

DISTRICT OF COLUMBIA  
+ + + + +  
ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

p-----»  
IN THE MATTER OF: :  
: :  
Habtanical Letckidan, :  
t/a Rafael Grocery Deli : Show Cause  
233 Florida Avenue, NW : Hearing  
Retailer B : (Status)  
License No. 60359 :  
Sold Go-Cups :  
Case No. 13-CMP-00459 :  
p-----¼

January 15, 2014

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Chairperson Ruthanne Miller presiding.

PRESENT:  
RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
HECTOR RODRIGUEZ, Member  
JAMES SHORT, Member  
MICHAEL SILVERSTEIN, Member

ALSO PRESENT:  
Amy Schmidt, OAG  
Chrissie Gephardt, OAG  
Earl Jones, Investigator, ABRA

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

P-R-O-C-E-E-D-I-N-G-S

(10:09 a.m.)

CHAIRPERSON MILLER: Okay, and the next case on the morning calendar, Case Number 13-CMP-0459, Rafael Grocery Deli located at 233 Florida Avenue NW, license number 60359 in ANC 5E.

MS. HABTMICAL: Good morning.

CHAIRPERSON MILLER: Good morning.

MS. HABTMICAL: Good morning.

CHAIRPERSON MILLER: So you should sign in after him, and when you're ready if you could introduce yourselves for the record.

MS. HABTMICAL: Rafael Grocery Deli, Letckidan Habtmical. I am the owner.

CHAIRPERSON MILLER: Okay.

MS. SCHMIDT: Good morning. Amy Schmidt, assistant attorney general on behalf of the District of Columbia.

MR. LEMIDON: Unee Lemidon, Junior, manager.

CHAIRPERSON MILLER: Manager?

1           Okay. I'm sorry, what is your name, ma'am?

2           What is your last name?

3                       MS. HABTMICAL: Letckidan

4           Habtmical. Habtmical, Islamic.

5                       CHAIRPERSON MILLER: Okay, this is  
6           a show cause status hearing and I want to ask  
7           you if you received notice of this hearing?

8                       MS. HABTMICAL: Yes, ma'am.

9                       CHAIRPERSON MILLER: And did you  
10          read it and understand it?

11                      MS. HABTMICAL: I understand it  
12          too.

13                      CHAIRPERSON MILLER: Okay, good.  
14          All right, then the notice is part of the  
15          record, there being no objection. Okay, are  
16          there any preliminary matters?

17                      MS. SCHMIDT: No preliminary  
18          matters.

19                      (Off the record discussion)

20                      CHAIRPERSON MILLER: Do you want  
21          for us to come back to this case or --

22                      MS. SCHMIDT: We can set it for

1 the hearing and can come back. I'm not here  
2 anyway this morning.

3 CHAIRPERSON MILLER: Okay, so what  
4 we're saying is if there's no agreement at  
5 this time I set it for hearing. But if you  
6 come to some agreement shortly, we can recall  
7 the case.

8 MS. HABTMICAL: That means we  
9 still close it up.

10 CHAIRPERSON MILLER: Yes, if you  
11 have an agreement to present to the Board  
12 before we get into our full hearings this  
13 morning, during our statuses.

14 MS. HABTMICAL: Okay.

15 CHAIRPERSON MILLER: So okay, then  
16 this case is set for a show cause hearing on  
17 March 5th, 2014, at 1:30 p.m. And Ms.  
18 Schmidt, you'll let me know if we need to  
19 recall it.

20 MS. SCHMIDT: Okay, thank you.

21 (Whereupon, the foregoing matter  
22 went off the record at 10:12 a.m. and went

1 back on the record at 10:18 a.m.)

2 CHAIRPERSON MILLER: Okay, I  
3 understand that Rafael Grocery Deli would like  
4 to be recalled.

5 MS. SCHMIDT: Yes, please.

6 CHAIRPERSON MILLER: Okay. Would  
7 the parties come forward for that case then?  
8 Okay, would you introduce yourselves for the  
9 record again, when you're ready?

