

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

In the Matter of:

BL 1701 14th DC, LLC

t/a Bluestone Lane

Holder of a

Retailer's Class CR License

at premises

1701 14th Street, NW, Unit 3

Washington, D.C. 20009

Case No.: 23-CMP-00056

License No.: ABRA-114952

Order No.: 2023-529

BEFORE:

Donovan Anderson, Chairperson

James Short, Member

Bobby Cato, Member

Jeni Hansen, Member

Edward S. Grandis, Member

ALSO PRESENT: BL 1701 14th DC, LLC, t/a Bluestone Lane, Respondent

Anthony P. Celo, Assistant Attorney General

Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel

Alcoholic Beverage and Cannabis Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

The above-mentioned parties have petitioned the Alcoholic Beverage and Cannabis 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 25th day of October 2023, 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. The Alcoholic Beverage and Cannabis Administration (ABCA) shall deliver copies of this Order to the Government and the Respondent.

District of Columbia
Alcoholic Beverage and Cannabis Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: 643b06b00457f9e4b700093d1d4e78

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ae3737320de6ac8d1a332ae25479c

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 256d37ea17be1d6674573d07919d2cd

Bobby Cato, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 8217293175508447431b558e2a418d3

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7f89f0040ec14adeb02541ce5

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 and Cannabis Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II 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 (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 AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**



IN THE MATTER OF: BL 1701 14th DC, LLC, t/a BLUESTONE LANE, Respondent.	Case No. 23–CMP–00056 License No. 114952 Retailer Class CR
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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 and Cannabis 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 (23–CMP–00056) will conclude. Respondent will be obligated to abide by the terms of the OIC shown below. If the Board does not approve the OIC, these matters will proceed to Show Cause Hearings.

Respondent has been advised that there is no obligation to accept an OIC. Respondent has been advised, through service of the Notices of Show Cause Hearing, that at any Show Cause Hearing or other proceedings, 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: Operated a Sidewalk Café without the endorsement.

Statutory Authority: D.C. Code § 25–113.01(c)

Fine: \$1,000 payable within 30 days or its license shall be suspended indefinitely until the fine is paid.

Charge II: Failed to obtain approval before making a substantial change.

Statutory Authority: D.C. Code § 25–726(b)(2)

Outcome: Dismissed.

Dated: October 19, 2023

Respectfully submitted,

BRIAN L. SCHWALB
Attorney General for the District of Columbia

STEPHANIE E. LITOS
Deputy Attorney General
Civil Litigation Division

/s/ Kimberly M. Johnson
KIMBERLY M. JOHNSON [435163]
Chief, Civil Enforcement Section

/s/ Charles J. Coughlin
CHARLES J. COUGHLIN [1016993]
Assistant Chief, Civil Enforcement Section

/s/ Anthony P. Celo
ANTHONY P. CELO [90000653]
Assistant Attorney General
Civil Enforcement Section
Civil Litigation Division
Suite 10100
400 Sixth Street, N.W.
Washington, D.C. 20001
(202) 735-7559
(202) 741-8936 (fax)
Anthony.Celo@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 further litigation including the motion of reconsideration to which I would have a right under 23 DCMR § 1719.1. 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/ 

10/19/2023

DATE

Nicholas Stone, Manager

[Print Name/Title]

BL 1701 14th DC, LLC, t/a Bluestone Lounge

Respondent

CERTIFICATE OF SERVICE

On October 19, 2023, I served the foregoing Offer in Compromise for Board Approval by

email to:

Stephen O'Brien, Designated Agent
BL 1701 14th DC, LLC, t/a Bluestone Lounge
c/o Mallios O'Brien & Sandground PLLC
mminora@malliosobrien.com
sobrien@malliosobrien.com
Respondent

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

/s/ Anthony P. Celo

Anthony P. Celo
Assistant Attorney General