

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

In the Matter of:

Equity 18, LLC
t/a Twelve After Twelve

Holder of a
Retailer's Class CN License

at premises
1212 18th Street, N.W.
Washington, D.C. 20036

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) Case No.: 24-CMP-00021
) License No.: ABCA-117238
) Order No.: 2025-698
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BEFORE: Donovan Anderson, Chairperson
Teri Janine Quinn, Member
Ryan Jones, Member
David Meadows, Member

ALSO PRESENT: Equity 18, LLC, t/a t/a Twelve After Twelve, Respondent

Cameron Mixon, Counsel on behalf of the Respondent

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

ORDER DISMISSING SHOW CAUSE ACTION

The Alcoholic Beverage and Cannabis (Board) finds that the Government cannot demonstrate a violation of the security plan filed by Equity 18, LLC, t/a Twelve After Twelve, (hereinafter "Respondent" or "Twelve") where the provision at issue is solely a training requirement, and, even if they occurred, the alleged violent acts do not demonstrate a failure to train as required by the security plan. Because no other charge was filed against the Respondent (e.g., D.C. Official Code § 25-823(a)(2), (b)), the show cause action must be dismissed.

This case arises from the Notice of Status Hearing and Show Cause Hearing (Notice), which the Board executed on November 14, 2024. *ABCA Show Cause File No.* 24-CMP-00021, Notice of Status Hearing and Show Cause Hearing, 2 (Nov. 14, 2024). The Notice charges the Respondent with one violation, 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 charges the Respondent with the following violation:

Charge I: [On March 9, 2024,] [y]ou violated your security plan by allowing security to escalate a conflict and use physical force rather than verbal, nonconfrontational conflict resolution

Notice of Status Hearing and Show Cause Hearing, at 2. The basis of the charge are allegations that security staff assaulted a patron in the early morning hours in violation of the security plan provision that states that “Twelve after Twelve’s staff and security personnel *are taught* to resolve conflicts verbally and in a non-confrontational manner.” *Id.* (emphasis added).

The Board agrees with the Respondent’s argument that this provision of the security plan “refers to the Respondent’s requirement that security personnel receive training on conflict resolution procedures.” *Mot. to Dismiss*, at I. Security plans are interpreted like contracts based on the four corners of the document. *In re 2461 Corporation, t/a Madam’s Organ*, Case No. 23-251-00016, Board Order No. 2024-557, at ¶ 14 (Aug. 7. 2024).¹ In this case, the section at issue imposes a requirement on the establishment to teach verbal and non-confrontational conflict resolution skills but is silent on the proper means of handling such a situation.

The Board is not persuaded by the Government’s arguments to the contrary. *Opposition*, at 2. First, even if it is true that security failed to abide by their training, this does not mean that the establishment did not provide the required training. *Id.* Second, the Board agrees with the Respondent that the Government cannot attempt to bring in a new section of the security plan without amending the charging document to reflect the possibility that other portions of the security plan may be at issue as a basis of the charge; therefore, the attempt to reference a violation of another provision cannot be accepted. *Reply*, at I citing *Arthur v. D.C. Nurses’ Examining Bd.*, 459 A.2d 141, 145 (D.C. 1983) (prohibiting the government from changing theories midstream). As a result, the security plan provision in this case is solely a training requirement and cannot form the basis of the charge when there is no allegation of a lack of training in the notice.

ORDER

Therefore, the Board, on this 11th day of June 2025, hereby **DISMISSES** the show cause action in Case No. 24-CMP-00021. **IT IS FURTHER ORDERED** that the motion to stay the proceedings is deemed **MOOT**. The ABCA shall deliver copies of this Order to the Government and the Respondent.

¹ The style, grammar, punctuation, and use of the word “taught” in the provision at issue here makes this case distinguishable from the security plan provision at issue in *Madam’s Organ*.

District of Columbia
Alcoholic Beverage and Cannabis Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac43cb06b6d5f09e4b730003d1dccc8

Donovan Anderson, Chairperson

Silas Grant, Jr., Member

Teri Janine Quinn

Teri Janine Quinn, Member

RA

Ryan Jones, Member

David Meadows

David Meadows, 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, 899 North Capitol Street, N.E., Suite 4200-A, Washington, D.C. 20002.

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 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).