10 MS. SCHMIDT: Good morning. Amy  
11 Schmidt. I'm an assistant attorney general on  
12 behalf of the District of Columbia.

13 MS. HABTMICAL: Letckidan  
14 Habtimical, Rafael Grocery and Deli.

15 CHAIRPERSON MILLER: Okay. Ms.  
16 Schmidt, is there a preliminary --

17 MS. SCHMIDT: Yes. Yes, there is.

18 CHAIRPERSON MILLER: Okay.

19 MS. SCHMIDT: The government is  
20 presenting an OIC for a fine of \$300 to be  
21 paid within 30 days.

22 CHAIRPERSON MILLER: Okay. Are

1           you agreeable to this offer in compromise of  
2           \$300 to be paid --

3                       MS. HABTMICAL:   Yes.

4                       CHAIRPERSON MILLER:  -- within 30  
5           days?

6                       MS. HABTMICAL:   Yes.

7                       CHAIRPERSON MILLER:  And do you  
8           understand you waive your right to a hearing  
9           if you enter into an offer in compromise?

10                      MS. HABTMICAL:   Say it again?

11                      CHAIRPERSON MILLER:  You waive  
12           your right to a hearing.

13                      MS. HABTMICAL:   Yes, ma'am.

14                      CHAIRPERSON MILLER:  Okay.  All  
15           right, any questions by Board members?

16                      MALE PARTICIPANT:  None.

17                      CHAIRPERSON MILLER:  All right, in  
18           which case I move that we accept this offer of  
19           compromise of a fine of \$300 to be paid within  
20           30 days.  Do I have a second?

21                      MEMBER SHORT:   Second.

22                      CHAIRPERSON MILLER:  Mr. Short has

1 seconded the motion. All those in favor say  
2 aye.

3 (Chorus of ayes)

4 CHAIRPERSON MILLER: All those  
5 opposed? All those abstaining? Motion passes  
6 6-0-0.

7 MS. HABTMICAL: Thank you.

8 CHAIRPERSON MILLER: You just have  
9 some paperwork. Wait for it. Okay.

10 (Whereupon, the foregoing matter  
11 went off the record at 10:19:59)

