

**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: 2018-499

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

Fernando Rivero, 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

This matter arises from the allegations and charges filed by the Office of the Attorney General for the District of Columbia contained in the Notices of Status Hearing and Show Cause for Case Numbers 18-CMP-00067, 18-CMP-00075, and 18-CMP-00024.

In total, the Government has filed seven charges against Techno Excess LLC, t/a Ababa Ethiopian Restaurant, (Respondent). Case No. 18-CMP-00024 includes the following charges:

Charge I: [On January 6, 2018] [y]ou failed to post the license conspicuously in the establishment, in violation of D.C. Official Code § 25-711

Charge II: [On January 6, 2018] [y]ou failed to keep a licensed ABC manager on duty at all times, in violation of D.C. Official Code § 25-701(a)

Notice of Status Hearing and Show Cause, 2 (Jun. 4, 2018).

Case No. 18-CMP-00067 includes the following charges:

Charge I: [On March 3, 2018] [y]ou permitted the consumption of alcoholic beverages on the premises without the possession of a license, in violation of D.C. Official Code § 25-102(d)

Charge II: [On March 3, 2018], [y]ou permitted the service of alcoholic beverages while the license was held in safekeeping, in violation of D.C. Official Code § 25-830(i)

Charge III: [On March 3, 2018] [y]ou allowed the establishment to be used for an unlawful purpose by hosting an event at which illegal drugs or drugs over the legal weight were possessed, in violation of D.C. Official Code § [25-823(a)(2)] . . . and D.C. Official Code § 48-904.01

Notice of Status Hearing and Show Cause, 2-3 (Jul. 10, 2018).

Finally, Case No. 18-CMP-00075 includes the following charges:

Charge I: [On March 7, 2018] [y]ou permitted the consumption of alcoholic beverages on the premises without the possession of a license, in violation of D.C. Official Code § 25-102(d)

Charge II: [On March 7, 2018] [y]ou allowed the establishment to be used for an unlawful purpose by hosting an event at which illegal drugs or drugs over the legal weight were possessed, in violation of D.C. Official Code § [25-823(a)(2)] . . . and D.C. Official Code § 48-904.01

Notice of Status Hearing and Show Cause, 2 (Jul. 9, 2018).

The Government and the Respondent appeared before the Alcoholic Beverage Control Board on August 15, 2018, and requested the approval of an offer-in-compromise (OIC), which the Board approved.

ORDER

Therefore, on this 15th day of August 2018, the Board hereby **APPROVES** the OIC. Per the OIC, the Respondent agrees and is subject to the following:

1. The Respondent understands the charges filed against it and knowingly and voluntarily enters this plea. The Respondent further agrees, except for any charges that have been

dismissed, that it committed the charges described by the Office of the Attorney General in the notices identified above.

2. The designated representative appearing at the hearing is authorized to enter this plea.
3. The Respondent waives the right for appeal and judicial review of this Order.
4. For the violations described Case Number 18-CMP-00024:
 - a. The Respondent shall receive a warning for Charge I; and
 - b. The Respondent shall receive a fine of \$350 for the violation described in Charge II.
5. For the violations described Case Number 18-CMP-00067:
 - a. Charge I is dismissed;
 - b. The Respondent shall pay a fine of \$1,000 for the violation described in Charge II; and
 - c. The Respondent shall pay a fine of \$2,000 for the violation described in Charge III.
6. For the violations described Case Number 18-CMP-00075:
 - a. The Respondent shall pay a fine of \$1,000 for the violation described in Charge I; and
 - b. The Respondent shall pay a fine of \$2,000 for the violation described in Charge II.

IT IS FURTHER ORDERED that the Respondent must pay all fines imposed by the Board, totaling \$6,350, within ninety (90) days from the date of this Order, or its license shall be immediately suspended until all amounts owed are paid.

IT IS FURTHER ORDERED, in accordance with 23 DCMR § 800.1, the violations found by the Board in this Order shall be deemed four primary tier violations and one secondary tier violation.

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

District of Columbia
Alcoholic Beverage Control Board

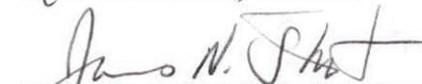


Donovan Anderson, Chairperson

Nick Alberti, Member



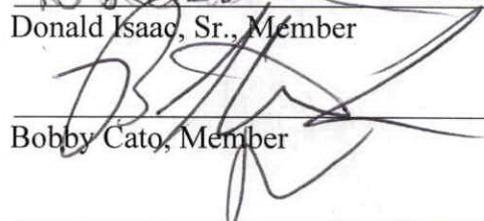
Mike Silverstein, Member



James Short, Member



Donald Isaac, Sr., Member



Bobby Cato, Member

Rema Wahabzadah, Member

Pursuant to D.C. Official Code § 25-433(d)(1), 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, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 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 thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202-879-1010). 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) (2004).