

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

In the Matter of:)	
)	
Heirloom Catering, LLC)	
t/a Delia's Catering)	Case No.: 22-CMP-00085
)	License No.: ABRA-103563
Holder of a)	Order No.: 2023-215
Retailer's Class Caterer License)	
)	
at premises)	
354 West Broad Street)	
Falls Church, VA 22046)	

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

ALSO PRESENT: Heirloom Catering, LLC, t/a Delia's Catering, Respondent

Christopher N. Southcott, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage and Cannabis 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 26th day of April 2023, 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 Control Board

eSigned via SeanzlessDocs.com

Donovan Anderson

Key: 4326082905920e4c73007016cc58

Donovan Anderson, Chairperson

eSigned via SeanzlessDocs.com

James Short

Key: 5470c37320206c6c8f1b3325e2042e1

James Short, Member

eSigned via SeanzlessDocs.com

Bobby Cato

Key: 2b6c2fca32b1469d7f457b0d7017d2c1

Bobby Cato, Member

Rafi Crockett, Member

eSigned via SeanzlessDocs.com

Jeni Hansen, Member

Key: 8272012220447431b549c2a41827

Jeni Hansen, Member

eSigned via SeanzlessDocs.com

Edward S. Grandis, Member

Key: 5027b1a7f0f0620e14adeb52541ce5

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 and Cannabis 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:

Case No. 22-CMP-00085

HEIRLOOM CATERING, LLC License No. 103563 Retailer
t/a DELIA's CATERING, Class Caterer

Respondent.

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 § 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.

The 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 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: Imported into the District a quantity of wine and spirits in excess of one case—
First primary tier violation.

Statutory Authority: D.C. Code § 25-772(a) and 23 DCMR § 2004.1.

Term: \$1,000 within thirty (30) days or its license shall be suspended indefinitely until
this fine is paid.

Charge II: Failed to have the holder of the caterer's license or a designated manager on
the premises for the duration of the catered event—First secondary tier violation.

Statutory Authority: 23 DCMR § 2005.1.

Term: \$250 within thirty (30) days or its license shall be suspended indefinitely until this
fine is paid.

Charge III: Purchased alcoholic beverages from a wholesaler for a scheduled event to be
attended by more than 100 people without holding an on-premises retailers license—First
secondary tier violation.

Statutory Authority: 23 DCMR § 2002.1.

Term: \$250 within thirty (30) days or its license shall be suspended indefinitely until this
fine is paid.

Dated: April 25, 2023. 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/ Christopher N. Southcott

CHRISTOPHER N. SOUTHCOTT [1738132]

Assistant Attorney General¹

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400 Sixth Street, N.W.

Washington, D.C. 20001

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Christopher.Southcott@dc.gov

ATTORNEYS FOR THE DISTRICT OF COLUMBIA

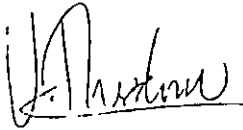
¹ Admitted to the Bar under D.C. App. R. 46-A (Emergency Examination Waiver). Practicing under the direct supervision of Kimberly M. Johnson, a member of the D.C. Bar, under D.C. App. R. 46-A(d)(2).

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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.



Vicky Theodoru, Managing Member for
Respondent, *pro se*

April 26, 2023

DATE

CERTIFICATE OF SERVICE

I certify that on April 25, 2023, the foregoing Offer in Compromise for Board Approval was served by electronic mail or by U.S. mail, first class postage pre-paid, to:

Vicky Theodoru
Heirloom Catering, LLC t/a Delia's
Catering 362 West Broad Street
Falls Church, VA 22046
vicky@heirloomdc.com
Martha Jenkins
General Counsel, ABRA 2000 14th
Street, N.W. Suite 400 South

Washington, D.C. 20009
Martha.Jenkins@dc.gov

/s/ Christopher N. Southcott
Christopher N. Southcott Assistant
Attorney General