12

13

14

15

16

17

18

19

20

21

22

|   |  |  |   |  |
|---|--|--|---|--|
| <p style="text-align: center;"><b>A</b></p> <p><b>\$300</b> 5:20 6:2,19<br/> <b>a.m</b> 2:2 4:22 5:1<br/> <b>ABRA</b> 1:23<br/> <b>abstaining</b> 7:5<br/> <b>accept</b> 6:18<br/> <b>agreeable</b> 6:1<br/> <b>agreement</b> 4:4,6,11<br/> <b>ALBERTI</b> 1:17<br/> <b>Alcoholic</b> 1:2,13,13<br/> <b>Amy</b> 1:22 2:17 5:10<br/> <b>ANC</b> 2:7<br/> <b>anyway</b> 4:2<br/> <b>assistant</b> 2:18 5:11<br/> <b>attorney</b> 2:18 5:11<br/> <b>Avenue</b> 1:8 2:6<br/> <b>aye</b> 7:2<br/> <b>eyes</b> 7:3</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>B</b> 1:8<br/> <b>back</b> 3:21 4:1 5:1<br/> <b>behalf</b> 2:18 5:12<br/> <b>Beverage</b> 1:2,13,13<br/> <b>Board</b> 1:2,13 4:11<br/> 6:15<br/> <b>BROOKS</b> 1:18<br/> <b>Building</b> 1:14</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>calendar</b> 2:4<br/> <b>case</b> 1:10 2:4,4 3:21<br/> 4:7,16 5:7 6:18<br/> <b>cause</b> 1:7 3:6 4:16<br/> <b>Chairperson</b> 1:14<br/> 1:17 2:3,9,11,16<br/> 2:22 3:5,9,13,20<br/> 4:3,10,15 5:2,6,15<br/> 5:18,22 6:4,7,11<br/> 6:14,17,22 7:4,8<br/> <b>Chorus</b> 7:3<br/> <b>Chrissie</b> 1:22<br/> <b>close</b> 4:9<br/> <b>Columbia</b> 1:1 2:19<br/> 5:12<br/> <b>come</b> 3:21 4:1,6 5:7<br/> <b>compromise</b> 6:1,9</p> | <p>6:19<br/> <b>Control</b> 1:2,13,13</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D.C</b> 1:14<br/> <b>days</b> 5:21 6:5,20<br/> <b>Deli</b> 1:7 2:5,15 5:3<br/> 5:14<br/> <b>discussion</b> 3:19<br/> <b>District</b> 1:1 2:19<br/> 5:12<br/> <b>DONALD</b> 1:18</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>Earl</b> 1:23<br/> <b>enter</b> 6:9</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>favor</b> 7:1<br/> <b>fine</b> 5:20 6:19<br/> <b>Florida</b> 1:8 2:6<br/> <b>foregoing</b> 4:21 7:10<br/> <b>forward</b> 5:7<br/> <b>full</b> 4:12</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>general</b> 2:18 5:11<br/> <b>Gephardt</b> 1:22<br/> <b>Go-Cups</b> 1:9<br/> <b>good</b> 2:8,9,10,17<br/> 3:13 5:10<br/> <b>government</b> 5:19<br/> <b>Grocery</b> 1:7 2:5,14<br/> 5:3,14</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>Habtiminal</b> 5:14<br/> <b>Habtiminal</b> 1:6 2:8<br/> 2:10,14,15 3:3,4,4<br/> 3:8,11 4:8,14 5:13<br/> 6:3,6,10,13 7:7<br/> <b>hearing</b> 1:8,14 3:6<br/> 3:7 4:1,5,16 6:8<br/> 6:12<br/> <b>hearings</b> 4:12<br/> <b>HECTOR</b> 1:18</p> <hr/> <p style="text-align: center;"><b>I</b></p> | <p><b>introduce</b> 2:13 5:8<br/> <b>Investigator</b> 1:23<br/> <b>Islamic</b> 3:4</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>JAMES</b> 1:19<br/> <b>January</b> 1:12<br/> <b>Jones</b> 1:23<br/> <b>Junior</b> 2:21</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>know</b> 4:18</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>Lemidon</b> 2:20,20<br/> <b>Letckidan</b> 1:6 2:15<br/> 3:3 5:13<br/> <b>license</b> 1:9 2:6<br/> <b>located</b> 2:5</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p><b>ma'am</b> 3:1,8 6:13<br/> <b>MALE</b> 6:16<br/> <b>manager</b> 2:21,22<br/> <b>March</b> 4:17<br/> <b>matter</b> 1:5 4:21<br/> 7:10<br/> <b>matters</b> 3:16,18<br/> <b>means</b> 4:8<br/> <b>MEETING</b> 1:3<br/> <b>Member</b> 1:17,18,18<br/> 1:19,19 