

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

**In the Matter of:**

Hirschhorn, LLC  
t/a Open Door Market

Holder of a  
Retailer's Class B License

at premises  
2160 California Street, NW  
Washington, D.C. 20008

Case No.: 21-CC-00022  
License No.: ABRA-109402  
Order No.: 2021-713

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

**ALSO PRESENT:** Hirschhorn, LLC, t/a Open Door Market, Respondent

Antoine M. Williams, 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 3rd day of November 2021, 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 Seandocs.com  
*Donovan Anderson*  
Key: ac432a0a2004180e6a73000031d0c08

Donovan Anderson, Chairperson

eSigned via Seandocs.com  
*James Short*  
Key: 547ec373920de60c8d1b372d02948ac

James Short, Member

eSigned via Seandocs.com  
*Bobby Cato*  
Key: 28563fca83a146a17f4275bd7917a208

Bobby Cato, Member

eSigned via Seandocs.com  
*Rafi Aliya Crockett, Member*  
Key: b560a91845a1b0e401d1b5b0c127f81c0

Rafi Crockett, Member

eSigned via Seandocs.com  
*Jeni Hansen, Member*  
Key: 82172831f0509447491b560c2a41860

Jeni Hansen, Member

eSigned via Seandocs.com  
*Edward Grandis, Member*  
Key: 5027bda7f9f0040ec14a3eb52541ce5

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 II 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).

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



IN THE MATTER OF:  HIRSCHHORN, LLC., t/a OPEN DOOR MARKET  Respondent.	Case No. 21-CC-00022 License No. 109402 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 § 1611.5, for approval by the Board.

The Parties understand that if the Board approves the OIC, scheduled hearings will be vacated, the case will conclude and appeal and judicial review are waived under 23 DCMR § 1611.6. Respondent will be obligated to abide by the OIC terms shown below. If the Board does not approve the OIC, the matter will be continued to a Show Cause Hearing on November 3, 2021.

The respondent has been advised that there is no obligation to accept the 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: Sale to a Minor (STM).

Statutory Authority: D.C. Official Code § 25-781(a)(1).

(1) Fine:

- \$3,000 within sixty (60) days or its license shall be suspended indefinitely until this fine is paid;
- The license shall be suspended for ten (10) days, with four (4) days to be served and six (6) days stayed for one (1) year;
- All employees who serve alcoholic beverages in the licensed establishment complete an alcohol training program within three (3) months from the OIC's date; and
- Respondent shall serve five (5) days activated from prior STM Case No. 20-CC-00076. Suspension for a total of nine days (9) will begin February 15, 2022 for both STM Charges.

Charge II: Failed to Take Reasonable Steps Necessary to Ascertain Legal Drinking Age

Statutory Authority: D.C. Official Code § 25-783

(1) Dismiss

Charge III: No ABC Manager

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

(1) Fine: \$250 within 60 (60) days or its license shall be suspended indefinitely until this fine is paid.

Dated: November 2, 2021.

Respectfully submitted,

KARL A. RACINE  
Attorney General for the District of Columbia

CHAD COPELAND  
Deputy Attorney General  
Civil Litigation Division

/s/ Kimberly M. Johnson  
KIMBERLY M. JOHNSON [435613]  
Chief, Civil Enforcement Section

/s/ Antoine M. Williams  
ANTOINE M. WILLIAMS [1632919]  
Assistant Attorney General  
400 Sixth Street, N.W., Suite 10100  
Washington, D.C. 20001

(202) 256-2810  
(202) 741-8995(fax)  
antoine.williams1@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.

karl hirschhorn  
karl hirschhorn (Nov 3, 2021 11:15 EDT)

Respondent  
Karl Hirschhorn, President  
Hirschhorn, LLC. t/a Open Door Market  
2160 California Street, N.W.  
Washington, D.C. 20008

Nov 3, 2021  
DATE

**CERTIFICATE OF SERVICE**

I certify that on September 30, 2021, the foregoing Offer in Compromise for Board

Approval was served by electronic mail to:

Karl Hirschhorn, President  
Hirschhorn, LLC. t/a Open Door Market  
2160 California Street, N.W.  
Washington, D.C. 20008

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

/s/ Antoine M. Williams

Antoine M. Williams  
Assistant Attorney General

**Signature:**

**Email:** syohannes@theveritaslawfirm.com

**Signature:**

**Email:** akline@theveritaslawfirm.com