

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

In the Matter of:	)	
	)	
Dean & Deluca of Georgetown, Inc.	)	
t/a Dean & Deluca	)	
	)	
Holder a	)	Case No.: 18-CC-00113
Retailer's Class B License	)	License No.: ABRA-018083
	)	Order No.: 2019-182
at premises	)	
3276 M Street, NW	)	
Washington, D.C. 20007	)	

**BEFORE:** Donovan Anderson, Chairperson  
Nick Alberti, Member  
Mike Silverstein, Member  
James Short, Member  
Bobby Cato, Member  
Rema Wahabzadah, Member

**ALSO PRESENT:** Dean & Deluca of Georgetown, Inc., t/a Dean & Deluca,  
Respondent

Jessica Krupke, Assistant Attorney General  
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

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

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This matter arises from a Notice of Status and Show Cause Hearing (Notice) issued by the Alcoholic Beverage Control Board (Board) in the matter of Dean & Deluca of Georgetown, Inc., t/a Dean & Deluca (Respondent), located at 3276 M Street, NW, Washington, D.C. 20007.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 18-CC-00113 on the Respondent on March 15, 2019. *ABRA Show Cause File*

*No. 18-CC-00113.* The Notice charges the Respondent with a single violation, which if proven true, would justify the imposition of a fine, as well as the suspension or revocation of the Respondent's license.

Specifically, the Notice in Case No. 18-CC-00113, charged the Respondent with the following violation:

Charge I: [On Tuesday, August 28, 2018], [y]ou or another person at the establishment sold, delivered, or in any matter dispensed alcoholic beverages to a person under 21 years of age, in violation of D.C. Official Code § 25-781...

*ABRA Show Cause File No. 18-CC-00113, Notice of Status Hearing and Show Cause Hearing, 2-3 (March 4, 2019).*

At the Show Cause Status Hearing held on April 3, 2019, the Respondent and the Government entered into an Offer-in-Compromise (OIC), which resolved the charge set forth above. The Board notes that this is the Respondent's fourth Sale to Minor violation within four (4) years. Thus, the Board may impose a fine of no less than \$30,000. *Licensing File No. ABRA-018083, Investigative History; D.C. Official Code § 25-781(f)(4).*

The terms of the OIC are as follows:

1. For Charge I – The Respondent shall pay a \$30,000 fine for the violation alleged in Charge I; the license shall be suspended for thirty (30) days, with all thirty (30) days to be served.
2. In addition, the Respondent shall serve a five (5) day suspension activated from Case No. 17-CC-00082.

By agreeing to the terms of the OIC, the Respondent waives its right to a Show Cause Hearing and appeal. The OIC has been reduced to writing and is formally approved through this Order.

## **ORDER**

Accordingly, the Board having found the terms of the OIC to be fair, reasonable and adequate, does hereby, this 3rd day of April, 2019, **APPROVE** the terms of the Offer in Compromise entered into by the Government and Dean & Deluca of Georgetown, Inc., t/a Dean & Deluca, located at premises 3276 M Street, NW, Washington, D.C. 20007.

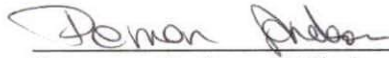
**IT IS FURTHER ORDERED** that the Respondent will:

- (1) Remit the fine in the sum of \$30,000 within one hundred twenty (120) days;  
and
- (2) Incur a total of thirty five (35) days suspension to be served from April 3, 2019 through May 7, 2019.

Failure to remit the amount in full within the time specified will result in the suspension of the license until the amount is paid.

A copy of this Order shall be sent to the Respondent and to the Government.

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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Bobby Cato, Member

  
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Rema Wahabzadah, 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).