

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

IN THE MATTER OF:
Connexion Group, LLC,
t/a 1230 DC
1230 9th Street NW
Retailer CR - ANC 2F
License No. 100537
Case #18-CMP-00236
(Operating After Hours,
Cover Charge Endorsement):
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:
: Show Cause
: Hearing
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Wednesday,
March 13, 2019

The Alcoholic Beverage Control Board
met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Suite 400S, Washington, D.C. 20009, Chairperson
Donovan W. Anderson, presiding.

PRESENT:

- DONOVAN W. ANDERSON, Chairperson
NICK ALBERTI, Member
BOBBY CATO, JR., Member
MIKE SILVERSTEIN, Member
JAMES SHORT, Member
REMA WAHABZADAH, Member

**ALSO PRESENT:**

**JESSICA GUNZEL, OAG**

**LINDSAY MARKS, OAG**

**OBED ATTAKPAH, Licensee**

**EMMANUEL KPABITEY**

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

11:17 a.m.

CHAIRPERSON ANDERSON: All right. Our next case, Case No. 18-CMP-00236, 1230 DC, License No. 100537.

Will the parties, please, approach and identify themselves for the record, please?

MS. GUNZEL: Good morning. Jessica Gunzel on behalf of the District of Columbia.

CHAIRPERSON ANDERSON: Good morning, Ms. Gunzel.

MS. MARKS: Lindsay Marks on behalf of the District of Columbia.

CHAIRPERSON ANDERSON: Marks?

MS. MARKS: Marks, yep.

CHAIRPERSON ANDERSON: Good morning, Ms. Marks.

MR. ATTAKPAH: Good morning. I'm Obed Attakpah, owner of 1230.

CHAIRPERSON ANDERSON: Your last name, sir?

MR. ATTAKPAH: Attakpah.

1 CHAIRPERSON ANDERSON: Attakpah?

2 MR. ATTAKPAH: Yeah.

3 CHAIRPERSON ANDERSON: Good morning,  
4 sir.

5 MR. ATTAKPAH: Good morning.

6 MR. KPABITEY: Good morning. My name  
7 is Emmanuel Kpabitey.

8 CHAIRPERSON ANDERSON: I did not hear  
9 anything, sir.

10 MR. KPABITEY: My name is Emmanuel  
11 Kpabitey.

12 CHAIRPERSON ANDERSON: Mr. Kpabitey,  
13 good morning, sir. There is a sign-in sheet  
14 also, please, sign-in.

15 All right. Are there any preliminary  
16 matters in this case?

17 MS. GUNZEL: Yes, Mr. Chair. The  
18 parties have an Offer in Compromise for the Board  
19 today.

20 CHAIRPERSON ANDERSON: And what is  
21 that, please?

22 MS. GUNZEL: For Charge 1 a fine of

1       \$1,500 to be paid within 60 days or the license  
2       shall be suspended indefinitely until the fine is  
3       paid.

4                   For Charge 2, Charge 2 is dismissed.

5                   CHAIRPERSON ANDERSON: All right. Mr.  
6       Attakpah, it's my understanding that there is an  
7       Offer in Compromise. And the Offer in Compromise  
8       is that for Charge 1 there is a fine of \$1,500  
9       and that Charge 2 will be dismissed. And if the  
10      fine is not payable in 60 days, the license will  
11      be suspended until the fine has been paid.

12                   Is this your understanding of the  
13      Offer in Compromise?

14                   MR. ATTAKPAH: Yes, sir.

15                   CHAIRPERSON ANDERSON: Are you aware  
16      that by accepting an Offer in Compromise, that  
17      you are giving up your right to a hearing?

18                   MR. ATTAKPAH: Yes, sir.

19                   CHAIRPERSON ANDERSON: Are you also  
20      aware that by accepting an Offer in Compromise,  
21      that you are giving up your right to appeal this  
22      matter?

1 MR. ATTAKPAH: Yes.

2 CHAIRPERSON ANDERSON: All right.

3 With that said, I then make a motion that the  
4 Offer in Compromise be accepted. That for Charge  
5 1 there is a fine of \$1,500 payable in 60 days.  
6 If the fine is not payable in 60 days, the  
7 license will be suspended. And Charge 2 will be  
8 dismissed. Is there a second?

