

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

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<b>In the Matter of:</b>	)	
	)	
	)	
MHF 2nd NOMA Operating Tenant VII, LLC	)	
t/a Courtyard by Marriott Washington DC/US Capitol	)	Case No.: 23-CMP-00066
	)	License No.: ABRA-118032
Holder of a	)	Order No.: 2024-024
Retailer’s Class CH License	)	
	)	
at premises	)	
1325 2nd Street, NE	)	
Washington, D.C. 20002	)	

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**BEFORE:** Donovan Anderson, Chairperson  
James Short, Member  
Silas Grant, Jr., Member

**ALSO PRESENT:** MHF 2nd NOMA Operating Tenant VII, LLC, t/a Courtyard by Marriott  
Washington DC/US Capitol, Respondent

Alycia K. Hogenmiller, Assistant Attorney General  
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel  
Alcoholic Beverage and Cannabis Administration

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**ORDER APPROVING THE OFFER-IN-COMPROMISE**

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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 24th day of January 2024, 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 SeamllessDocs.com  
*Donovan Anderson*  
Key: ac43cb9b59d5f0e4b730003d14cc88

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Donovan Anderson, Chairperson

eSigned via SeamllessDocs.com  
*James Short*  
Key: 547ae373f820d6e6ac8d1b332d2049ec

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James Short, Member



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Silas Grant, Jr., 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 14<sup>th</sup> 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**



<b>IN THE MATTER OF:</b>  <b>MHF 2nd NOMA Operating Tenant VII, LLC t/a Courtyard by Marriott Washington DC/US Capitol</b>  <b>Respondent.</b>	<b>Case No. 23-CMP-00066 License No. 118032 Retailer Class CH</b>
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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 (the Board), as authorized by 23 DCMR § 1604.5, for approval by the Board.

The Parties understand that if the Board approves the OIC, appeal and judicial review are waived under 23 DCMR § 1611.6, scheduled hearings will be vacated, and the case will conclude. 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 the scheduled Show Cause Hearing on a date to be determined.

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 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: Failed to file the required quarterly statement—Secondary tier violation.

Statutory Authority: D.C. Code § 25–113(b)(2)(A)

Fine: \$2,000.00 payable within 30 days, or the license shall be suspended indefinitely until the fine is paid.

Other term: Submit pending quarterly statements if they have not been submitted yet.

Dated: January 17, 2024

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

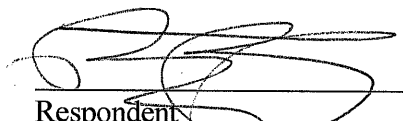
/s/ Charles J. Coughlin  
CHARLES J. COUGHLIN [1016993]  
Assistant Chief, Civil Enforcement Section

/s/ Alycia K. Hogenmiller  
ALYCIA K. HOGENMILLER [90004316]  
Assistant Attorney General  
Civil Enforcement Section  
Civil Litigation Division  
400 Sixth Street, N.W., Suite 10100  
Washington, D.C. 20001  
(202) 256-9692  
Alycia.Hogenmiller@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.

  
Respondent  
Robert A. Indeglia, Jr.  
1325 2nd Street, N.E.  
Washington, D.C. 20002

1/19/24  
\_\_\_\_\_  
DATE

**CERTIFICATE OF SERVICE**

On January 17, 2024, I served the foregoing by email to:

Matthew Minora  
Mallios O'Brien & Sandground, PLLC  
888 17th Street, N.W.  
Suite 1050  
Washington, D.C. 20006  
mminora@malliosobrien.com

*Counsel for Respondent*

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

/s/ Alycia K. Hogenmiller  
ALYCIA K. HOGENMILLER  
Assistant Attorney General