

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

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IN THE MATTER OF: :

Case #12-AUD-00044 :

Glover Park F & B, LLC : Show

t/a Breadsoda : Cause

2233 Wisconsin Avenue, N.W. : Hearing

License # 78085 : (Status)

Retailer CR :

ANC 3B :

Failed to File Quarterly :

Statements (2nd Quarter 2012) :

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FEBRUARY 6, 2013

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., 4th Floor, Washington, D.C. 20009, Chairperson Miller, presiding.

PRESENT

- RUTHANNE MILLER, Chairperson
- NICK ALBERTI, Member
- DONALD BROOKS, Member
- MICHAEL SILVERSTEIN, Member

ALSO PRESENT

LOUISE PHILLIPS, OAG

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

10:07 a.m.

CHAIRPERSON MILLER: All right.

The next case on our calendar is Case Number
12-AUD-00044, Breadsoda located at 2233
Wisconsin Avenue, N.W., License Number 78085
in ANC 3B.

When you're ready, would you
introduce yourselves for the record please?

MR. THOMAS: William Thomas, owner
of Breadsoda.

CHAIRPERSON MILLER: Wayne Thomas?

MR. THOMAS: Bill Thomas.

CHAIRPERSON MILLER: Bill Thomas.

MR. THOMAS: William Thomas.

CHAIRPERSON MILLER: William
Thomas. Okay. Okay. Good morning.

MS. PHILLIPS: Louise Phillips,
Assistant Attorney General for the District of
Columbia.

CHAIRPERSON MILLER: Okay. This
is a show cause hearing actually. Are there

1 any preliminary matters?

2 MS. PHILLIPS: Yes, there are.

3 CHAIRPERSON MILLER: Oh, this is a
4 status hearing, too. I'm sorry.

5 MS. PHILLIPS: Is it a -- I was
6 confused.

7 CHAIRPERSON MILLER: I know.
8 Okay. I'm sorry.

9 MS. PHILLIPS: I wasn't prepared
10 to try this case if it was a show cause
11 hearing.

12 CHAIRPERSON MILLER: Right. Okay.
13 No. No. No. The next one. We were here
14 late last night. Okay.

15 So, then I need to ask Mr. Thomas.
16 Did you receive notice of this hearing?

17 MR. THOMAS: Yes, I did.

18 CHAIRPERSON MILLER: Of this
19 status hearing. Then did you read it?

20 MR. THOMAS: Yes, I did.

21 CHAIRPERSON MILLER: Did you
22 understand it?

1 MR. THOMAS: Yes, I did.

2 CHAIRPERSON MILLER: And do you
3 waive the Board's reading of the notice into
4 the record?

5 MR. THOMAS: Yes.

6 CHAIRPERSON MILLER: Okay.

7 MS. PHILLIPS: Yes, we do.

8 CHAIRPERSON MILLER: Ms. Phillips,
9 are there any preliminary matters?

10 MS. PHILLIPS: Yes, there are.

11 CHAIRPERSON MILLER: All right.

12 MS. PHILLIPS: The parties have an
13 offer in compromise to present to the Board.
14 It consists of a fine of \$2,000 to be paid
15 today.

16 MR. THOMAS: Yes.

17 MS. PHILLIPS: Today.

18 MR. THOMAS: Today.

19 CHAIRPERSON MILLER: Okay. Mr.
20 Thomas, are you agreeable to that offer in
21 compromise of \$2,000 to be paid today?

22 MR. THOMAS: I am.

1 CHAIRPERSON MILLER: And do you
2 understand you waive your right to a hearing
3 if you accept the offer in compromise?

4 MR. THOMAS: I do.

5 CHAIRPERSON MILLER: Okay. Any
6 questions by Board Members?

7 MS. PHILLIPS: Excuse me, Madam
8 Chair. I just wanted to tell you that he has
9 informed me that he has filed the quarterly
10 statement that is subject to this.

