

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

ABC DISPOSITIONS

**MONDAY, NOVEMBER 2, 2015
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009**

**Ruthanne Miller, Chairperson
Members: Nick Alberti, Donald Brooks, Herman Jones
Mike Silverstein, Hector Rodriguez, James Short**

Summary Suspension Hearing*

10:30 AM

Case # 15-251-00179

Precious Pies and Catering, LLC, t/a Layla Lounge

501 Morse Street NE

License #97637

Retailer CT

Chief of Police Closure October 22, 2015

Disposition: The Board adopted the attached Offer In Compromise. The Respondent remains closed until further notice, 4-0.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Alcoholic Beverage Regulation Administration



ALCOHOLIC BEVERAGE CONTROL BOARD
HEARING DISPOSITION FORM

Date: 11/2/15
Licensee: Precious Pies and Catering LLC,
t/a Layla Lounge
Counsel: Rivero (OAG); Rome (Licensee)

Type of Hearing: x Summary Suspension
Show Cause
Other
CASE NUMBER(S): 15-251-00179

AS A RESULT OF YOUR HEARING BEFORE THE ALCOHOLIC BEVERAGE CONTROL BOARD TODAY, YOU ARE REQUIRED TO:

- Submit a Security Plan within 30 days
- Add _____ cameras that have the capability of recording at least 30 days before over-writing
- Appear before the Board for a Show Cause Hearing on _____, 2015
- Secure reimbursable detail
- Procure training for your staff

ORDER ON OFFER IN COMPROMISE:

The Licensee agreed with the Office of the Attorney General to submit to the Board an Offer in Compromise, which the Board accepted today. This Offer in Compromise, as accepted by the Board, resolves the charges brought against the licensee in the Case Number(s) listed above and constitutes a waiver of appeal and judicial review. 23 D.C.M.R. §§ 1604.5 and 1604.6. Pursuant to the Offer in Compromise, the Licensee is required to:

_____ Remit a fine in the total amount of \$ _____ by no later than _____, 2015

_____ If the Respondent does not pay the fine by the due date, its license shall be suspended until all outstanding fines are paid.

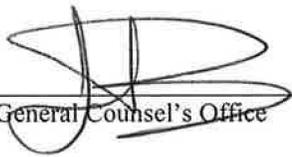
_____ Suspension for _____ days, with the Licensee to serve _____ and _____ days stayed for a period one year from today's date provided that the Licensee incurs no further ABC violations.

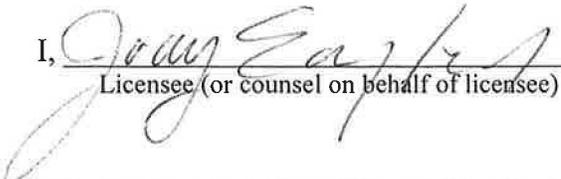
X OTHER: See attached OIC for terms.

You have been provided with a copy of this Hearing Disposition Form and a copy will also be placed in the Board's file. If you cannot comply with the terms set forth herein, you must notify the Board in advance, otherwise, there may be additional consequences against the License for failing to comply with the Board's orders.

The Board considered the above-captioned case at the time of the Hearing and decided the terms stated in this Hearing Disposition Form by a majority vote.


Ruthanne Miller, Chair


General Counsel's Office

I,  acknowledge receipt of this form.
Licensee (or counsel on behalf of licensee)

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



Public Interest Division
Civil Enforcement Section

OFFER IN COMPROMISE¹

In the Matter of: Precious Pies and Catering, LLC t/a Layla Lounge

Officer/owner: Judy England, President

Case number: 15-251-00179. Hearing Date: November 2, 2015.

Incidents occurring on: October 22, 2015.

For the Charge of: Summary suspension proceeding.

Statutory Authority: D.C. Official Code §25-826(a) (2012 Repl.).

This offer in compromise (OIC) will be presented to the Alcoholic Beverage Control Board (ABC Board) by the Assistant Attorney General at the summary suspension proceeding. Please be advised that this is a proposed compromise. Accordingly, it is the discretion of the Board to accept or reject this offer.

In addition to the suspension served, the offer in compromise consists of the following terms:

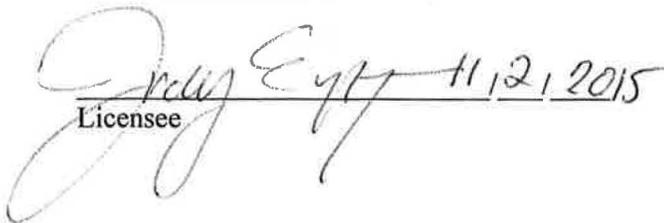
- (1) Precious Pies and Catering LLC t/a Layla Lounge (Licensee) agrees to revise its security practices and provide training to its current security or other relevant employees, including managers or bartenders, as applicable, to conform to the following:
 - Escort patrons who are violent aggressors to the posted Metropolitan Police Department (MPD) officers.
 - De-escalation or diffusion of verbal or physical altercations or other violent incidents.
 - Continue the use of “wands” at the entrance to the establishment for the purpose of detecting weapons carried by patrons. The wands will be used in conjunction with physical “pat down” searches as specified in the Licensee’s Security Plan. The wands will be used at the point of pat-down when patrons are directly in front of the establishment within view of the establishment’s security camera.
 - Proper “pat down” procedures.
 - Inspection of identification (IDs) and detection of false IDs.
 - Procedure for preserving a crime scene.
 - Procedure to call MPD or to call for medical assistance.
 - Procedure for the recovery of weapons and their surrender to MPD.

¹ Authorized under 23 DCMR 1604.5 (2008).

- (2) Licensee agrees to re-orient the angle of cameras to eliminate “blind spots” in the establishment, including dance floor areas and stairwells. Licensee agrees to obtain additional cameras if necessary to eliminate blind spots.
- (3) The revised Security Plan will also state that cameras utilized by the establishment will be operational and will include a diagram showing the placement and angle of the cameras.
- (4) Licensee agrees to continue to retain video recordings for at least 30 days.
- (5) Licensee agrees to submit to the Board a revised Security Plan reflecting the changes in this OIC within 4 days.
- (6) The revised Security Plan shall comply with all applicable statutes and regulations in Title 25 of the D.C. Official Code and Title 23 of the DC Municipal Regulations (DCMR).
- (7) Licensee agrees that the revised camera placement will be inspected by the Alcoholic Beverage Regulation Administration (ABRA).
- (8) Licensee will submit to the ABC Board documentation to show that employees have received training in accordance with this OIC. The documentation shall include the trainer’s credentials, the training curriculum, and certificates evidencing completion of training.
- (9) All newly-hired security employees and other relevant employees, as applicable, will be trained in accordance with this OIC prior to commencing employment.
- (10) Licensee agrees to preserve contracts that document all live entertainment and to have the contracts available for inspection by MPD or ABRA.
- (11) Licensee will no longer permit the “T.C.B.,” “T.O.B.” or the “Bounce Beat Kings” bands or their members to perform at the establishment.
- (12) Licensee will comply with all applicable conditions of this agreement prior to the resumption of operations.
- (13) Licensee agrees to abide by the District of Columbia Human Rights Act in its operations.
- (14) This matter shall be referred to the Office of the Attorney General for a Show Cause review.

CONSENT

By this settlement agreement I agree to accept and perform its terms. I acknowledge the validity of the settlement and waive a hearing to which I would have a right under D.C. Official Code § 25-826 (2012 Repl.). 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 settlement agreement without reservation, and I fully understand its meaning and my rights.


Licensee


Attorney for Licensee