

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

In the Matter of:

Church DC, LLC
t/a Church/Georgetown Wing Co.

Holder of a
Retailer's Class CT License

at premises
3222 M Street, NW
Washington, D.C. 20007

Case No.: 22-CC-00002
License No.: ABRA-119851
Order No.: 2022-247

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

ALSO PRESENT: Church DC, LLC, t/a Church/Georgetown Wing Co., Respondent

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

Kevin R. Lutes, 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 25th day of May 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: 42432625L95d1896407200938145208

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ae373020666ac9d1b333d2545ec

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 258d3fca9fba146d7f4b75hd7917d20d

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b500a91845e1f9a401d155e5c1281cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 82172001b500447491b568012a4180f

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7f09f0040ec14adb52541ce5

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: Church DC, LLC, t/a Church/Georgetown Wing Co., Respondent.	Case No. 22-CC-00002 License No. 119851 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, scheduled hearings will be vacated and this case will conclude, and appeal and judicial review are waived under 23 DCMR § 1611.6. Respondent will be obligated to abide by the fine, suspension or other OIC term shown below. If the Board does not approve the OIC, the matter will be continued to a Show Cause Hearing.

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: Sale of alcoholic beverages to minors.

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

Fine: \$3,000 payable within 120 days of the Board accepting the OIC, and if payment is not made within 120 days, the license will be suspended until payment is received.

Additional Terms:

The license shall be suspended for five (5) days, with all five (5) days stayed for one (1) year; and

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

Charge II: Failure to take reasonable steps necessary to ascertain legal drinking age.

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

Fine: Warning in lieu of fine.

Dated: May 24, 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
KIMBERLY M. JOHNSON [435613]
Chief, Civil Enforcement Section

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

/s/ Kevin R. Lutes
KEVIN R. LUTES [1779645]
Assistant Attorney General
Civil Enforcement Section
Civil Litigation Division
400 Sixth Street, N.W., Suite 10100
Washington, D.C. 20001
(202) 807-0380
Kevin.Lutes@dc.gov

ATTORNEYS FOR THE DISTRICT OF COLUMBIA

CONSENT OF RESPONDENT

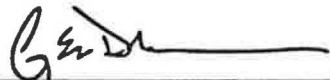
By this Offer in Compromise, I agree to accept and perform its terms. I acknowledge the validity of the OIC and waive a hearing to which I would have a right under D.C. Code § 25-826. I also recognize that I am waiving any right to appeal an adverse ruling of the Board that might have followed any such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

Stephen OBrien

Stephen O'Brien, Esq.
Counsel for Respondent

05.23.22

DATE



Geoffrey Dawson, Respondent

5/23/2022

DATE

CERTIFICATE OF SERVICE

On May 24, 2022, I served the foregoing Offer in Compromise for Board Approval by electronic mail to:

Stephen J. O'Brien, Esq.
Mallios O'Brien & Sandground PLLC
2600 Virginia Avenue, N.W., Ste. 406
Washington, D.C. 20037
sobrien@malliosobrien.com
Counsel for Respondent

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

/s/ Kevin R. Lutes

Kevin R. Lutes
Assistant Attorney General

Signature: *Stephen J O'Brien*
Stephen J O'Brien (May 23, 2022 14:36 EDT)
Email: sobrien@malliosobrien.com

Signature:
Email: geoffreydawson@mac.com