

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

In the Matter of:)
)
Cafe Dupont, LLC)
t/a Cafe Citron)
)
Holder of a)
Retailer's Class CT License)
)
at premises)
1343 Connecticut Avenue, NW)
Washington, D.C. 20036)
_____)

Case No.: 22-CMP-00034
License No.: ABRA-060138
Order No.: 2022-579

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rafi Aliya Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ALSO PRESENT: Cafe Dupont, LLC, t/a Cafe Citron, Respondent

Collin C. Cenci, 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 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 3rd day of August 2022, 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: ac430b92694506e4b730093d1dccc8

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ee373820d6fac8d1b33dd2944c

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 256d3ba2be145d7f4c75bd7917920d

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b50de91845e10e4018155e5c1291c2

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 82172010509447491b569c2a418c8

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda705f0040ec14adeb52541ce5

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 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 REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**



IN THE MATTER OF: CAFÉ DUPONT, LLC, t/a CAFÉ CITRON, Respondent.	Case No.: 22-CMP-00034 License No. 060138 Retailer Class CT
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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 § 1611.5, for approval by the Board.

The parties understand that if the Board approves the OIC, the scheduled hearing will be vacated, the case will conclude, and appeal and judicial review are waived under 23 DCMR § 1611.6. Respondent will be obligated to abide by the OIC terms shown below. If the Board does not approve the OIC, the matter will proceed to a show cause hearing on August 10, 2022.

Respondent has been advised that there is no obligation to accept the 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: Exceeded interior occupancy.

Statutory Authority: D.C. Code § 25-762(b)(1).

Fine: \$4,000 payable within 120 days or its license shall be suspended indefinitely until the fine is paid.

Dated: August 2, 2022.

Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

CHAD COPELAND
Deputy Attorney General
Civil Litigation Division

/s/ Kimberly M. Johnson /cjc/
KIMBERLY M. JOHNSON [435613]
Chief, Civil Enforcement Section

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

/s/ Collin C. Cenci
COLLIN C. CENCI [1673064]
Assistant Attorney General
400 Sixth Street, N.W., Suite 10100
Washington, D.C. 20001
(202) 256-2810
collin.cenci@dc.gov

ATTORNEYS FOR THE DISTRICT OF COLUMBIA

CONSENT OF RESPONDENT

By consenting to 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.



Respondent
Clelia Berindoague, Managing Member
Café Dupont, LLC t/a Café Citron
1343 Connecticut Avenue, N.W.
Washington, D.C. 20036
cleliascorpio@aol.com

7-29-2022
DATE

CERTIFICATE OF SERVICE

On August 2, 2022, the foregoing was served by email to:

Clelia Berindoague, Managing Member
Café Dupont, LLC t/a Café Citron
1343 Connecticut Avenue, N.W.
Washington, D.C. 20036
cleliascorpio@aol.com

Jacqueline Courbois, General Manager
Café Dupont, LLC t/a Café Citron
1343 Connecticut Avenue, N.W.
Washington, D.C. 20036
jackie20dc@yahoo.com

Respondent

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

/s/ Collin C. Cenci

Collin C. Cenci
Assistant Attorney General