

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

**In the Matter of:**

Ivy City Tavern, Inc.  
t/a Ivy City Tavern

Holder of a  
Retailer's Class CT License

at premises  
1356 Okie Street, NE  
Washington, D.C. 20002

Case No.: 19-CMP-00141  
License No.: ABRA-093795  
Order No.: 2020-275

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

**ALSO PRESENT:** Etete Ivy City Tavern, Inc, t/a Ivy City Tavern, Respondent

Jason Facci, 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 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 16th day of September 2020, 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 SeamlessDocs.com

*Donovan Anderson*

Key: ac4378042664189e4b7200041d7c08

**Donovan Anderson, Chairperson**

eSigned via SeamlessDocs.com

*James Short*

Key: 547ae378f2046a4e841b33232548e

**James Short, Member**

eSigned via SeamlessDocs.com

*Bobby Cato*

Key: 25d33eadf8a146474675b7917d2d

**Bobby Cato, Member**

eSigned via SeamlessDocs.com

*Rema Wahabzadah, Member*

Key: bf2ca40b56b74099b19b35b738f162f

**Rema Wahabzadah, Member**

eSigned via SeamlessDocs.com

*Rafi Atiya Crockett, Member*

Key: b560a51845e18e401d155a5c1281cc

**Rafi Crockett, Member**

eSigned via SeamlessDocs.com

*Jeni Hansen, Member*

Key: 82172918f553447841b56f6ca118d5

**Jeni Hansen, Member**

eSigned via SeamlessDocs.com

*Edward S. Grandis, Member*

Key: 5027bda78f0040ec14adeb52541ce5

**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 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 St NW, 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**



<p>IN THE MATTER OF:</p> <p>IVY CITY TAVERN, INC. t/a IVY CITY TAVERN,</p> <p style="text-align:center">Respondent.</p>	<p>Case Nos. 19-CMP-00141 License No. 93795 Retailer Class CT</p>
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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 § 1604.5, for approval by the Board.

The Parties understand that if the Board approves the OIC, this case will conclude and any scheduled Show Cause Hearing will be vacated. Respondent will be obligated to abide by the terms of the OIC: a fine, suspension, both, or other term shown below. If the Board does not approve the OIC, the matter will be continued to the scheduled Show Cause Hearing, currently not set.

The 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 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: Increased Summer Garden Occupancy

Statutory Authority: D.C. Code § 25-762(b)(2)

(1) Fine: N/A.

(2) Suspension: N/A.

(3) Other term: Warning.

Dated: September 11, 2020

Respectfully submitted,

KARL A. RACINE

Attorney General for the District of Columbia

TONI MICHELLE JACKSON

Deputy Attorney General

Public Interest Division

*/s/ Kimberly M. Johnson*

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KIMBERLY M. JOHNSON [435163]

Chief, Civil Enforcement Section

*/s/ Jason Facci*

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JASON FACCI [1027158]

Assistant Attorney General

Suite 10100

400 Sixth Street, N.W.

Washington, D.C. 20001

(202) 788-2083

(202) 759-0890 (fax)

Jason.Facci@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.

/s/ Gregory Casten  
Respondent

September 11, 2020  
DATE

**CERTIFICATE OF SERVICE**

I certify that on September 11, 2020, the foregoing Offer in Compromise for Board Approval was served by electronic mail or by U.S. mail, first class postage pre-paid, to:

Gregory Casten, President  
Ronald N. Goldman, Vice President  
Ivy City Tavern, Inc. t/a Ivy City Tavern  
1356 Okie Street, N.E.  
Washington, D.C. 20002  
greg@profish.com

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

/s/ Jason Facci  
Jason Facci  
Assistant Attorney General