

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

In the Matter of:

MG Liquors, Inc.

t/a Barrel House Liquors

Holder of a

Retailer's Class A License

at premises

1339 14th Street, NW

Washington, D.C. 20005

Case No.: 20-CC-00060

License No.: ABRA-023984

Order No.: 2021-016

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: MG Liquors, Inc., t/a Barrel House Liquors, Respondent

Stephen O'Brien, Counsel, on behalf of the Respondent

Shahzeb Asim, Assistant Attorney General,
on behalf of the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING OFFER IN COMPROMISE

The above mentioned parties have petitioned the Alcoholic Beverage Control Board (Board) to approve an offer-in-compromise (OIC) to settle one or more violations of Title 25 of the D.C. Official Code (Title 25) and Title 23 of the D.C. Municipal Regulations (Title 23) in accordance with D.C. Official Code § 2-509(a).

ORDER

Therefore, on this 6th day of January 2021, the Board **APPROVES** the OIC appended to this Order. The terms of the OIC are as follows:

1. The Respondent admits to a violation of the statutes or regulations listed in the OIC attached to this Order.
2. The Respondent shall follow and abide by the terms and conditions of the attached OIC in accordance with D.C. Official Code §§ 2-509(a), 25-447(f), and 25-823(a)(6).
3. The Respondent waives all rights to notice or appearance before the Board.
4. The Respondent waives the right to a hearing, call witnesses, present evidence, and otherwise contest the charges as provided in Title 25 and Title 23.
5. The Respondent waives the right to judicial review or appeal of this Order. The Respondent further agrees not to collaterally attack the disposition imposed by this Order.
6. The parties agree that the attached OIC constitutes the entire agreement of the parties.

The Show Cause hearing in this matter is cancelled. ABRA shall deliver copies of this Order to the Government and the Respondent.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac432c2e260250944b33285d10c08

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547aa3732825245ac81b33282541ec

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 256d3fcaad1b44d774b75bd7817a20d

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rema Wahabzadah, Member
Key: bf2ca46b506b74096b19b35b738f192f

Rema Wahabzadah, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b560a91845a15e4010155a5c12b1c0

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 93173d31f059447d1b6692ca41d1f

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward S. Grandis, Member
Key: 5027bda7ff0040ec14adeb52541ce5

Edward S. Grandis, 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, 2000 14th 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 thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E St. 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).

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

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<p>IN THE MATTER OF:</p> <p>MG LIQUORS, INC., t/a BARREL HOUSE LIQUORS,</p> <p style="text-align:center">Respondent.</p>	<p>Case No. 20-CC-00060 License No. 023984 Retailer's Class A License</p>
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OFFER IN COMPROMISE FOR BOARD APPROVAL

The District of Columbia, jointly with the licensee (respondent) submits this Offer in Compromise (OIC) to the Alcoholic Beverage Control Board (Board), as authorized by 23 DCMR § 1604.5, for approval by the Board.

The Parties understand that if the Board approves the OIC, this case will conclude and any scheduled Show Cause Hearing will be vacated. Respondent will be obligated to abide by the terms of the OIC: a fine, suspension, both, or other term shown below. If the Board does not approve the OIC, the matter will be continued to the scheduled Show Cause Hearing, currently not set.

The respondent has been advised that there is no obligation to accept an OIC. Respondent has been advised, through service of the Notice of Status Hearing and Show Cause Hearing that at a Show Cause Hearing, respondent may be represented by legal counsel, have subpoenas issued to require the production of witnesses and evidence, produce witnesses and evidence, cross-examine witnesses, and apply to the Board for a qualified interpreter.

The OIC terms are as follows.

Charge I: Sale to Minor.

Statutory Authority: D.C. Code § 25-781.

(1) Fine: \$3,000 within 90 days or its license shall be suspended indefinitely until this fine is paid.

(2) Suspension: licensee shall be suspended for 10 days, with four days to be served January 25, 2021 through January 28, 2021 and six days to be stayed for one year, provided that there are no further violations in that time. In addition, respondent shall serve five suspension days from January 10, 2021 through January 14, 2021, which were activated from Case 19-CC-00128.

(3) Other term: All employees who serve alcoholic beverages in the licensed establishment must complete an alcohol training program within 3 months from the OIC's date

Charge II: Failed to take Reasonable Steps Necessary to Ascertain Legal Drinking Age.

Statutory Authority: D.C. Code § 25-783.

(1) Dismissed.

Dated: January 5, 2021.

Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

TONI MICHELLE JACKSON
Deputy Attorney General
Public Interest Division

/s/ Fernando Rivero
FERNANDO RIVERO [422074]
Assistant Chief, Civil Enforcement Section

/s/ Shahzeb Asim
SHAHZEB ASIM [1721965]
Assistant Attorney General
Suite 10100

400 Sixth Street, N.W.
Washington, D.C. 20001
Phone: (202) 442-9842
E-mail: Shahzeb.asim@dc.gov

ATTORNEYS FOR THE DISTRICT OF COLUMBIA

CONSENT OF RESPONDENT

By this Offer in Compromise, I agree to accept and perform its terms. I acknowledge the validity of the OIC and waive a hearing to which I would have a right under D.C. Code § 25-826. I also recognize that I am waiving any right to appeal an adverse ruling of the Board that might have followed any such hearing. By this settlement, I waive all such rights. I sign this OIC without reservation, and I fully understand its meaning and my rights.

/s/ [Signature]
Respondent

January 5, 2021
DATE

/s/ [Signature]
Respondent's Attorney

January 5, 2021
DATE

CERTIFICATE OF SERVICE

I certify that on January 5, 2021, the foregoing Offer in Compromise for Board Approval was served by electronic mail or by U.S. mail, first class postage pre-paid, to:

Stephen O'Brien
Mallios & O'Brien PLLC
2600 Virginia Avenue, N.W.
Suite 406
Washington, D.C. 20037
sobrien@malliosobrien.com

Martha Jenkins
General Counsel, ABRA
2000 14th Street, N.W.
Suite 400 South
Washington, D.C. 20009
Martha.Jenkins@dc.gov

/s/ Shahzeb Asim
Shahzeb Asim
Assistant Attorney General