6:21<br/> <b>members</b> 6:15<br/> <b>met</b> 1:13<br/> <b>MICHAEL</b> 1:19<br/> <b>Miller</b> 1:15,17 2:3<br/> 2:9,11,16,22 3:5,9<br/> 3:13,20 4:3,10,15<br/> 5:2,6,15,18,22 6:4<br/> 6:7,11,14,17,22<br/> 7:4,8<br/> <b>morning</b> 2:4,8,9,10<br/> 2:17 4:2,13 5:10<br/> <b>motion</b> 7:1,5<br/> <b>move</b> 6:18</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>N.W</b> 1:14</p> | <p><b>name</b> 3:1,2<br/> <b>need</b> 4:18<br/> <b>NICK</b> 1:17<br/> <b>notice</b> 3:7,14<br/> <b>number</b> 2:4,6<br/> <b>NW</b> 1:8 2:6</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>OAG</b> 1:22,22<br/> <b>objection</b> 3:15<br/> <b>offer</b> 6:1,9,18<br/> <b>OIC</b> 5:20<br/> <b>okay</b> 2:3,16 3:1,5<br/> 3:13,15 4:3,14,15<br/> 4:20 5:2,6,8,15,18<br/> 5:22 6:14 7:9<br/> <b>opposed</b> 7:5<br/> <b>owner</b> 2:15</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>P-R-O-C-E-E-D-...</b><br/> 2:1<br/> <b>p.m</b> 4:17<br/> <b>paid</b> 5:21 6:2,19<br/> <b>paperwork</b> 7:9<br/> <b>part</b> 3:14<br/> <b>PARTICIPANT</b><br/> 6:16<br/> <b>parties</b> 5:7<br/> <b>passes</b> 7:5<br/> <b>please</b> 5:5<br/> <b>preliminary</b> 3:16<br/> 3:17 5:16<br/> <b>present</b> 1:16,21<br/> 4:11<br/> <b>presenting</b> 5:20<br/> <b>presiding</b> 1:15</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>questions</b> 6:15</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>Rafael</b> 1:7 2:5,14<br/> 5:3,14<br/> <b>read</b> 3:10<br/> <b>ready</b> 2:12 5:9<br/> <b>recall</b> 4:6,19<br/> <b>recalled</b> 5:4</p> | <p><b>received</b> 3:7<br/> <b>record</b> 2:13 3:15,19<br/> 4:22 5:1,9 7:11<br/> <b>Reeves</b> 1:14<br/> <b>Retailer</b> 1:8<br/> <b>right</b> 3:14 6:8,12,15<br/> 6:17<br/> <b>RODRIGUEZ</b> 1:18<br/> <b>Room</b> 1:14<br/> <b>Ruthanne</b> 1:15,17</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p><b>saying</b> 4:4<br/> <b>Schmidt</b> 1:22 2:17<br/> 2:18 3:17,22 4:18<br/> 4:20 5:5,10,11,16<br/> 5:17,19<br/> <b>second</b> 6:20,21<br/> <b>seconded</b> 7:1<br/> <b>set</b> 3:22 4:5,16<br/> <b>Short</b> 1:19 6:21,22<br/> <b>shortly</b> 4:6<br/> <b>show</b> 1:7 3:6 4:16<br/> <b>sign</b> 2:12<br/> <b>SILVERSTEIN</b><br/> 1:19<br/> <b>Sold</b> 1:9<br/> <b>sorry</b> 3:1<br/> <b>status</b> 1:8 3:6<br/> <b>statuses</b> 4:13<br/> <b>Street</b> 1:14</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p><b>t/a</b> 1:7<br/> <b>t</b> 1:5,10<br/> <b>thank</b> 4:20 7:7<br/> <b>time</b> 4:5</p> <hr/> <p style="text-align: center;"><b>U</b></p> <p><b>understand</b> 3:10,11<br/> 5:3 6:8<br/> <b>Uneed</b> 2:20</p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p style="text-align: center;"><b>W</b></p> <p><b>Wait</b> 7:9<br/> <b>waive</b> 6:8,11</p> |
|---|--|--|---|--|

want 3:6,20  
 Washington 1:14  
 we're 4:4  
 went 4:22,22 7:11

---

**X**

---



---

**Y**

---



---

**Z**

---



---

**0**

---



---

**1**

---

**1:30** 4:17  
**10:09** 2:2  
**10:12** 4:22  
**10:18** 5:1  
**10:19:59** 7:11  
**13-CMP-00459**  
 1:10  
**13-CMP-0459** 2:5  
**14th** 1:14  
**15** 1:12

---

**2**

---

**2000** 1:14  
**2014** 1:12 4:17  
**233** 1:8 2:6

---

**3**

---

**30** 5:21 6:4,20

---

**4**

---



---

**5**

---

**5E** 2:7  
**5th** 4:17

---

**6**

---

**6-0-0** 7:6  
**60359** 1:9 2:6