## THE DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL BOARD

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Case Nos.:	19-CMP-00185 19-251-00038
License No:	ABRA-095164
Order No:	2021-072
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	) License No:

**BEFORE:** 

Donovan Anderson, Chairperson

James Short, Member Bobby Cato, Member

Rema Wahabzadah, Member Rafi Aliya Crockett, Member

Jeni Hansen, Member

Edward S. Grandis, Member

**ALSO PRESENT:** TMI I

TMI International, Inc., t/a 1812 Lounge, Respondent

Andrew J. Kline and Sidon Yohannes, Counsels, of the Veritas Law Firm,

on behalf of the Respondent

John Lui, Assistant Attorney General

Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel

Alcoholic Beverage Regulation Administration

## ORDER APPROVING THE OFFER IN COMPROMISE

The above-mentioned parties appeared before the Alcoholic Beverage Control Board (Board) on February 3, 2021 for a Summary Suspension hearing. At the hearing, the parties proposed an offer-in-compromise (OIC) to resolve the matters described in Case Nos. 19-CMP-00185 and 19-251-00038. The Board approved the OIC at the hearing.

## **ORDER**

Therefore, on this 3rd day of February 2021, the Board **APPROVES** the OIC presented by the parties. The terms of the OIC are as follows:

- 1. The Respondent shall surrender the license for safekeeping on Thursday, February 4, 2021;
- 2. The Respondent shall file an application for transfer of license within 90 days of the issuance of this Order;
- 3. The Respondent will have no ownership interest in the new license holder who shall be a bona fide purchaser;
- The Respondent may not withdraw the application if the Board disapproves the transfer, but, not subject to any deadline, may file a new transfer application;
  - a. The protest proceeding in Case No. 19-PRO-00148shall be stayed until the Board determines the transferee may retrieve the license from safekeeping; and
- 5. If a transfer application cannot be filed in 90 days because no bona fide purchaser has been secured, the Respondent must file a report with the Board detailing efforts to secure a purchaser within 90 days of this Order or the license shall be canceled. Thereafter, the Respondent must file a report every 90 days detailing efforts to secure a bona fide purchaser until a transfer application is filed. In the event the license is not transferred to a new owner by February 3, 2022, the license shall be deemed cancelled by the Board.

The ABRA shall deliver copies of this Order to the Government and the Respondent.

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Pursuant to D.C. Official Code§ 25-433(d)(l), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thilty (30) days of the date of service of this Order, with the District of Columbia Coult of Appeals, 430 E StTeet, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).