

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

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IN THE MATTER OF: :

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Case #11-CMP-00071 :

Europa, Inc., : Show

t/a Panache : Cause

1725 Dessales Street NW : Hearing

License #60754 :

Retailer CR :

ANC-2B :

Failed to File Quarterly :

Statement :

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January 25, 2012

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

PRESENT

RUTHANNE MILLER, Chairperson

CALVIN NOPHLIN, Member

NICK ALBERTI, Member

DONALD BROOKS, Member

MIKE SILVERSTEIN, Member

JEANNETTE MOBLEY, Member

HERMAN JONES, Member

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

11:05 a.m.

CHAIRPERSON MILLER: We are back on the record. I'm going to call Case #11-CMP-00071, Europa, Inc., trading as Panache. I hope I pronounced that right. 1725 Dessales Street, N.W., License #60754 in ANC-2B.

Will the parties in this case come forward.

MR. ADAMS: Good morning, Madam Chairman and members of the Board. I'm Walter Adams representing the District of Columbia.

CHAIRPERSON MILLER: Is the licensee here?

MR. ADAMS: I have no knowledge of the licensee. I spoke with the owner of the establishment yesterday. Frankly, in an attempt to resolve this matter which seemed to be positive at the time so I had fully expected the licensee to be here at this time.

MEMBER ALBERTI: Have you spoken with them this morning, Mr. Adams?

1 MR. ADAMS: I have not spoken with  
2 the licensee this morning. I spoke with him  
3 about noon -- about 1:00 or so yesterday  
4 afternoon.

5 CHAIRPERSON MILLER: You spoke  
6 with him last when?

7 MR. ADAMS: I spoke with him  
8 approximately 1:00 p.m. yesterday.

9 CHAIRPERSON MILLER: Yesterday.  
10 Okay.

11 Mr. Adams, we think perhaps you  
12 ought to make a phone call and see if he's on  
13 his way.

14 MR. ADAMS: Sure.

15 CHAIRPERSON MILLER: It's only  
16 11:07.

17 MR. ADAMS: If the Board would  
18 recess for five minutes, I'll make a call to  
19 see if I can ascertain his whereabouts.

20 CHAIRPERSON MILLER: Okay. We'll  
21 take a recess until 11:20.

22 MR. ADAMS: All right. Thank you,

1 Madam Chair.

2 CHAIRPERSON MILLER: Thank you.

3 (Whereupon, at 11:07 a.m. off the  
4 record until 11:36 a.m.)

5 CHAIRPERSON MILLER: We're back on  
6 the record in Case #11-CMP-00071. We heard  
7 that the licensee was in a car accident and,  
8 therefore, was delayed in getting to the Board  
9 for he 11:00 hearing but he will be able to be  
10 here by 2:00. This case is continued until  
11 2:00 today.

12 There is no other business for the  
13 Board this morning so we will adjourn and  
14 reconvene at 1:00 p.m. for the administrative  
15 agenda.

16 (Whereupon, at 12:54 p.m. off the  
17 record until 2:24 p.m.)

18 CHAIRPERSON MILLER: I was  
19 reminded we have a case continued to this  
20 afternoon and we scheduled that for 2:00. We  
21 will take that case now if the parties are  
22 here.

1                   That case is Case #11-CMP-00071,  
2                   Europa, Inc., trading as Panache, 1725  
3                   Dessales Street, N.W., License #60754 in ANC-  
4                   2B.

5                   Will the parties introduce  
6                   themselves for the record?

7                   MR. SAFI:    Sure.  I'm Abdul Aziz  
8                   Safi.

9                   CHAIRPERSON MILLER:  And you are  
10                  the owner?

11                  MR. SAFI:  I'm the owner of Cafe  
12                  Europa.

13                  MR. ADAMS:  Good afternoon, Madam  
14                  Chairman, members of the Board, Walter Adams  
15                  for the District of Columbia.

16                  CHAIRPERSON MILLER:  Mr. Safi, I  
17                  heard you were in an accident this morning?

18                  MR. SAFI:  It was a kind of chain  
19                  accident with four or five cars involved.  I  
20                  was the one in the middle.  Not a big deal but  
21                  the police came.

22                  CHAIRPERSON MILLER:  That's good

1 to hear.

2 Do we have any preliminary  
3 matters? Do we have any Offer-in-Compromise?

4 MR. ADAMS: Yes, there is a  
5 preliminary matter. This is a show cause  
6 hearing and there is a single charge in this  
7 case regarding failure to file on a timely  
8 basis quarterly statements for the fourth  
9 quarter of 2010. This would be -- the  
10 establishment has had a few similar  
11 violations, secondary tier violations, in the  
12 last four years. This would be actually the  
13 seventh. To solve this matter since it would  
14 be consistent with a primary tier violation,  
15 and considering it is a quarterly statement  
16 violation, the District and the parties  
17 propose to settle this matter for a \$3,000  
18 fine to be paid within 60 days and filing of  
19 any outstanding quarterly statements.  
20 Basically, Madam Chair, there is only one  
21 outstanding statement which is April 2008  
22 through June 2008 quarterly statement that was

1 outstanding. Frankly, that has been submitted  
2 to the Board's auditor this afternoon. I can  
3 provide copies to the Board as well. But more  
4 or less the Offer-in-Compromise for this case  
5 is \$3,000 to be paid within 60 days.

6 CHAIRPERSON MILLER: Do you agree  
7 to that?

8 MR. SAFI: I agree with the \$3,000  
9 and 60 days to be paid.

10 CHAIRPERSON MILLER: Then you  
11 realize that you waive your right to a  
12 hearing?

13 MR. SAFI: Sure.

14 CHAIRPERSON MILLER: I would move  
15 that we accept this Offer-in-Compromise. Do  
16 I have a second? Let me just repeat it.  
17 Offer-in-Compromise would be for \$3,000 fine  
18 to be paid within 60 days of today's date.

19 MR. SAFI: Correct.

20 CHAIRPERSON MILLER: Do I have a  
21 second?

22 MEMBER NOPHLIN: Second.

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CHAIRPERSON MILLER: All those in favor say aye.

BOARD MEMBERS: Aye.

CHAIRPERSON MILLER: All those opposed?

MEMBER JONES: Nay.

CHAIRPERSON MILLER: The vote is six to one to zero. All those opposed? We got that. All those abstaining? Okay. The vote is six to one to zero in favor of accepting the Offer-in-Compromise. I will note for the record that Mr. Jones was in opposition.

Okay. Thank you very much.

MR. ADAMS: Thank you very much, Madam Chair.

(Whereupon, at 2:28 p.m. the hearing was adjourned.)

<b>A</b>	<b>C</b>	<b>Europa</b> 1:9 2:5 5:2 5:12 <b>expected</b> 2:20	<b>licensee</b> 2:14,16,20 3:2 4:7	<b>outstanding</b> 6:19 6:21 7:1 <b>owner</b> 2:16 5:10,11
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