

ORDER

Therefore, on this 21st day of July 2021, 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 SeamlessDocu.com
Donovan Anderson
Key: a242065c246d8f6e4b720093118cc0b

Donovan Anderson, Chairperson

eSigned via SeamlessDocu.com
James Short
Key: 347ae37782b0ed0b11b33282243ec

James Short, Member

eSigned via SeamlessDocu.com
Bobby Cato
Key: 25d33c0dd0e145d7f6b75bd7017e20d

Bobby Cato, Member

eSigned via SeamlessDocu.com
Rafi Aliya Crockett, Member
Key: b550a91845a10e401d135e5c12881cc

Rafi Crockett, Member

eSigned via SeamlessDocu.com
Jeni Hansen, Member
Key: #2172931050064474911508c2a41005

Jeni Hansen, Member

eSigned via SeamlessDocu.com
Edward Grandis, Member
Key: 5027bda7f9f0040ec14adeb525416a5

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:

**TO THE HEAVENS, LLC t/a
GRAND DUCHESS,**

Respondent.

Case No. 20-CMP-00006

License No. 106575

Retailer's Class CT

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. If the Board does not approve the OIC, the matter will be continued to a Show Cause Hearing on September 15, 2021.

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: Failure to follow the terms of Board-approved license by operating outside the approved hours of operation.

Statutory Authority: D.C. Code § 25-823(a)(7).

- (1) Fine: N/A.
- (2) Suspension: N/A.
- (3) Other term: Dismissed.

Charge II: Made a substantial change: extended approved hours without Board approval.

Statutory Authority: D.C. Code § 25-762(a) and (b)(13); D.C. Code § 25-823(a)(1).

- (1) Fine: N/A.
- (2) Suspension: N/A.
- (3) Other term: Warning.

Dated: July 15, 2021.

Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

FERNANDO AMARILLAS
Acting Deputy Attorney General
Public Interest Division

/s/ Fernando Rivero for Kimberly M. Johnson
KIMBERLY M. JOHNSON [435613]
Chief, Civil Enforcement Section

/s/ Jessica Krupke
JESSICA KRUPKE [1019967]
Assistant Attorney General
400 Sixth Street, N.W., Suite 10100
Washington, D.C. 20001
(202) 727-2125
(202) 370-7628 (fax)
Jessica.Krupke@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
Angela Rotondaro, Managing Partner
To the Heavens, LLC t/a Grand Duchess
2337 18th Street, N.W.
Washington, D.C. 20009
rotondaro.vinnie@gmail.com

7-15-21
DATE

CERTIFICATE OF SERVICE

I certify that on July 15, 2021, the foregoing Offer in Compromise for Board

Approval was served by electronic mail to:

Angela Rotondaro, Managing Partner
To the Heavens, LLC t/a Grand Duchess
2337 18th Street, N.W.
Washington, D.C. 20009
rotondaro.vinnie@gmail.com

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

/s/ Jessica Krupke
Jessica Krupke
Assistant Attorney General