11 CHAIRPERSON MILLER: That's
12 already been filed?

13 MS. PHILLIPS: Yes.

14 MR. THOMAS: It's been filed and
15 there's been a subsequent one since that as
16 well. It's filed on schedule.

17 CHAIRPERSON MILLER: Okay. That's
18 good to hear.

19 MR. THOMAS: I know that I keep
20 missing these. I apologize. I actually got
21 caught out of town on a sick family member who
22 has since passed. I had to fly -- my mom

1 asked me to fly back with her to England to
2 see a family member before they died and I
3 went on kind of the spur of the moment and it
4 just -- you know, I -- you know, I shouldn't
5 procrastinate even until the end of the month.
6 But, that's the routine and then if you get
7 caught of town on the last week of the month,
8 you missed it. So, it was totally my fault
9 again. I just -- it was just a little bit of
10 extenuating circumstances this time other than
11 just forgetfulness. So.

12 CHAIRPERSON MILLER: Okay. Yes, I
13 know the fines can be steep. So.

14 MR. THOMAS: Oh, I'm feeling it.

15 CHAIRPERSON MILLER: Okay. But,
16 there is -- okay. Anything else?

17 MS. PHILLIPS: Not for the
18 Government. Thank you, Madam Chair.

19 CHAIRPERSON MILLER: All right.
20 I'm sorry. I'm sorry about your loss.

21 MR. THOMAS: Oh, thank you. Thank
22 you. Thank you.

1 CHAIRPERSON MILLER: All right.

2 So, at this point then, I will make a motion
3 to accept this offer in compromise. Do we
4 have a second?

5 MEMBER BROOKS: Second.

6 CHAIRPERSON MILLER: Mr. Brooks
7 has seconded the motion. All those in favor
8 say aye.

9 (Ayes.)

10 CHAIRPERSON MILLER: All those
11 opposed? All those abstaining? The motion
12 passes by a vote of 4-0-0 to accept the offer
13 in compromise.

14 MR. THOMAS: Thank you.

15 CHAIRPERSON MILLER: Thank you.

16 (Whereupon, at 10:10 a.m., the
17 hearing was adjourned.)

