

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE REGULATION
ADMINISTRATION BOARD
+ + + + +
PUBLIC HEARING

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IN THE MATTER OF:	:
	:
Twin T's, LLC, t/a	:
DC Shenanigans	:
2450 - 18th Street, N.W.	:
	: Show Cause
License No. 88119	: Hearing (Status)
Retailer CT	:
Case No. 12-CC-00057	:
	:

Wednesday,
January 16, 2013

ABRA Hearing Room
Suite 400 South
Reeves Municipal Center

2000 - 14th Street, N.W.
Washington, DC 20009

The above-entitled matter convened
at 10:02 a.m. before the District of Columbia
Alcoholic Beverage Regulation Administration
Board.

BEFORE:

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD C. BROOKS, Member

HERMAN JONES, Member

MIKE SILVERSTEIN, Member

The transcript constitutes the minutes
from the Public Hearing held on January 16,
2013.

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

2 10:02 a.m.

3 CHAIRPERSON MILLER: All right. The
4 next case on the morning calendar is Case No.
5 12-CC-00057, Shenanigans, located at 2450 -
6 18th Street, N.W., License No. 88119 in ANC
7 1C.

8 MS. GEPHARDT: Chrissy Gephardt on
9 behalf of the Office of the Attorney General.

10 MR. MPRAS: I'm Emanuel Mpras. I
11 represent Mr. Goldstein.

12 MR. HALL: Thomas Hall, proprietor.

13 CHAIRPERSON MILLER: Okay. This is
14 a Show Cause Status Hearing. Mr. Mpras, can
15 you or your client state whether or not you
16 received notice of this hearing, read and
17 understood it?

18 MR. MPRAS: Yes ma'am, notice was
19 received. It was read and understood and we
20 waive reading of the charges.

21 CHAIRPERSON MILLER: Okay. Thank
22 you very much. All right. There are any

1 preliminary matters in this case, Ms.

2 Gephardt?

3 MS. GEPHARDT: Yes, there is, Madam
4 Chairwoman. We have an offer and compromise
5 that the parties have reached that we would
6 like to present to the Board today. We have
7 agreed on the sale to minor charge to a \$3,000
8 fine, with a five-day suspension, all of those
9 days stayed for one year.

10 CHAIRPERSON MILLER: Okay. There
11 are two violations in this case.

12 MS. GEPHARDT: One moment. I need
13 to clarify, if you don't mind.

14 CHAIRPERSON MILLER: No, we don't
15 mind. Okay.

16 MS. GEPHARDT: I apologize. In this
17 case, just to clarify, there's two charges.
18 Charge 1 is selling alcoholic beverages to a
19 minor. That would be a \$1,500 charge, and
20 then for Charge 2, which is failing to take
21 reasonable steps to ascertain the age of the
22 two minors, that would be a \$1,500 charge, for

1 a total of \$3,000.

2 CHAIRPERSON MILLER: Okay. Is that
3 your understanding, Mr. Mpras?

4 MR. MPRAS: Yes ma'am.

5 CHAIRPERSON MILLER: Okay. I just
6 want to ask the basis for that fine. How does
7 that relate to the penalty schedule?

8 MS. GEPHARDT: The \$3,000 fine, this
9 is a second, I believe a second violation for
10 sale to a minor. Give me one moment here.

11 CHAIRPERSON MILLER: Okay, uh-huh.

12 (Pause.)

13 MS. GEPHARDT: My sincere apologies.
14 There has been a misunderstanding. Let me
15 clarify what the government is requesting, and
16 what the parties have agreed to. So what the
17 government intended to say was that there
18 would be a \$3,000 fine for Charge 1, and the
19 government will drop Charge 2, with the five-
20 day suspension stayed for one year.

21 CHAIRPERSON MILLER: Okay, and it's
22 your understanding and representation that

1 this is a second -- this is the second primary
2 offense or second sale to minor?

3 MS. GEPHARDT: This is the second
4 primary offense.

5 CHAIRPERSON MILLER: Second primary
6 offense. Also, this establishment has changed
7 names; is that correct?

8 MR. MPRAS: Yes ma'am.

9 CHAIRPERSON MILLER: And when did
10 that happen?

11 MR. MPRAS: That happened in June.
12 It was June of last year.

13 CHAIRPERSON MILLER: June 2012?

14 MR. MPRAS: Yes.

15 CHAIRPERSON MILLER: And did it
16 change ownership or just name?

17 MR. MPRAS: No, it did not change
18 ownership.

19 CHAIRPERSON MILLER: Okay.

20 MR. MPRAS: And when the Board is
21 finished with its questions, Mr. Hall would
22 like to make a statement.

1 CHAIRPERSON MILLER: Okay. Any
2 questions by Board members?

3 (Off mic comment.)

4 CHAIRPERSON MILLER: Okay, all
5 right.

6 MS. GEPHARDT: My understanding,
7 based on the investigative history, which the
8 one I have here is not, is outdated. However,
9 it's my understanding that this is a first
10 primary tier violation.

11 MEMBER ALBERTI: That's what our
12 records indicate.

13 CHAIRPERSON MILLER: Okay.

14 MEMBER ALBERTI: It's the first.

15 CHAIRPERSON MILLER: All right. If
16 there aren't any other questions, then I would
17 hear from Mr. Hall, who wanted to make a
18 statement.

19 MR. HALL: Yes, I'd like to read a
20 statement. Would you like me to stand?

21 CHAIRPERSON MILLER: No. The
22 microphone is actually closer to you sitting

1 down.

