

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

**In the Matter of:**

Hard Rock Cafe International (STP), Inc.  
t/a Hard Rock Café

Holder of a  
Retailer's Class CR License

at premises  
999 E Street, NW  
Washington, D.C. 20004

Case No.: 19-CC-00087  
License No.: ABRA-014130  
Order No.: 2019-892

**BEFORE:** Donovan Anderson, Chairperson  
James Short, Member  
Bobby Cato, Member  
Rema Wahabzadah, Member  
Rafi Crockett, Member

**ALSO PRESENT:** Hard Rock Cafe International (STP), Inc., t/a Hard Rock Café,  
Respondent

Matt Minora, Counsel, on behalf of the Respondent

Stephen Ortiz, Assistant Attorney General,  
on behalf of 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 Hard Rock Cafe International (STP), Inc., t/a Hard Rock Café (Respondent), located at 999 E Street, NW, Washington, D.C. 20004.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 19-CC-00087 on the Respondent on October 9, 2019. *ABRA Show Cause File No. 19-CC-00087, Notice of Status and Show Cause Hearing (October 4, 2019)*. The Notice charges the Respondent with two violations, 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. 19-CC-00087, charged the Respondent with the following violations:

- Charge I: [On Friday, June 21, 2019], [y]ou or another person at the licensed establishment, sold an alcoholic beverage to a person under 21 years of age, in violation of D.C. Official Code § 25-781(a)(1)...
- Charge II: [On Friday, June 21, 2019], [y]ou or your agent or employee failed to take steps reasonably necessary to ascertain whether a patron to whom you sold an alcoholic beverage was of the legal drinking age, in violation of D.C. Official Code § 25-783(b)...

*ABRA Show Cause File No. 19-CC-00087, Notice of Status Hearing and Show Cause Hearing, 2-3 (October 4, 2019)*.

At the Show Cause Status Hearing held on December 4, 2019, the Respondent and the Government entered into an Offer-in-Compromise (OIC), which resolved the charges set forth above.

The terms of the OIC are as follows:

1. For Charge I – The Respondent shall pay a \$3,500 fine for the violation alleged in Charge I and shall have its license suspended for ten (10) days; with four (4) days served, and six (6) of those days stayed for one (1) year pending completion of alcohol awareness training for all employees who serve alcoholic beverages within ninety (90) days from the date of this Order.
2. For Charge II – Dismissed.
3. In addition, the Respondent shall serve a five (5) day suspension activated from Case No. 18-CC-00058.

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**

Therefore, the Board, on this 4th day of December, 2019, hereby **APPROVES** the OIC proffered by the Government and the Respondent and **ORDERS** Hard Rock Cafe International (STP), Inc., t/a Hard Rock Café, to comply with the terms of the OIC.


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

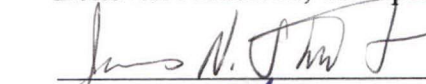
- (1) Remit the fine in the sum of \$3,500 payable on or before January 6, 2020; and
- (2) Incur a total of fifteen (15) day suspension, with nine (9) days served and six (6) days stayed for one (1) year pending completion of alcohol awareness training for all employees who serve alcoholic beverages within ninety (90) days from the date of this Order. The nine (9) day suspension will be served from January 6, 2020 through January 14, 2020.

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.

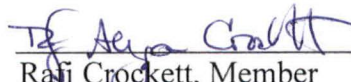
District of Columbia  
Alcoholic Beverage Control Board

  
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Donovan Anderson, Chairperson

  
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James Short, Member

  
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Bobby Cato, Member

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Rema Wahabzadah, Member

  
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Rafi Crockett, 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).