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<p style="text-align: center;">A</p> <p>abstaining 7:11 accept 5:3 7:3,12 adjourned 7:17 agreeable 4:20 ALBERTI 1:18 Alcoholic 1:2,13,13 ANC 1:9 2:7 apologize 5:20 asked 6:1 Assistant 2:19 Attorney 2:19 Avenue 1:7 2:6 aye 7:8 Ayes 7:9 a.m 2:2 7:16</p> <hr/> <p style="text-align: center;">B</p> <p>B 1:6 back 6:1 Beverage 1:2,13,13 Bill 2:13,14 bit 6:9 Board 1:2,13 4:13 5:6 Board's 4:3 Breadsoda 1:6 2:5 2:11 Brooks 1:18 7:5,6 Building 1:14</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 2:4 case 1:5 2:4,4 3:10 caught 5:21 6:7 cause 1:6 2:22 3:10 Chair 5:8 6:18 Chairperson 1:15 1:17 2:3,12,14,16 2:21 3:3,7,12,18 3:21 4:2,6,8,11,19 5:1,5,11,17 6:12 6:15,19 7:1,6,10 7:15 circumstances 6:10 Columbia 1:1 2:20 compromise 4:13</p>	<p>4:21 5:3 7:3,13 confused 3:6 consists 4:14 Control 1:2,13,13 CR 1:8</p> <hr/> <p style="text-align: center;">D</p> <p>died 6:2 District 1:1 2:19 DONALD 1:18 D.C 1:14</p> <hr/> <p style="text-align: center;">E</p> <p>England 6:1 Excuse 5:7 extenuating 6:10</p> <hr/> <p style="text-align: center;">F</p> <p>F 1:6 Failed 1:9 family 5:21 6:2 fault 6:8 favor 7:7 FEBRUARY 1:12 feeling 6:14 File 1:9 filed 5:9,12,14,16 fine 4:14 finer 6:13 Floor 1:14 fly 5:22 6:1 forgetfulness 6:11</p> <hr/> <p style="text-align: center;">G</p> <p>General 2:19 Glover 1:6 good 2:17 5:18 Government 6:18</p> <hr/> <p style="text-align: center;">H</p> <p>hear 5:18 hearing 1:7,14 2:22 3:4,11,16,19 5:2 7:17</p> <hr/> <p style="text-align: center;">I</p> <p>informed 5:9 introduce 2:9</p>	<p style="text-align: center;">K</p> <p>keep 5:19 kind 6:3 know 3:7 5:19 6:4 6:4,13</p> <hr/> <p style="text-align: center;">L</p> <p>late 3:14 License 1:8 2:6 little 6:9 LLC 1:6 located 2:5 loss 6:20 Louise 1:22 2:18</p> <hr/> <p style="text-align: center;">M</p> <p>Madam 5:7 6:18 MATTER 1:4 matters 3:1 4:9 MEETING 1:3 member 1:18,18,19 5:21 6:2 7:5 Members 5:6 met 1:13 MICHAEL 1:19 Miller 1:15,17 2:3 2:12,14,16,21 3:3 3:7,12,18,21 4:2,6 4:8,11,19 5:1,5,11 5:17 6:12,15,19 7:1,6,10,15 missed 6:8 missing 5:20 mom 5:22 moment 6:3 month 6:5,7 morning 2:17 motion 7:2,7,11</p> <hr/> <p style="text-align: center;">N</p> <p>need 3:15 NICK 1:18 night 3:14 notice 3:16 4:3 Number 2:4,6 N.W 1:7,14 2:6</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:22 offer 4:13,20 5:3 7:3,12 Oh 3:3 6:14,21 okay 2:17,17,21 3:8 3:12,14 4:6,19 5:5 5:17 6:12,15,16 opposed 7:11 owner 2:10</p> <hr/> <p style="text-align: center;">P</p> <p>paid 4:14,21 Park 1:6 parties 4:12 passed 5:22 passes 7:12 Phillips 1:22 2:18 2:18 3:2,5,9 4:7,8 4:10,12,17 5:7,13 6:17 please 2:9 point 7:2 preliminary 3:1 4:9 prepared 3:9 present 1:16,21 4:13 presiding 1:15 procrastinate 6:5 P-R-O-C-E-E-D-... 2:1</p> <hr/> <p style="text-align: center;">Q</p> <p>Quarter 1:10 quarterly 1:9 5:9 questions 5:6</p> <hr/> <p style="text-align: center;">R</p> <p>read 3:19 reading 4:3 ready 2:8 receive 3:16 record 2:9 4:4 Reeves 1:14 Retailer 1:8 right 2:3 3:12 4:11 5:2 6:19 7:1 Room 1:14</p>	<p>routine 6:6 RUTHANNE 1:17</p> <hr/> <p style="text-align: center;">S</p> <p>schedule 5:16 second 7:4,5 seconded 7:7 see 6:2 show 1:6 2:22 3:10 sick 5:21 SILVERSTEIN 1:19 sorry 3:4,8 6:20,20 spur 6:3 statement 5:10 Statements 1:10 status 1:8 3:4,19 steep 6:13 Street 1:14 subject 5:10 subsequent 5:15</p> <hr/> <p style="text-align: center;">T</p> <p>tell 5:8 thank 6:18,21,21 6:22 7:14,15 Thomas 2:10,10,12 2:13,13,14,15,15 2:17 3:15,17,20 4:1,5,16,18,20,22 5:4,14,19 6:14,21 7:14 time 6:10 today 4:15,17,18 4:21 totally 6:8 town 5:21 6:7 try 3:10 t/a 1:6</p> <hr/> <p style="text-align: center;">U</p> <p>understand 3:22 5:2</p> <hr/> <p style="text-align: center;">V</p> <p>vote 7:12</p> <hr/> <p style="text-align: center;">W</p>
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