

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

In the Matter of:

Green Island Heaven and Hell, Inc.
t/a The Green Island Cafe/Heaven & Hell

Holder of a
Retailer's Class CT License

at premises
2327 18th Street, NW
Washington, D.C. 20009

Case No: 21-CIT-00236
License No.: ABRA-074503
Order No.: 2022-683

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

ALSO PRESENT: Green Island Heaven and Hell, Inc., t/a The Green Island Cafe/Heaven & Hell, Respondent

Anthony P. Celo, 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

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 5th day of October 2022, 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 SeamlessDocs.com
Donovan Anderson
Key: a433b4b9c45f0e4b73000d14c088

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547e373f20d6f6a181103262d04e7

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 25683fca3be169d7f46756d7917d206

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b5b60e91845e1f9e4b10155e5c12f01e2

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 621729310500447491b56f0c2a418c3

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7f5f0040ec14adeb52541ce5

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).

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



IN THE MATTER OF:	
GREEN ISLAND HEAVEN & HELL, INC., t/a THE GREEN ISLAND CAFÉ/HEAVEN & HELL,	Case No. 22-CIT-00236 License No. 74503 Retailer Class CT
Respondent.	

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. Respondent will be obligated to abide by the terms of the OIC shown below. If the Board does not approve the OIC, litigation of this Show Cause Hearing will continue.

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: Provided live music in violation of Mayor's Order 23 DCMR § 810.3(m).

Statutory Authority: D.C. Code § 25-823(a)(1).

Fine: \$1,000 payable within 120 days or its license shall be suspended indefinitely until the fine is paid.

Dated: September 28, 2022.

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 [435163]
Chief, Civil Enforcement Section

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

/s/ Anthony P. Celo
ANTHONY P. CELO [D.C. Bar No. Pending]
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/s/ Christopher N. Southcott
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ATTORNEYS FOR THE DISTRICT OF COLUMBIA

* Admitted to the Bar under D.C. App. R. 46-A (Emergency Examination Waiver). Practicing under the direct supervision of Kimberly M. Johnson, a member of the D.C. Bar, under D.C. App. R. 46-A(d)(2).

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/ Mehari Woldemariam (Oct 4, 2022 08:48 EDT)
Mehari Woldemariam, President,
Green Island Heaven & Hell, Inc., Respondent

Oct 4, 2022
DATE

CERTIFICATE OF SERVICE

On September 28, 2022, I served the foregoing by email to:

Mehari Woldermariam, President
Green Island Heaven & Hell, Inc. t/a The Green Island Café/Heaven & Hell
2327 18th St., N.W.
Washington, D.C. 20009
Mehari1951@gmail.com

/s/ Anthony P. Celo

Anthony P. Celo
Assistant Attorney General