

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

In the Matter of:)	
)	
3124 Corporation)	
t/a The Good Guys Restaurant)	Case Nos.: 22-251-00013
)	22-251-00013(a)
Holder of a)	License No.: ABRA-000899
Retailer's Class CN License)	Order No.: 2023-406
)	
at premises)	
2311 Wisconsin Avenue, NW)	
Washington, D.C. 20007)	

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

ALSO PRESENT: 3124 Corporation, t/a The Good Guys Restaurant, Respondent

Richard Bianco, Counsel, on behalf of the Respondent

Anthony P. Celso, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage and Cannabis Administration

ORDER APPROVING THE OFFER-IN-COMPROMISE

The above-mentioned parties have petitioned the Alcoholic Beverage and Cannabis 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 26th day of July 2023, 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. The Alcoholic Beverage and Cannabis Administration (ABCA) shall deliver copies of this Order to the Government and the Respondent.

District of Columbia
Alcoholic Beverage and Cannabis Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac43c1b66b9d5f09e4e730029d16cc8

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 5470e3732906e6e8e1b322ad2b4ec

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 226d31ca3f6e18d6714375bd7917e2b0

Bobby Cato, Member

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda71f9f0040ec14adab52541ce5

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 and Cannabis 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).

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**



IN THE MATTER OF: 3124 CORPORATION, t/a THE GOOD GUYS RESTAURANT, Respondent.	Case Nos. 22-251-00013 22-251-00013(a) License No. ABRA-000899 Retailer Class CN
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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 and Cannabis 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. Respondent will be obligated to abide by the terms of the OIC shown below. If the Board does not approve the OIC, the matter will proceed to the scheduled Show Cause Hearing.

Respondent has been advised that there is no obligation to accept an OIC. Respondent has been advised, through service of the Notice of Show Cause Hearing, that at any Show Cause Hearing or other proceedings, 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: Allowed the establishment to be used for unlawful purposes.

Statutory Authority: D.C. Code § 25-823(a)(2)

Fine: \$1,000 payable within 30 days or its license shall be suspended indefinitely until the fine is paid.

Charge II: Failed to follow security plan.

Statutory Authority: D.C. Code § 25-823(a)(6)

Fine: Dismissed.

Dated: July 19, 2023

Respectfully submitted,

BRIAN L. SCHWALB
Attorney General for the District of Columbia

STEPHANIE E. LITOS
Deputy Attorney General
Civil Litigation Division

/s/ Kimberly M. Johnson /cjc/
KIMBERLY M. JOHNSON [435163]
Chief, Civil Enforcement Section

/s/ Charles J. Coughlin
CHARLES J. COUGHLIN [1016993]
Assistant Chief, Civil Enforcement Section

/s/ Anthony P. Celso
ANTHONY P. CELO [90000653]
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Washington, D.C. 20001
(202) 735-7559
(202) 741-8936 (fax)
Anthony.Celo@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 further litigation including the motion of reconsideration to which I would have a right under 23 DCMR § 1719.1. 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/ Richard A. Bianco
3124 Corporation, t/a
The Good Guys Restaurant
By: Richard Bianco
Its: Counsel of Record¹
Respondent

7/25/23
DATE

¹ The owner of the Respondent entity is traveling out-of-the-country in a remote area of the world, he reviewed the OIC in writing, and had the opportunity to discuss with counsel before accepting and instructing that counsel sign on behalf of the Respondent entity.

CERTIFICATE OF SERVICE

On July 19, 2023, I served the foregoing Offer in Compromise for Board Approval by

email to:

Mahesh Patel, Owner
3124 Corporation
Respondent
fastpoint@aol.com

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Rich@lawrjb.com

Martha Jenkins
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Washington, D.C. 20009
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/s/ Anthony P. Celso
Anthony P. Celso
Assistant Attorney General