

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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| A&A LLC t/a Georgia Line | : | |
| Convenience Store | : | |
| 5125 Georgia Avenue NW | : | Protest |
| | : | Hearing |
| Retailer B | : | |
| License No. 91196 | : | |
| ANC 4D | : | |

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FEBRUARY 11, 2015

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

PRESENT:

RUTHANNE MILLER, Chairperson

DONALD BROOKS, Member

NICK ALBERTI, Member

HECTOR RODRIGUEZ, Member

MIKE SILVERSTEIN, Member

JAMES SHORT, Member

HERMAN JONES, Member

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

10:45 a.m.

CHAIR MILLER: Okay, next case on the morning calendar is Case No. 14-CMP-00460, Georgia Line Convenience Store, located at 5125 Georgia Avenue, Northwest, License No. 91196 in ANC 4D, and this is a Show Cause Hearing.

When you're ready, if you could sign in and then introduce yourself for the record.

MR. RIVERO: Good morning, Board Members. Fernando Rivero for the District of Columbia, standing in for Senior Assistant Attorney General Michael Stern.

CHAIR MILLER: Okay, good morning.

MR. FOX: Good morning, Board Members. Jameson Fox, attorney for Ms. Tasseu.

CHAIR MILLER: Could you state your full name for the record too?

1 MS. TASSEU: Alemstehioy Tasseu.

2 CHAIR MILLER: Okay, and you're
3 the Respondent, the owner of the
4 establishment?

5 MS. TASSEU: Yes.

6 CHAIR MILLER: Okay, are there
7 any preliminary matters?

8 MR. RIVERO: The parties don't
9 have an offer in compromise to present at
10 this time. I was informed that licensee's
11 counsel just now, and so, I guess this is
12 also a kind of preliminary matter, the
13 licensee's request for a continuance, in
14 order to further prepare for this case.

15 I will obvious defer to him, but
16 the Government does not have an objection.

17 MR. FOX: As the Government was
18 stating, Counsel was just recently --

19 MEMBER ALBERTI: Please speak
20 louder.

21 MR. FOX: My apologies. Counsel
22 was just recently attained on this issue.

1 MEMBER ALBERTI: Excuse me,
2 please. I can't hear.

3 MR. FOX: And we believe that if
4 there were -- we'd like to move for a
5 continuance. We believe that with just a
6 little bit more time, we could gather some
7 evidence that would go to the material facts
8 in this matter, specifically whether or not
9 any male employees were employed by the
10 store.

11 We don't need a whole lot of time
12 to be able to bring that evidence, but just
13 a rescheduling for some other time, whatever
14 is convenient with the Board.

15 CHAIR MILLER: Okay, I can
16 appreciate that Counsel was just retained.
17 Can you just address why -- some Members
18 might wonder why Counsel wasn't retained a
19 little earlier in time for the hearing.

20 MR. FOX: We apologize for that.
21 There was a little bit of a confusion, as
22 far as the procedure is concerned.

1 Counsel was retained in a
2 separate matter relating to Georgia Line,
3 and there was not complete communication, as
4 to how many different procedures were in the
5 process, with relation to this client.

6 Counsel was just recently
7 informed of this Show Cause Hearing.

8 CHAIR MILLER: Okay, other
9 questions by Board Members?

10 MEMBER ALBERTI: Mr. Rivero, do
11 you have any?

12 MR. RIVERO: This matter won't
13 settle. The parties have serious
14 differences about the evidence in this case.

15 MEMBER ALBERTI: I'm sorry?

16 MR. RIVERO: The parties have
17 serious differences about the evidence in
18 this case. Therefore, this matter will not
19 settle. It will go to hearing, and now, I
20 don't have a problem with a reschedule. I
21 have the evidence I have, and they've asked
22 for an opportunity to present their case.

1 I'm fine with that.

2 MEMBER ALBERTI: Okay.

3 CHAIR MILLER: Okay, I understand
4 that -- well, are there other questions?

5 I understand that we have room
6 the calendar on March 25th at 10:00 a.m.,
7 and is there any objection by Board Members,
8 to continuing the case until that time?

9 Okay, will that time work for
10 you?

11 MR. RIVERO: Indulgence.

12 CHAIR MILLER: Okay.

13 MR. RIVERO: I just want to make
14 sure that my witness will be available on
15 that time.

16 CHAIR MILLER: Okay.

17 MR. FOX: Georgia Line will make
18 itself available whenever it's available --
19 works for the Board.

20 CHAIR MILLER: Okay.

21 MEMBER ALBERTI: Can we have them
22 consult with our General Counsel to set a

1 date?

2 CHAIR MILLER: I have a date.

3 MEMBER ALBERTI: I know, but
4 there -- I'm not sure if they're -- go
5 ahead.

6 MR. RIVERO: My witness will not
7 be available on that date.

8 CHAIR MILLER: Will not be
9 available on that?

10 MR. RIVERO: So, a date after the
11 29th of March will work.

12 MEMBER SILVERSTEIN: Are we going
13 to have a Protest Hearing and the
14 Termination Hearing prior to this? I would
15 object to that strenuously.

16 MEMBER ALBERTI: Can we allow --
17 can we just allow them to consult with our
18 General Counsel to set a date? The Board
19 can address our concerns about what -- can
20 we allow our General Counsel to work with
21 the parties to set a date, and the Board can
22 convey to our General Counsel, our concerns

1 about when the Protest Hearing happens, with
2 respect to the Show Cause.

3 CHAIR MILLER: Okay.

4 MEMBER ALBERTI: Because we'll be
5 here forever, straightening this out, to be
6 quite blunt with you.

7 CHAIR MILLER: Okay, right,
8 that's fine. I totally agree and your
9 witness is not available until after the
10 29th of March, is that what you said?

11 MR. RIVERO: Correct.

12 CHAIR MILLER: Okay, all right.
13 So, we'll continue this case to a date to be
14 determined and our General Counsel Martha
15 Jenkins will be in touch with both of you.

16 MR. FOX: Okay.

17 MR. RIVERO: Thank you.

18 CHAIR MILLER: Thank you.

19 MR. FOX: Thank you very much,
20 Members of the Board.

21 (Whereupon, the above-entitled
22 matter went off the record at 10:53 a.m.)

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