

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

In the Matter of:	)	
	)	
2400 Minnesota Avenue, SE, LLC	)	Case Nos.: 19-CMP-00169
t/a Martha's Market	)	20-CMP-00011
Holder of a	)	License No.: ABRA-105036
Retailer's Class B License	)	Order No.: 2020-205
	)	
at premises	)	
2400 Minnesota Avenue, SE	)	
Washington, D.C. 20020	)	
	)	

**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:** 2400 Minnesota Avenue, SE, LLC, t/a Martha's Market, 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 13th day of May 2020, the Board **APPROVES** the OIC appended to this Order. The terms of the OIC are as follows:

1. The Respondent pleads guilty to the charges 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 conviction or sentence 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 scheduled for July 8, 2020 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: ac43c2b8b0a5f0b4e7302031d0c38

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com  
*James Short*  
Key: 3476a73582094ac8f1a0028e29478

James Short, Member

eSigned via SeamlessDocs.com  
*Bobby Cato*  
Key: 256378ca1fb146d74b75bd7017d279

Bobby Cato, Member

eSigned via SeamlessDocs.com  
*Rema Wahabzadah, Member*  
Key: bf2ca40b589b74099b19055b7381d0c7

Rema Wahabzadah, Member

eSigned via SeamlessDocs.com  
*Rafi Alya Crockett, Member*  
Key: b559a01845a17e4018155a5c12011e2

Rafi Crockett, Member

eSigned via SeamlessDocs.com  
*Jeni Hansen, Member*  
Key: 8217291692f4474f15607c24d197

Jeni Hansen, Member

eSigned via SeamlessDocs.com  
*Edward Grandis, Member*  
Key: 5027bda7ff9f0040ec14ed0b22541ca5

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. 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).

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD



IN THE MATTER OF:  2400 MINNESOTA AVENUE SE, LLC t/a MARTHA'S MARKET,  Respondent.	Case No. 19-CMP-00169 License No. 105036 Retailer Class B
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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 the 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.

Case #19-CMP-00169

Charge I: No ABC Manager or Owner on Duty

Statutory Authority: D.C. Code § 25-701

- (1) Fine: \$1,000 within ninety (90) days or the ABC license will be suspended until this fine is paid.
- (2) Suspension: N/A.
- (3) Other term: N/A.

Charge II: License not Conspicuously Posted and Settlement Agreement not Accessible

Statutory Authority: D.C. Code § 25-711(a)

- (1) Fine: N/A.
- (2) Suspension: N/A.
- (3) Other term: Warning.

Charge III: Change of Trade Name without Board Approval

Statutory Authority: 23 DCMR § 600.1

- (1) Fine: N/A.
- (2) Suspension: N/A.
- (3) Other term: Warning.

Charge IV: Sale of Single Container of Beer

Statutory Authority: D.C. Code § 25-341

- (1) Fine: N/A.
- (2) Suspension: N/A.
- (3) Other term: Warning.

Charge V: Change of Ownership without Board Approval

Statutory Authority: D.C. Code § 25-405

- (1) Fine: \$1,000 within ninety (90) days or the ABC license will be suspended until this fine is paid.
- (2) Suspension: N/A.
- (3) Other term: N/A.

Case #20-CMP-00011

Charge I: No ABC Manager or Owner on Duty

Statutory Authority: D.C. Code § 25-701(a)

- (1) Fine: \$1,000 within ninety (90) days or the ABC license will be suspended until this fine is paid.
- (2) Suspension: N/A.
- (3) Other term: N/A.

Charge II: Control of Litter, Trash, Garbage  
Statutory Authority: D.C. Code § 25-726

- (1) Fine: N/A.
- (2) Suspension: N/A.
- (3) Other term: Warning.

TOTAL FINE: \$3,000

Dated: May 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  
KIMBERLY M. JOHNSON [435163]  
Chief, Civil Enforcement Section

/s/ Jason Facci  
JASON FACCI [1027158]  
Assistant Attorney General  
Suite 630 South  
441 Fourth Street, N.W.  
Washington, D.C. 20001  
(202) 788-2083  
(202) 759-0890 (fax)  
Jason.Faccidc.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/ Anteneh Fantaye  
Respondent

May 12, 2020  
DATE

**CERTIFICATE OF SERVICE**

I certify that on May 12, 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:

Anteneh Fantaye  
2400 Minnesota Avenue SE, LLC t/a Martha's Market  
2400 Minnesota Avenue, SE  
Washington, D.C. 20020  
metropolitanlimousine01@yahoo.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