

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

In the Matter of:

G and G Investments, Inc.
t/a Trio Rest & Fox & Hounds Lounge

Holder of a
Retailer's Class CR License

at premises
1537 17th Street, NW
Washington, D.C. 20036

Case No.: 19-AUD-00087
License No.: ABRA-000168
Order No.: 2020-242

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: G and G Investments, Inc., t/a Trio Rest & Fox & Hounds Lounge,
Respondent

Jason Facci, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING 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 8th day of July 2020, 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: ac430364569d022a4b932030316cc28

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 347ac370020c64e8d1b0320842284ec

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 255607cad0e146d754b75d179d7d30a

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rema Wahabzadah, Member
Key: bf2ca48b566b74009b10b33b738f16c7

Rema Wahabzadah, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b560e91845e1f9e4016155e5c12ff1cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 821729318f509447d51b565c2e41859

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward S. Grandis, Member
Key: 5027bda7ff9f00409c14adeb52541ce5

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 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).

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



<p>IN THE MATTER OF:</p> <p>G AND G INVESTMENTS, INC. t/a TRIO REST & FOX & HOUNDS LOUNGE,</p> <p style="text-align: center;">Respondent.</p>	<p>Case No. 19-AUD-00087 License No. 168 Retailer Class CR</p>
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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 § 1604.5, for approval by the Board.

The Parties understand that if the Board approves the OIC, this case will conclude and the scheduled Show Cause Hearing will be vacated. Respondent will be obligated to abide by the terms of the OIC: a fine, suspension, both, or other term shown below. If the Board does not approve the OIC, the matter will be continued to the scheduled Show Cause Hearing, currently not set.

The respondent has been advised that there is no obligation to accept an 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: Failed to comply with food sales requirements.

Statutory Authority: D.C. Code § 25-113(b)(3)(B)(i) & 23 DCMR § 2100

- (1) Fine: N/A
- (2) Suspension: N/A.
- (3) Other term: Dismissed.

Charge II: Failed to keep and maintain books and records for 3 years.

Statutory Authority: D.C. Code § 25-113(j)(3) & 23 DCMR § 1204

- (1) Fine: N/A.
- (2) Suspension: N/A.
- (3) Other term: Written warning.

Dated: July 6, 2020

Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

TONI MICHELLE JACKSON
Deputy Attorney General
Public Interest Division

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

/s/ Jason Facci
JASON FACCI [1027158]
Assistant Attorney General
Suite 630 South
441 Fourth Street, N.W.
Washington, D.C. 20001
(202) 788-2083
(202) 759-0890 (fax)
Jason.Faccidc.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.

/s/ Mourad Benjelloun
Respondent

July 6, 2020
DATE

CERTIFICATE OF SERVICE

I certify that on July 6, 2020, the foregoing Offer in Compromise for Board Approval was served by electronic mail to:

Mourad Benjelloun
G and G Investments, Inc. t/a Trio Rest & Fox & Hounds Lounge
1537 17th Street, N.W.
Washington, D.C. 20036
mbenjelloun@comcast.net

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

/s/ Jason Facci
Jason Facci
Assistant Attorney General