

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

**In the Matter of:**

Shaw Howard Deli, LLC  
t/a Shaw Howard Deli

Holder of a  
Retailer's Class B License

at premises  
1911 7<sup>th</sup> Street, NW  
Washington, D.C. 20001

Case No.: 18-CC-00076  
License No.: ABRA-095169  
Order No.: 2018-731

**BEFORE:** Donovan Anderson, Chairperson  
Nick Alberti, Member  
Mike Silverstein, Member  
James Short, Member  
Bobby Cato, Member  
Rema Wahabzadah, Member

**ALSO PRESENT:** Shaw Howard Deli, LLC, t/a Shaw Howard Deli, Respondent  
  
Walter Adams, II, 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 Shaw Howard Deli, LLC, t/a Shaw Howard Deli (Respondent), located at 1911 7<sup>th</sup> Street, NW, Washington, D.C. 20001.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 18-CC-00076 on the Respondent on October 25, 2018. *ABRA Show Cause File*

No. 18-CC-00076, *Notice of Status and Show Cause Hearing (October 16, 2018)*. The Notice charges the Respondent with three 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. 18-CC-00076, charged the Respondent with the following violations:

- Charge I: [On Friday, July 13, 2018], [y]ou sold and permitted the consumption of alcoholic beverages to persons under 21 years of age, in violation of D.C. Official Code § 25-781(a)(1)...
- Charge II: [On Friday, July 13, 2018], [y]ou, your agent, or your employee did not take steps reasonably necessary to ascertain whether the persons to whom you sold, served, or delivered alcoholic beverages to were of legal drinking age, in violation of D.C. Official Code § 25-783(b)...
- Charge III: [On Friday, July 13, 2018], [y]ou failed to have an owner or Board approved manager on site during the sale, service or consumption of an alcoholic beverage, in violation of D.C. Official Code § 25-701 and 23 DCMR § 707.1...

*ABRA Show Cause File No. 18-CC-00076, Notice of Status Hearing and Show Cause Hearing, 2-3 (October 16, 2018)*.

At the Show Cause Status Hearing held on December 5, 2018, 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 – Warning.
2. For Charge II – Warning.
3. For Charge III - The Respondent shall pay a \$2,000 fine for the violation alleged in Charge III.

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 5th day of December, 2018, hereby **APPROVES** the OIC proffered by the Government and the Respondent and **ORDERS** Shaw Howard Deli, LLC, t/a Shaw Howard Deli, to comply with the terms of the OIC.

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

(1) Remit the fine in the sum of \$2,000 payable on or before March 5, 2019.


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.

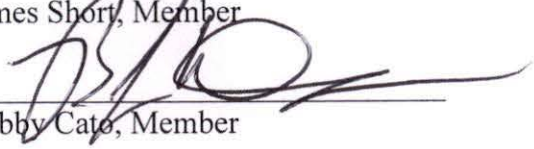
District of Columbia  
Alcoholic Beverage Control Board

  
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Mike Silverstein, Member

  
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Rema Wahabzadah, 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).