

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:)
)
)

Techno Excess LLC, t/a)
Ababa Ethiopian Restaurant)

Holder of a)
Retailer's Class CR License)

2106 18th Street N.W.)
Washington, D.C. 20009)
_____)

Case Nos.: 18-CMP-00067
18-CMP-00075
18-CMP-00024
License No.: 103289
Order No: 2018-441

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Donald Isaac, Sr., Member
Bobby Cato, Member
Rema Wahabzadah, Member

ALSO PRESENT: Techno Excess LLC, t/a Ababa Ethiopian Restaurant, Respondent

Donald M. Temple, Counsel, on behalf of the Respondent

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER AFFIRMING BOARD ORDER NO. 2018-360

On May 23, 2018, the Alcoholic Beverage Control Board reviewed compelling evidence that Techno Excess LLC, t/a Ababa Ethiopian Restaurant, (Respondent) holder of a Retailer's Class CR License hosted multiple events involving the illegal distribution of marijuana and permitted the illegal consumption of alcohol. Despite having placed the license in safekeeping, on March 3, 2018, ABRA investigators observed an event at the premises where patrons were drinking alcoholic beverages. *Case Report No. 18-CMP-00067*, at 2. Various patrons indicated that they had brought the alcohol themselves, brought it from a local liquor store, and that a server had opened the bottles for them. *Id.* While this investigation was ongoing, another investigator observed an event where vendors were displaying large amounts of marijuana


products. *Id.* Likewise, on March 7, 2018, investigators with ABRA observed an event at the premises where a large amounts of marijuana being displayed. *Id.* at 2. During this event, one of the vendors was observed drinking a Heineken beer from an open container. *Id.*

In response to these allegations, pursuant to D.C. Official Code § 25-829(a), the Board, in Order No. 2018-360, ordered the Respondent to cease selling or permitting the consumption of alcohol while its license was in safekeeping in violation of D.C. Official Code §§ 25-102(a), 25-102(d), and 25-830(i). The Respondent requested a hearing in response to the Board's cease and desist order, which was held on July 11, 2018. After hearing from the Respondent, the Board is persuaded that its prior Order is correct and should remain in effect. Should the Respondent desire to resume the sale, service, and consumption of alcoholic beverages on its property, he can apply to have the license removed from safekeeping.

ORDER

Therefore, the Board, on this 11th day of July 2018, hereby **AFFIRMS** Board Order No. 2018-360. A copy of this Order shall be provided to the Respondent.

District of Columbia
Alcoholic Beverage Control Board

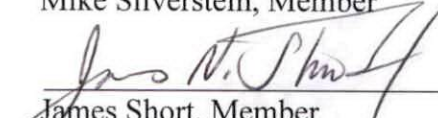


Donovan Anderson, Chairperson




Nick Alberti, Member

Mike Silverstein, Member

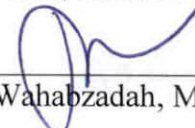


James Short, Member



Donald Isaac, Sr., Member

Bobby Cato, Member



Rema Wahabzadah, Member

You have the right to request a hearing before the Board conducted in accordance with subchapter I of Chapter 5 of Title 2. Pursuant to D.C. Official Code § 25-829(b)(1), you may submit a written request to the Board for a hearing within fifteen (15) days of service of this Order. Additionally, you also have the option of submitting a written request to the Board for an expedited hearing pursuant to D.C. Official Code § 25-829(c)(1) within ten (10) days of service of this Order. Please note that if you fail to request a hearing, this Order shall be deemed final. D.C. Official Code § 25-829(d).

If you request a hearing, you may appear personally at the hearing, and you and the establishment, may be represented by legal counsel. You have the right to produce witnesses and evidence on your behalf and to cross-examine witnesses. You may examine evidence produced, and have subpoenas issued on your behalf to require the production of witnesses and evidence.

All hearings are conducted in the English language. If you, any corporate officer, or any witnesses to be called are deaf, have a hearing impediment, or cannot readily understand or communicate the spoken English language, an application may be made to the Board for the appointment of a qualified interpreter.

Your failure to appear at the time and place set for the hearing, if requested, either in person or through counsel, or both, will not preclude the Board from proceeding in this matter. Should you have any questions, contact ABRA Adjudication Specialist Danette Walker at 202-442-4418.

Finally, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, District of Columbia 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 thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 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).