

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

In the Matter of:)	
)	
Stoney's, LLC)	
t/a Stoney's)	
Holder of a)	Case No.: 19-CMP-00087
Retailer's Class CR License)	License No.: ABRA-075613
)	Order No.: 2020-1016
at premises)	
1433 P Street, NW)	
Washington, D.C. 20005)	

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: Stoney's, LLC, t/a Stoney's, Respondent

Walter Adams, II, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

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 Stoney's, LLC, t/a Stoney's (Respondent) located at 1433 P Street, NW, Washington, D.C. 20005.

The Alcoholic Beverage Regulation Administration (ABRA) served the Notice in Case No. 19-CMP-00087 on the Respondent on November 30, 2020. *ABRA Show Cause File No. 19-*

CMP-00087. The Notice charges the Respondent with four (4) 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-CMP-00087 charged the Respondent with the following violations:

- Charge I: [On Saturday, June 8, 2019], you, or another person at the licensed establishment, knowingly allowed a patron to exit the establishment with an alcoholic beverage in an open container, in violation of D.C. Official Code § 25-113(a)(2)(A)(ii)...
- Charge II: [On Saturday, June 8, 2019], you failed to follow the terms of your Board-approved license by increasing the capacity of your Sidewalk Cafe, in violation of D.C. Official Code § 25-823(a)(7)...
- Charge III: [On Saturday, June 8, 2019], you, or another person at the licensed establishment, sold back-up drinks to customers, in violation of D.C. Official Code § 25-741(b)...
- Charge IV: [On Saturday, June 8, 2019], you failed to follow your settlement agreement, in violation of D.C. Official Code § 25-823(a)(6)...

ABRA Show Cause File No. 19-CMP-00087, Notice of Status Hearing and Show Cause Hearing, 2-3 (April 15, 2020).

At the Show Cause Hearing held on December 9, 2020, the Respondent and the Government entered into an Offer-in-Compromise (OIC), which resolved the charge set forth above.

The terms of the OIC are as follows:

1. For Charge I – The Respondent shall pay a \$250 fine for the violation alleged in Charge I.
2. For Charge II – The Respondent shall pay a \$1,000 fine for the violation alleged in Charge II.
3. For Charge III – Warning.
4. For Charge IV – The Respondent shall pay a \$250 fine for the violation alleged in Charge IV.

By agreeing to the terms of the OIC, the Respondent hereby waives its right to a Show Cause Hearing and appeal.

ORDER

Therefore, the Board, on this 9th day of December 2020, hereby **APPROVES** the OIC proffered by the Government and the Respondent.

IT IS ORDERED that the Respondent will:

- (1) Remit the total fine in the sum of \$1,500 in Case No. 19-CMP-00087 payable on or before March 9, 2021. Failure to remit the amount in full within the time specified will result in the suspension of the license until the amount is paid.

Acceptance of this OIC cancel all future hearings related to this matter.

A copy of this Order shall be sent to the Respondent and to the Government.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlensDocs.com
Donovan Anderson
Key: a430b939a472b4e4pT30000d1jcc28

Donovan Anderson, Chairperson

eSigned via SeamlensDocs.com
James Short
Key: 547ae273f20de5a78818302842948e

James Short, Member

eSigned via SeamlensDocs.com
Bobby Cato
Key: 266d3fca0b6146d7f4b75bd7917420f

Bobby Cato, Member

eSigned via SeamlensDocs.com
Rema Wahabzadah, Member
Key: b72ca462566b7409cb19b25b738f16cf

Rema Wahabzadah, Member

Rafi Crockett, Member

eSigned via SeamlensDocs.com
Jeni Hansen, Member
Key: #21720185094474014569c2a485f

Jeni Hansen, Member

eSigned via SeamlensDocs.com
Edward Grandis, Member
Key: 5027bda7ff0f040de14adeb52541ce5

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 14th 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).