

IN THE MATTER OF:	:
	:
MK Lounge DC, LLC,	:
t/a MK Lounge U Street	:
913 U Street NW	: Show Cause (Status)
Retailer CT - AND 1B	: Hearing
License No. 131092	:
Case #25-CMP-00088	:
	:
(Substantial Change in	:
Operation Without Board	:
Approval)	:

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

DONOVAN W. ANDERSON, Chairperson  
 SILAS GRANT, JR., Member  
 RYAN JONES, Member  
 DAVID MEADOWS, Member  
 TERI JANINE QUINN, Member

JOSE ORELLANA, DC ABCA Staff  
DAVID BAILEY, Applicant  
ALYCIA HOGENMILLER, DC OAG

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

2 11:01 a.m.

3 CHAIRPERSON ANDERSON: The next case  
4 on our calendar is a show cause hearing, Case  
5 Number 25-CMP-00088, MK Lounge U Street, License  
6 Number 131092.

7 Mr. Orellana, can you please elevate  
8 the rights of the government and the licensee?

9 MR. ORELLANA: Sure thing. David  
10 Bailey, access elevated. And, Alycia  
11 Hogenmiller, access elevated.

12 And that appears to be all, Chairman.

13 CHAIRPERSON ANDERSON: Thank you.  
14 Good morning, Ms. Hogenmiller. Can you please  
15 identify yourself for the record, please?

16 MS. HOGENMILLER: Good morning,  
17 Assistant Attorney General Alycia Hogenmiller,  
18 ALYCIA HOGENMILLER, on behalf of the government.

19 CHAIRPERSON ANDERSON: Good morning.  
20 Mr. Bailey, can you please identify yourself for  
21 the record, spelling and stating your name and  
22 your relationship?

23 MR. BAILEY: David Bailey, first name  
24 DAVID, last name BAILEY. I am representing the  
25 client for MK Lounge.

1 CHAIRPERSON ANDERSON: All right,  
2 good morning.

3 MR. BAILEY: And I'm -

4 CHAIRPERSON ANDERSON: Yes, sir?

5 MR. BAILEY: I just wanted to  
6 apologize for my appearance. I'm currently at  
7 the ER with my dad right now.

8 So just do apologize for my  
9 appearance right now.

10 CHAIRPERSON ANDERSON: Thank you for  
11 that, sir, hope everything goes well.

12 Are there any preliminary matters in  
13 this case?

14 MS. HOGENMILLER: Yes, the parties  
15 would like to place an OIC on the record.

16 CHAIRPERSON ANDERSON: Okay, thanks,  
17 all right. Go ahead, Ms. Hogenmiller.

18 MS. HOGENMILLER: The sole charge is  
19 expanded operations to another roof deck without  
20 approval in violation of D.C. Code Section 25-  
21 762(a) and Section (b)(3).

22 This is a first primary tier  
23 violation. The OIC would be \$1,000.00 fine paid  
24 within 30 days, or the license shall be suspended  
25 indefinitely until the fine is paid.

1 CHAIRPERSON ANDERSON: Hold on, let  
2 me see, hold on one minute. There's only one?  
3 Okay. I'm looking at the wrong case.

4 So there was only charge in that  
5 case?

6 MS. HOGENMILLER: Yes.

7 CHAIRPERSON ANDERSON: Okay, fine.  
8 Mr. Bailey, it's my understanding that there is  
9 an Offer in Compromise, and the Offer in  
10 Compromise is that it's a fine of \$1,000.00  
11 payable within 30 days.

12 If the fine is not paid within the 30  
13 days, the license will be suspended until the  
14 fine has been paid.

15 Is this your understanding of the  
16 Offer in Compromise, sir?

17 MR. BAILEY: Yes, Chairman.

18 CHAIRPERSON ANDERSON: And, is your  
19 client aware that by accepting an Offer in  
20 Compromise, that they are giving up the right to  
21 a hearing, and giving up the right to appeal this  
22 matter?

23 MR. BAILEY: Yes, Chairman.

24 CHAIRPERSON ANDERSON: Okay, thank  
25 you. With that said, I make a motion that the

1 Offer in -- I'm sorry, any questions by any Board  
2 members?

3 (No audible response.)

4 CHAIRPERSON ANDERSON: With that  
5 said, I make a motion that the Offer in  
6 Compromise be accepted. Is there a second?

7 MEMBER GRANT: Mr. Grant, I second  
8 the motion.

9 CHAIRPERSON ANDERSON: Mr. Grant has  
10 second the motion. We'll have a roll call vote.

11 Mr. Grant?

12 MEMBER GRANT: Mr. Grant, I agree.

13 CHAIRPERSON ANDERSON: Ms. Quinn?

14 (No audible response.)

15 CHAIRPERSON ANDERSON: I can't hear  
16 you, Ms. Quinn.

17 MEMBER QUINN: Ms. Quinn, I agree.

18 CHAIRPERSON ANDERSON: Thank you.  
19 Mr. Meadows?

20 MEMBER MEADOWS: Mr. Meadows, I agree  
21 to the OIC.

22 CHAIRPERSON ANDERSON: Mr. Jones?

23 MEMBER JONES: Mr. Jones, I agree.

24 CHAIRPERSON ANDERSON: And Mr.  
25 Anderson, I agree. The matter passes 5:0.

1                   Thank you both parties for agreeing  
2 to resolve in this case.

3                   Mr. Bailey, I hope all is well with  
4 your family member. Have a great day.

5                   MR. BAILEY: Thank you, sir.

6                   CHAIRPERSON ANDERSON: And, you're  
7 welcome. And Ms. Hogenmiller, thank you.

8                   (Whereupon, the above-entitled matter  
9 went off the record at 11:04 a.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings; and that I am neither counsel for, related to, nor employed by any of the parties to this action in which this matter was taken; and further that I am not a relative nor an employee of any of the parties nor counsel employed by the parties, and I am not financially or otherwise interested in the outcome of the action.



Sam Wojack

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