# THE DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE AND CANNABIS BOARD

| In the Matter of:           | ) |              |              |
|-----------------------------|---|--------------|--------------|
| Condor Concepts, LLC        | ) |              |              |
| t/a Grazie Grazie           | ) | Case No.:    | 23-CIT-00630 |
|                             | ) | License No.: | ABRA-118962  |
| Holder of a                 | ) | Order No.:   | 2024-171     |
| Retailer's Class CR License | ) |              |              |
|                             | ) |              |              |
| at premises                 | ) |              |              |
| 85 District Square, SW      | ) |              |              |
| Washington, D.C. 20024      | ) |              |              |
|                             | ) |              |              |

**BEFORE:** Donovan Anderson, Chairperson

James Short, Member Silas Grant, Jr., Member

ALSO PRESENT: Condor Concepts, LLC, t/a Grazie Grazie, Respondent

Cameron Mixon, Counsel, on behalf of the Respondent

Matthew W. Brown, 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 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 11th day of April 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 SeamlessDocs.com

Donovan Anderson

Key: 2043014961996457990457300934140018

Donovan Anderson, Chairperson

eSigned via SeamleesDoos.cdm

Key: 547ac3737820de6ac8d1b332dd2949ec

James Short, Member

Silas Grant, Jr., Member

Pursuant to D.C. Official Code § 25-433(d)(1) (applicable to alcohol matters) or 22-C DCMR § 9720 (applicable to medical cannabis matters), 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 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 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



IN THE MATTER OF:

Condor Concepts, LLC t/a Grazie Grazie

Respondent.

Case No. 23-CIT-00630 License No. 118962 Retailer Class CR

## 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 I:** Failed to file the required quarterly statement

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

<u>Fine</u>: \$250 within thirty (30) days of the Board accepting the offer in compromise, and if the payment is not made in thirty (30) days the license shall be suspended indefinitely until this fine is paid. The establishment must also submit pending quarterly statements that have not yet been submitted.

Dated: March 28, 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/ Matthew W. Brown

MATTHEW W. BROWN [90014830] Assistant Attorney General Civil Enforcement Section Civil Litigation Division 400 Sixth Street, N.W., Suite 10100 Washington, D.C. 20001 (202) 878-9908 E-mail: Matthew.Brown@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

Casey Patten, Managing Member Condor Concepts, LLC t/a Grazie Grazie 85 District Square, S.W. Washington, D.C. 20024 4/8/24

DATE

## **CERTIFICATE OF SERVICE**

| On  | _, I served the foregoing by email to:                           |  |  |
|---|--|--|--|
| Casey Patten, Manag<br>Condor Concepts, L<br>85 District Square, S<br>Washington, D.C. 20   | LC t/a Grazie Grazie<br>S.W.                                     |  |  |
| Respondent  |  |  |  |
| Cameron Mixon<br>Attorney<br>The Veritas Law Fir<br>1225 19 <sup>th</sup> Street N.W<br>Suite 320<br>Washington, DC 200<br>202.686.7600<br>cmixon@theveritasl | V.<br>036  |  |  |
| Counsel for Respond   | dent   |  |  |
| Martha Jenkins<br>General Counsel, Al<br>2000 14th Street, N.<br>Suite 400 South<br>Washington, D.C. 20<br>Martha.Jenkins@dc.                                 | W.<br>0009   |  |  |
| Counsel for Board   |  |  |  |
|   | /s/ Matthew W. Brown Matthew W. Brown Assistant Attorney General |  |  |