

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

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**In the Matter of:** )  
)  
)  
Empire DC, LLC )  
t/a Empire Lounge )  
)  
Holder of a )  
Retailer’s Class CT License )  
)  
)  
at premises )  
1909 9th Street, NW )  
Washington, D.C. 20001 )

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Case No.: 22-CMP-00014  
License No: ABRA-110702  
Order No: 2022-831

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

**ALSO PRESENT:** Empire DC, LLC, t/a Empire Lounge, Respondent  
  
Richard Bianco, Counsel, on behalf of the Respondent  
  
Janika J. Jordan, 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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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 October 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

Signed via SeamlessDocs.com  
*Donovan Anderson*  
Key: ac42b4b8b945064b72695d1a0c08

Donovan Anderson, Chairperson

Signed via SeamlessDocs.com  
*James Short*  
Key: 347ac97932ca614e51322a6794e2

James Short, Member

Signed via SeamlessDocs.com  
*Bobby Cato*  
Key: 259d0ff0d1b109d74d75ac7917a20d

Bobby Cato, Member

Signed via SeamlessDocs.com  
*Rafi Aliya Crockett, Member*  
Key: 1552c9f1848e15e891d15c45c1281e2

Rafi Crockett, Member

Jeni Hansen, Member

Signed via SeamlessDocs.com  
*Edward S. Grandis, Member*  
Key: 5c27bda7f0d7040e14adeb52541ce5

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 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 REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD**



IN THE MATTER OF:  EMPIRE DC, LLC t/a EMPIRE LOUNGE,  Respondent.	Case No. 22-CMP-00014 License No. 110702 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, 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 OIC terms shown below.

The 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: Made substantial changes in operation of the licensed establishment without obtaining Board approval.

Statutory Authority: D.C. Code § 25-823(a)(3), D.C. Code § 25-762

(1) Fine: N/A

(2) Suspension: N/A

(3) Other term: Surrender license for safekeeping. Following the Board's approval of this OIC, Respondent shall immediately cease all sale and service of alcohol and ensure that all alcoholic beverages are secure and not accessible to the public for sale, service, or consumption. Respondent shall surrender the license for safekeeping and all alcohol will be removed from Respondent's premises by 12:00 p.m. 14 days after the Board's approval of this OIC. Respondent's owner, Dessalgen Nigussie, certifies by this agreement that he has no ownership interest in the new license holder, Marki Woldemariam, who is a bona fide purchaser. Respondent may not withdraw the pending transfer application if the Board disapproves the transfer but may file a new transfer application within 30 days of disapproval. If the license is not transferred to a new owner, who is a bona fide purchaser, by April 25, 2023, the license shall be deemed cancelled by the Board, provided that any request for an extension for reasonable cause may be made to the Board and granted or denied at its discretion.

Charge II: Operated under a trade name not approved by ABRA.

Statutory Authority: D.C. Code § 25-823(a)(1), 23 DCMR § 600

(1) Fine: N/A

(2) Suspension: N/A

(3) Other term: See Charge I, Other term.

Dated: October 25, 2022.

Respectfully submitted,

KARL A. RACINE  
Attorney General for the District of Columbia

CHAD COPELAND  
Deputy Attorney General  
Civil Litigation Division


/s/ Fernando Amarillas  
FERNANDO AMARILLAS [974858]  
Assistant Deputy Attorney General

/s/ Janika Jordan  
JANIKA JORDAN [1765160]  
Assistant Attorney General  
400 Sixth Street, N.W., Suite 10100  
Washington, D.C. 20001  
(202) 631-9418  
Janika.Jordan@dc.gov

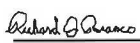
ATTORNEYS FOR THE DISTRICT OF COLUMBIA

**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.

  
\_\_\_\_\_  
Dessalegn Nigussie (Oct 26, 2022 09:28 EDT)  
Respondent  
Dessalgen Nigussie, Owner  
Empire DC, LLC, t/a Empire Lounge  
1909 9th Street, N.W.  
Washington, D.C. 20001  
Wubitu2004@icloud.com

Oct 26, 2022  
DATE

  
\_\_\_\_\_  
Counsel for Respondent  
Richard Bianco, Esq.  
RJB Law  
2001 L Street N.W. 5th Floor  
Washington, D.C. 20036  
Rich@lawrjb.com

10/25/22  
DATE

**CERTIFICATE OF SERVICE**

I certify that on October 25, 2022, the foregoing Offer in Compromise for Board Approval was served by electronic mail to:

Richard Bianco, Esq.  
Counsel for Respondent  
RJB Law  
2001 L Street N.W. 5th Floor  
Washington, D.C. 20036  
Rich@lawrjb.com

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

*/s/ Janika J. Jordan* \_\_\_\_\_  
Janika J. Jordan  
Assistant Attorney General