

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

In the Matter of:	)	
	)	
	)	
	)	
Krakatoa, Inc., t/a	)	License No.: ABRA-017940
Chief Ike's Mambo Room	)	Order No.: 2016-662
	)	
Holder of a Retailer's	)	
Class CT License	)	

Andrew J. Kline, The Veritas Law Firm, Counsel for Krakatoa, Inc., t/a Chief Ike's Mambo Room

Nick Barkley, 456, LLC, Member

**BEFORE:** Donovan Anderson, Chairperson  
Nick Alberti, Member  
Mike Silverstein, Member  
James Short, Member  
Mafara Hobson, Member  
Jake Perry, Member

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**ORDER GRANTING MOTION TO RECONSIDER  
AND REINSTATING CANCELLED LICENSE**

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On November 2, 2016, the Alcoholic Beverage Control Board (Board) issued Board Order No. 2016-628, cancelling Krakatoa, Inc., t/a Chief Ike's Mambo Room's (Chief Ike's) Retailer's Class CT License (License). *In the Matter of Krakatoa, Inc., t/a Chief Ike's Mambo Room*, Board Order No. 2016-628 (D.C.A.B.C.B. November 2, 2016). The License was cancelled because Chief Ike's failed to renew its License by the September 30, 2016, the deadline for renewal of all Retailer's Class CT Licenses.

Chief Ike's filed a timely Motion to Reconsider Order Cancelling License (Motion) with the Board on November 9, 2016. *ABRA Licensing File, Motion to Reconsider Order Cancelling License*. Chief Ike's contends that in May 2015, the Board approved the transfer of its License to 456, LLC and the License was placed in Safekeeping. *Motion to Reconsider Order Cancelling License*, at 1.

Notwithstanding the transfer of the License to 456, LLC, Chief Ike's contends that ABRA continued to send Agency notices to Chief Ike's and not to 456, LLC. *Id.* at 2.

Thus, the Board erred in cancelling the License because the Agency failed to provide 456, LLC with notice of the renewal. *Id.* The Board agrees.

The Board approved the transfer of the License from the Respondent to 456, LLC on May 6, 2015. At the same time, the Board approved the placement of the License into Safekeeping. ABRA's records, however, were not updated to reflect that the Board had approved the transfer. As such, ABRA's licensing records reflect that Chief Ike's still owned the License.

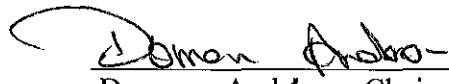
As a result of the inaccurate records, 456, LLC did not receive notice regarding the renewal of the License. *See Respondent's Motion to Reconsider Order Cancelling License, Attachment 1.* Nick Barkley, a Member of 456, LLC, was only made aware of that the License was at risk of cancellation when Chief Ike's forwarded a copy of the Board's Order cancelling the License.

Because ABRA did not properly notify 456, LLC, the owner of the License, to renew, the Board vacates the Order Cancelling License in Safekeeping and advises 456, LLC to renew the License immediately.


Accordingly, it is this 30<sup>th</sup> day of November 2016, **ORDERED** that:

1. The Respondent's Motion to Reconsider Order Cancelling License is **GRANTED**.
2. License No. ABRA-017940 is reinstated.
3. 456, LLC shall have ten (10) days after receipt of this Order to file its License Renewal Application with ABRA. Failure to file the License Renewal Application within ten (10) days of receipt of this Order may result in the cancellation of the License.
4. 456, LLC is responsible for payment of all applicable fees associated with filing the License Renewal Application.
5. Copies of this Order shall be sent to the 456, LLC.

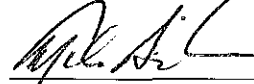
District of Columbia  
Alcoholic Beverage Control Board

  
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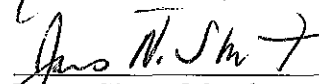
Donovan Anderson, Chairperson

  
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Nick Alberti, Member

  
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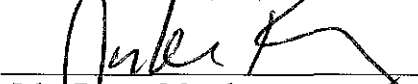
Mike Silverstein, Member

  
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James Short, Member

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Mafara Hobson, Member

  
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Jake Perry, 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 14<sup>th</sup> 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 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).