2 MR. HALL: Okay. I think it's --

3 MEMBER SILVERSTEIN: Microphone,
4 closer to your mouth.

5 MR. HALL: I think it's important
6 for me to explain to the Board the change that
7 I've made. I completely understand the
8 seriousness of what occurred in the
9 preliminary stages of the establishment. We
10 had originally planned on taking over that
11 establishment in January.

12 The landlord got us in there 30 days
13 early, which did not afford me a chance to get
14 the proper staff, and I found very quickly
15 you're only as good as your doorman. We found
16 out that that particular security guy, who was
17 part of a previous administration, was not up
18 to snuff with some of the IDs.

19 I immediately changed that, and we
20 have a specialist now that is so good that
21 he's working directly in correlation with the
22 MPD, and we are turning over fraudulent IDs on

1 a regular basis to MPD. We just did that the
2 other night, unfortunately for some young lady
3 on New Year's Eve.

4 But I have also the name change,
5 this is my attempt. I understand what I need
6 to do to have longevity. So we changed the
7 name and changed the menu and upscaled all of
8 our beverages, in an attempt to draw an older
9 clientele. This is my attempt. This is what
10 I'm trying to do. That's why I changed to
11 Shenanigans, to an Irish pub.

12 I want to get away from a younger
13 clientele. I understand the liability that
14 comes with that. I've added a scanner. I've
15 added a UV ray. I know what I have to do now,
16 and I'm very serious about it, and I know the
17 District of Columbia, in talking to the
18 officers on a regular basis, are very serious
19 about it.

20 So I just want the Board to
21 understand I'm in this now, and I'm in it to
22 do it right, and we're going to do it right.

1 CHAIRPERSON MILLER: Okay.

2 MR. HALL: Oh, and we did consult
3 with Jeff Jackson. I had the entire staff
4 trained from ABC consultants. He came in on
5 premise and trained everybody, and I'm going
6 to keep that completely up to date. I have
7 many people now that have ABC licenses.

8 So I'm going to give it my best shot
9 to do it the way it's supposed to be done,
10 ma'am.

11 CHAIRPERSON MILLER: Okay. Any
12 other questions? All right. I understand
13 that, I had request from one Board member
14 that we take a look at this offer and
15 compromise in executive session. So I'm
16 going to read the Open Meeting instructions
17 for the Board, to vote on two, just take a
18 short recess to look at the OIC and the
19 investigative history, and consider proposed
20 OIC and then come back.

21 So as Chairperson of the Alcoholic
22 Beverage Control Board for the District of

1 Columbia, and in accordance with Section 405
2 of the Open Meetings Amendment Act of 2010, I
3 move that the ABC Board hold a closed meeting
4 for seeking legal advice from our counsel on
5 Case No. 12-CC-00057, Shenanigans, per Section
6 405(b)(13) of the Open Meetings Amendment Act
7 of 2010 and deliberating upon this case, for
8 the reasons cited in Section 405(b)(13) of the
9 Open Meetings Amendment Act of 2010. Is there
10 a second?

11 MEMBER SILVERSTEIN: Second.

12 CHAIRPERSON MILLER: Mr. Silverstein
13 has seconded the motion. I'm going to take a
14 roll call vote. Mr. Brooks?

15 MEMBER BROOKS: I agree.

16 CHAIRPERSON MILLER: Ms. Miller
17 agrees. Mr. Silverstein?

18 MEMBER SILVERSTEIN: I agree.

19 CHAIRPERSON MILLER: It appears that
20 the motion passes by a vote of 3-0-0. I
21 hereby give notice that the ABC Board will
22 hold a closed meeting in the ABC Board

1 conference room now, pursuant to the Open
2 Meetings Amendment Act of 2010, and we will
3 return shortly.

4 (Whereupon, a recess was taken.)

5 CHAIRPERSON MILLER: Okay. We're
6 back on the record. The Board had an
7 opportunity to consider the investigative
8 record, history and assess the offer and
9 compromise. I just wanted to ask Mr. Hall
10 whether, I can't remember whether I asked you
11 this; I probably did.

12 But do you understand by accepting
13 the offer and compromise, you waive your right
14 to a hearing?

15 MR. HALL: Yes.

16 CHAIRPERSON MILLER: Okay, all
17 right. Then at this point, I'm going to put
18 forth a motion then to approve the offer and
19 compromise of the penalty of \$3,000 for the
20 first violation. The second violation has
21 been dropped. Do I have a second?

22 MEMBER SILVERSTEIN: Second.

1 CHAIRPERSON MILLER: Mr. Silverstein
2 has seconded the motion. All those in favor
3 of the motion say aye?

4 (Chorus of ayes.)

5 CHAIRPERSON MILLER: All those
6 opposed?

7 MEMBER ALBERTI: Opposed.

8 MEMBER BROOKS: Opposed.

9 CHAIRPERSON MILLER: Then all those
10 abstaining.

11 (No response.)

12 CHAIRPERSON MILLER: Then the vote
13 is 2 to 2, the motion fails. We have another
14 motion, then, to deny the --

15 MEMBER ALBERTI: Do you think that's
16 necessary? I'll make it. I move that we deny
17 the offer and compromise.

18 CHAIRPERSON MILLER: There's a
19 second?

20 MEMBER BROOKS: Second.

21 CHAIRPERSON MILLER: Mr. Brooks has
22 seconded the motion. All those in favor of

1 the motion to deny say aye?

2 (Chorus of ayes.)

3 CHAIRPERSON MILLER: All those
4 opposed? Opposed. The vote is 3 to 1 to 0,
5 the motion passes. The OIC is denied. So we
6 are going to set this case for a Show Cause
7 Hearing March 13th, 2013 at 10:00 a.m. So
8 that concludes this case.

9 (Whereupon, at 10:23 a.m., the
10 hearing was concluded.)

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