

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

**In the Matter of:** )  
)  
Miku, LLC )  
t/a J & D Market )  
)  
Holder of a )  
Retailer's Class B License )  
)  
at premises )  
2201 Minnesota Avenue, SE )  
Washington, D.C. 20020 )  
)

Case No.: 19-CC-00093  
License No.: ABRA-103723  
Order No.: 2020-044

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

**ALSO PRESENT:** Miku, LLC, t/a J & D Market, Respondent  
  
Bernard Dietz, Counsel, on behalf of the Respondent  
  
John Lui, 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 Miku, LLC, t/a J & D Market (Respondent), located at 2201 Minnesota Avenue, SE, Washington, D.C. 20020.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 19-CC-00093 on the Respondent on October 24, 2019. *ABRA Show Cause File*

No. 19-CC-00093, Notice of Status and Show Cause Hearing (October 19, 2019). The Notice charges the Respondent with two (2) 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-00093, charged the Respondent with the following violations:

Charge I: [On Tuesday, July 2, 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 Tuesday, July 2, 2019], [y]ou or your agent or employee failed to take steps reasonably necessary to ascertain whether a person 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-00093, Notice of Status Hearing and Show Cause Hearing, 2-3 (October 19, 2019).*

At the Show Cause Status Hearing held on January 15, 2020, 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 \$3,000 fine for the violation alleged in Charge I; shall have its license suspended for five (5) days; with all five (5) days stayed for one (1) year; and
2. For Charge II – Warning.

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 15th day of January, 2020, hereby **APPROVES** the OIC proffered by the Government and the Respondent and **ORDERS** Addis Incorporated, t/a King Convenience Store, to comply with the terms of the OIC.

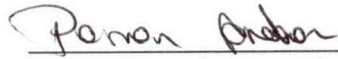
**IT IS FURTHER ORDERED** that the Respondent will:

- (1) Remit the fine in the sum of \$3,000 payable on or before February 18, 2020;  
and
- (2) Incur a five (5) day suspension, with all five (5) days stayed for one (1) year.

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



Donovan Anderson, Chairperson

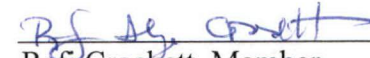


James Short, Member



Bobby Cato, Member

Rema Wahabzadah, Member



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).