

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

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| In the Matter of: |) | |
| |) | |
| Howard Theatre Entertainment, LLC |) | Case No.: 17-CMP-00681 |
| t/a Howard Theatre |) | License No.: 088646 |
| |) | Order No.: 2018-434 |
| Holder of a |) | |
| Retailer's Class CX License |) | |
| |) | |
| at premises |) | |
| 620 T Street, N.W. |) | |
| Washington, D.C. 20001 |) | |

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Donald Isaac, Sr., Member
Bobby Cato, Member
Rema Wahabzadah, Member

ALSO PRESENT: Howard Theatre Entertainment, LLC, t/a Howard Theatre, Respondent

Fernando Rivero, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

This matter arises from the allegations contained in Case Report No. 17-CMP-00681 and the charges filed by the District of Columbia Office of the Attorney General, dated April 5, 2018. The notice filed by the Government charges the Howard Theatre Entertainment, LLC, t/a Howard Theatre (Respondent), the holder of a Retailer's Class CX License, and designated ABRA License No. 088646, with one charge of failing to following its security plan by not having security staff wearing their required uniforms on September 20, 2017. *Notice of Status Hearing and Show Cause*, at 2. The parties appeared before the Alcoholic Beverage Control Board on July 11, 2018, and requested the approval of an offer-in-comprise (OIC), which the Board approved.

ORDER

Therefore, on this 11th day of July 2018, the Board hereby **APPROVES** the OIC. Per the OIC, the Respondent agrees and is subject to the following:

1. The Respondent understands the charge filed against it and knowingly and voluntarily enters this plea. The Respondent further agrees that it committed the charge described by the Office of the Attorney General in its notice, dated April 5, 2018.
2. The designated representative appearing at the hearing is authorized to enter this plea.
3. The Respondent waives the right to appeal and judicial review of this Order.
4. The Respondent shall pay a fine of \$4,500.

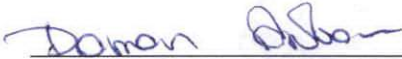
IT IS FURTHER ORDERED that the Respondent must pay all fines imposed by the Board within thirty (30) days from the date of this Order, or its license shall be immediately suspended until all amounts owed are paid.

IT IS FURTHER ORDERED, in accordance with 23 DCMR § 800.1, the violation found by the Board in this Order shall be deemed a primary tier violation.


IT IS FURTHER ORDERED that the Board's findings of fact and conclusions of law contained in this Order shall be deemed severable. If any part of this determination is deemed invalid, the Board intends that its ruling remain in effect so long as sufficient facts and authority support the decision.

The ABRA shall deliver copies of this Order to the Government and the Respondent.

District of Columbia
Alcoholic Beverage Control Board



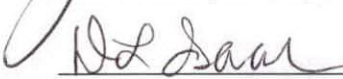
Donovan Anderson, Chairperson



Mike Silverstein, Member

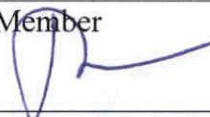


James Short, Member



Donald Isaac, Sr., Member

Bobby Cato, Member



Rema Wahabzadah, Member

I dissent from the position taken by the majority of the Board.



Nick Alberti, 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, Reeves Center, 2000 14th Street, NW, 400S, Washington, D.C. 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 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).