9 MEMBER SILVERSTEIN: Second.

10 CHAIRPERSON ANDERSON: Mr. Silverstein  
11 has seconded the motion.

12 All those in favor say aye.

13 MEMBER SILVERSTEIN: Aye.

14 CHAIRPERSON ANDERSON: Aye.

15 MEMBER SHORT: Aye.

16 MEMBER WAHABZADAH: Aye.

17 MEMBER CATO: Aye.

18 CHAIRPERSON ANDERSON: Those opposed?

19 MEMBER ALBERTI: Opposed.

20 CHAIRPERSON ANDERSON: The matter  
21 passes 5-1-0 with Mr. Alberti in opposition.

22 The Board will issue a Board Order on

1 this matter. Thank you.

2 MR. ATTAKPAH: Thank you.

3 CHAIRPERSON ANDERSON: Now that this  
4 case is over, sir, I know that you were here for  
5 the previous hearing. And I'm not sure how long  
6 your business has been open, but I have seen your  
7 name on our calendar too many times.

8 ABRA provides training, sir. You need  
9 to make yourself to come in and do the training,  
10 because I'm not sure how long -- how long has the  
11 business been open?

12 MR. ATTAKPAH: Two years.

13 CHAIRPERSON ANDERSON: Two years. And  
14 you have been racking up a rack of fines. And  
15 I'm not sure this is not necessarily -- yeah,  
16 it's a primary tier violation. So if you  
17 continue to do primary tier violations, if you  
18 commit four primary tier violations, there is an  
19 automatic fine of \$30,000 or your business -- you  
20 lose your license. And it's not discretionary.

21 So you need to come here. We offer  
22 training. This Agency will provide whatever

1 assistance you need. You also have the Mayor's--  
2 the Mayor has the new -- I'm sorry, I don't want  
3 to call him the Nighttime Mayor, Mr. Shawn  
4 Townsend. You can have conversations with him.  
5 He used to work here at ABRA. He is also from  
6 the business perspective.

7 You need to make yourself -- make --  
8 reach out to these people to provide you whatever  
9 assistance can be provided, because if you  
10 continue to come here, you are going to stack up  
11 these violations and you are going to get to a  
12 stage where you could lose your license and there  
13 is nothing that -- I might like you or the Board  
14 might like you, but because of the amount of  
15 fines that you have had, the statute will say you  
16 are going to lose your license. Okay?

17 MR. ATTAKPAH: All right.

18 CHAIRPERSON ANDERSON: All right. All  
19 right. And I was told that the next, and I don't  
20 know your history, but the next primary tier  
21 violation will be a mandatory revocation.

22 So you need to come into this Agency,



1 get training to make sure that you do not  
2 continue to have these primary tier violations,  
3 because the Board's hands will be tied in what we  
4 can do. We might be sympathetic, but if the  
5 statute says this is what is going to happen,  
6 then there is really nothing we can do about it.  
7 Okay?

8 MR. ATTAKPAH: Okay.

9 CHAIRPERSON ANDERSON: Thank you.  
10 Have a good day. Yes, Mr. Silverstein, yes?

11 MEMBER SILVERSTEIN: Yes. I would  
12 like to echo the comments of the Chair and tell  
13 you that it is vitally important that everyone in  
14 the city who comes to enjoy our hospitality can  
15 do so in a safe and legal manner. You folks are  
16 involved in what is the second biggest business  
17 in our city behind Government.

18 Hospitality provides 60,000 jobs, \$3  
19 billion, which is \$300 million in the city  
20 treasury. It is not just your establishment, but  
21 all of them that we have to have a reputation  
22 that people know that they can come to our city

1 and come to our places and enjoy our hospitality  
2 in a safe and legal manner.

3 We are all in this together. It is  
4 not our job to beat up on anyone or to single out  
5 anyone, but rather to protect this goose that  
6 lays the golden egg for all of us. Please, help  
7 us.

8 CHAIRPERSON ANDERSON: All right.  
9 Have a good day.

10 MS. GUNZEL: Thank you.

11 CHAIRPERSON ANDERSON: All right.

12 (Whereupon, the Show Cause Hearing was  
13 concluded at 11:24 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

In the matter of: Connexion Group, LLC, t/a 1230 DC

Before: DC ABRA

Date: 03-13-19

Place: Washington, DC

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



-----  
Court Reporter

**NEAL R. GROSS**

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