERSON ANDERSON: Thank you. And  
6 so what about case number 22-251-00005?

7 MR. LUTES: Those, so the charges that  
8 I listed out were for 22-251-00005. I'm happy to  
9 read 22-CMP-00054 now.

10 CHAIRPERSON ANDERSON: I'm sorry Mr.  
11 Lutes, I did ask you to read 22-CMP-00054.

12 MR. LUTES: Understood, apologies, I  
13 misheard you.

14 CHAIRPERSON ANDERSON: All right, so  
15 let's start off, because our calendar has 22-CMP-  
16 00054, what are the terms of that specific case  
17 first?

18 MR. LUTES: Of course. So, for 22-CMP-  
19 00054, there's a single charge, an exceeded  
20 summer garden occupancy limit, violating D.C.  
21 Code Section 25762B2, and that will be a 4000  
22 dollar fine payable within 120 days, or the  
23 license shall be suspended indefinitely until the  
24 fine is paid.

25 CHAIRPERSON ANDERSON: All right, thank

1 you. So, that's for 22-CMP-00054. Now there's  
2 another case, case number 22-251-00005. That  
3 case is not on our calendar, however it's my  
4 understanding that there is also a settlement for  
5 that case. What are the terms then for that  
6 case?

7 MR. LUTES: Yes Mr. Chairperson. The  
8 terms for case number 22-251-00005 are this.  
9 Charge number one is a failure to follow security  
10 plan under D.C. Code Section 25823A6. The board  
11 will issue a warning for this charge. And then  
12 regarding charge number two, it's a failure to  
13 follow settlement agreement pursuant to D.C. Code  
14 Section 25823A6.

15 The district will seek a 250 dollar  
16 fine payable within 120 days, or the license  
17 shall be suspended indefinitely until the fine is  
18 paid.

19 CHAIRPERSON ANDERSON: All right, thank  
20 you. All right, Mr. Shirafkan, it's my  
21 understanding that for case number 22-CMP-00054,  
22 there is an offer in compromise. The offer in  
23 compromise is a fine of 4000 dollars payable  
24 within 120 days, if that fine is not paid, the  
25 license will be suspended until the fine has been

1 paid. And this settlement also covers case  
2 number 22-251-00005.

3 And in that case there are two  
4 charges, the first charge, a warning will be  
5 issued. The second charge, there is a fine of  
6 250 dollars paid within 120 days, if that fine is  
7 not paid within 120 days, the license will be  
8 suspended until the fine has been paid. Is this  
9 yours, and your client's understanding of the  
10 offer in compromise sir?

11 MR. SHIRAFKAN: It is our  
12 understanding, and we can waive the execution of  
13 the actual agreement, I've talked to the client,  
14 they are in agreement, and yes.

15 CHAIRPERSON ANDERSON: Is your client  
16 also aware that this matter is not appealable?  
17 They cannot appeal this.

18 MR. SHIRAFKAN: Yes.

19 CHAIRPERSON ANDERSON: All right, with  
20 that said, I will make a motion that the offer in  
21 compromise in case number 22-CMP-00054, which is  
22 a 4000 dollar fine payable within 120 days, if  
23 the fine is not paid, the license will be  
24 suspended. And in case number 22-251-00005, the  
25 two charges. The first charge is a warning,

1 there is a fine in the second charge of 250  
2 dollars payable within 120 days.

3 If the fine is not paid, the license  
4 will be suspended. I therefore make a motion  
5 that the ABC Board accepts the offer in  
6 compromise in these two cases, is there a second?

7 MEMBER SHORT: Short, I second.

8 CHAIRPERSON ANDERSON: Mr. Short has  
9 seconded the motion, we will now have a roll call  
10 vote on the motion. Mr. Short?

11 MEMBER SHORT: Short, I agree.

12 CHAIRPERSON ANDERSON: Mr. Cato?

13 MEMBER CATO: Bobby Cato, I agree.

14 CHAIRPERSON ANDERSON: Ms. Crockett?  
15 Ms. Crockett? Ms. Hansen?

16 MEMBER HANSEN: Jeni Hansen, I agree.

17 CHAIRPERSON ANDERSON: Mr. Grandis?

18 MEMBER GRANDIS: Edward Grandis, I  
19 agree.

20 CHAIRPERSON ANDERSON: Ms. Crockett?  
21 Mr. Anderson, I agree. The matter therefore  
22 passes five zero zero. All right, thank you very  
23 much.

24 MR. SHIRAFKAN: Thank you very much,  
25 you have a good one. Nice seeing everyone.

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CHAIRPERSON ANDERSON: Thank you, all  
right, bye bye.

(Whereupon, the above-entitled matter  
went off the record at 11:00 a.m.)



<p style="text-align: center;"><b>A</b></p> <p>a.m 2:2 8:4  <b>ABC</b> 3:23 7:5  <b>above-entitled</b> 8:3  <b>ABRA</b> 1:24  <b>accepts</b> 7:5  <b>access</b> 2:9  <b>actual</b> 6:13  <b>addition</b> 3:14  <b>agree</b> 7:11,13,16,19,21  <b>agreed</b> 3:6  <b>agreement</b> 1:13 3:25  5:13 6:13,14  <b>Alcoholic</b> 1:2,16  <b>ALIYA</b> 1:20  <b>ANC</b> 1:7  <b>Anderson</b> 1:17,19 2:3  2:10,17 3:1,9,16 4:5  4:10,14,25 5:19 6:15  6:19 7:8,12,14,17,20  7:21 8:1  <b>apologies</b> 4:12  <b>appeal</b> 6:17  <b>appealable</b> 6:16  <b>Applicant</b> 1:24  <b>Assistant</b> 2:14  <b>Attorney</b> 2:14  <b>aware</b> 6:16</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>Beverage</b> 1:2,16  <b>board</b> 1:2,16 2:25 3:23  5:10 7:5  <b>Bobby</b> 1:20 7:13  <b>bye</b> 8:2,2</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>calendar</b> 2:4 4:15 5:3  <b>call</b> 7:9  <b>calling</b> 3:11  <b>Capacity</b> 1:10  <b>case</b> 1:8,11 2:4,4 3:3,10  3:11,12,18,19 4:6,16  5:2,2,3,5,6,8,21 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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Lost Society

Before: DC ABRA

Date: 10-05-22

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate complete record of the proceedings.



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Court Reporter

**NEAL R. GROSS**

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