

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

CSBT, Inc. t/a Town	
House Tavern Restaurant	Show Cause
1631 R Street, NW	Hearing
Retailer CR - ANC-2B	(Status)
License No. 24682	
Case #13-AUD-00004	

(Failed to Provide invoices
for Purchased Food and
Alcoholic Beverages, Failed
to Maintain Books & Records)

February 12, 2014

The Alcoholic Beverage Control
Board met in the Alcoholic Beverage Control
Hearing Room, Reeves Building, 2000 14th
Street, N.W., Suite 400S, Washington, D.C.
20009, Chairperson Ruthanne Miller,
presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

MICHAEL STERN, OAG

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

(9:47 a.m.)

CHAIRPERSON MILLER: All right.

Then I'll call the next case, Case No. 13-AUD-00004, Town House Tavern Restaurant located at 1631 R Street, N.W., License No. 24682, in ANC-2B.

MR. STERN: Michael Stern representing the District of Columbia.

CHAIRPERSON MILLER: Okay. Is there anybody here from Town House Tavern Restaurant?

Mr. Stern, are you in touch with anyone from Town House Tavern Restaurant?

MR. STERN: The notes in the file indicate that, indeed, the attorney assigned was in touch with them and that there was an agreement reached. So we were expecting that they would be here today.

CHAIRPERSON MILLER: Okay. Let's see. Well, as they are not here, I think I'll set this for a Show Cause Hearing. If they

1 arrive while you are still here, we can recall
2 the case. It's 9:48. The hearing was called
3 for 9:30 and no one has heard from them.

4 Are you going to be here a while
5 this morning?

6 MR. STERN: I actually am. I have
7 a Show Cause Hearing set for 10:00.

8 CHAIRPERSON MILLER: All right.
9 So maybe we will pass this case then for now
10 and come back to it later.

11 MR. STERN: I'm sorry, what was
12 the date that this was set?

13 CHAIRPERSON MILLER: I didn't say.
14 Since you are here for another hearing, we can
15 pass and --

16 MR. STERN: Oh.

17 CHAIRPERSON MILLER: -- come back
18 to it. Okay.

19 (Whereupon, at 9:49 a.m. a recess
20 until 11:21 a.m.)

21 CHAIRPERSON MILLER: I think that
22 we passed the case of Town House Tavern

1 Restaurant.

2 MR. STERN: Yes.

3 CHAIRPERSON MILLER: Okay. Yes,
4 come on forward. I'm going to call that case
5 now. Case No. 13-AUD-00004, Town House Tavern
6 Restaurant located at 1631 R Street, N.W.,
7 License No. 24682, in ANC-2B.

8 MR. STERN: Michael Stern
9 representing the District of Columbia.

10 CHAIRPERSON MILLER: Okay. Sir,
11 could you identify yourself for the record,
12 please?

13 MR. HARRIGAN: I'm sorry, ma'am?

14 CHAIRPERSON MILLER: Could you
15 give your name for the record?

16 MR. HARRIGAN: Oh, my name is
17 Harvey Harrigan.

18 CHAIRPERSON MILLER: Okay. And
19 are you the owner of the restaurant?

20 MR. HARRIGAN: And I have the
21 Power of Attorney for Doug Egerton, who is the
22 owner. And he really wants to look for a new

1 buyer and some young blood to come in. And
2 I'm --

3 CHAIRPERSON MILLER: Okay. We are
4 not -- this is just a status, so I don't want
5 to get into the merits too much.

6 MR. HARRIGAN: Yes, all right.

7 CHAIRPERSON MILLER: Did you sign
8 in?

9 MR. HARRIGAN: What?

10 CHAIRPERSON MILLER: Did you sign
11 in?

12 MR. HARRIGAN: Yes.

13 CHAIRPERSON MILLER: Okay. I need
14 to ask you, did you get notice of this
15 hearing?

16 MR. HARRIGAN: I got notice and I
17 came and sat for five hours and it wasn't on
18 the docket and they sent it to the wrong
19 address. It's 1637.

20 CHAIRPERSON MILLER: Okay.

21 MR. HARRIGAN: R Street.

22 CHAIRPERSON MILLER: So 1637,

1 okay. But you did get notice?

2 MR. HARRIGAN: Well, I --

3 CHAIRPERSON MILLER: You did get
4 it?

5 MR. HARRIGAN: I talked to the
6 attorney on the phone.

7 CHAIRPERSON MILLER: Oh, okay.

8 MR. HARRIGAN: So when -- she told
9 me February 12th.

10 CHAIRPERSON MILLER: Okay.

11 MEMBER ALBERTI: Ms. Miller?

12 CHAIRPERSON MILLER: Yes?

13 MEMBER ALBERTI: I think this is
14 actually a second Status Hearing.

15 MR. STERN: It is a second Status
16 Hearing.

17 MEMBER ALBERTI: And we would have
18 gotten recognition of notice being served at
19 the first one.

20 CHAIRPERSON MILLER: Okay. All
21 right. Thank you.

22 MEMBER ALBERTI: So that makes it

1 a bit easier.

2 CHAIRPERSON MILLER: So this is a
3 second status.

4 MEMBER ALBERTI: Yes, that may be
5 the confusion.

6 CHAIRPERSON MILLER: Okay. It
7 indicates that service was --

8 MR. STERN: Actually, the first
9 one he didn't show up for.

10 MEMBER ALBERTI: Yes.

11 CHAIRPERSON MILLER: So it
12 indicates that service was had on Mr.
13 Harrigan, counsel to the respondent. Okay.
14 So there is not a question with notice. We
15 have already established notice. Okay.

16 Are there any other preliminary
17 issues then?

18 MR. STERN: There are.

19 CHAIRPERSON MILLER: Okay.

20 MR. STERN: The parties have
21 reached a settlement, which they hope the
22 Board will adopt as their offer in compromise.

1 The respondent will pay a fine of
2 \$4,000 within 30 days, that would break down
3 to a fine of \$2,000 for Charge 1, \$2,000 for
4 Charge 2.

5 CHAIRPERSON MILLER: Okay. And
6 when would that be paid by, Mr. Stern?

7 MR. STERN: Within 30 days.

8 CHAIRPERSON MILLER: 30 days,
9 okay. Let me ask you, I'm going to repeat it
10 and you tell me if you agree to that.

11 MR. HARRIGAN: Yes, all right.

12 CHAIRPERSON MILLER: It's a fine
13 of \$4,000 which represents \$2,000 for each
14 charge to be paid within 30 days.

15 MR. HARRIGAN: Yes.

16 CHAIRPERSON MILLER: Okay.

17 MR. HARRIGAN: If I may say, I can
18 pay it right now today.

19 CHAIRPERSON MILLER: Okay.

20 MR. HARRIGAN: If you want to do
21 that.

22 MR. STERN: That would be

1 acceptable to the Government.

2 CHAIRPERSON MILLER: Be paid
3 today.

4 MR. HARRIGAN: Yes.

5 CHAIRPERSON MILLER: Okay. Good.
6 That's better.

7 MR. HARRIGAN: Before I leave,
8 I'll -- who should I give it to?

9 CHAIRPERSON MILLER: All right.
10 You understand that you waive your right to a
11 hearing by accepting --

12 MR. HARRIGAN: Yes.

13 CHAIRPERSON MILLER: -- the offer
14 in compromise? Okay. Any questions?

15 MR. HARRIGAN: No.

16 CHAIRPERSON MILLER: All right.
17 Then I move that the Board approve the offer
18 in compromise of \$4,000 representing \$2,000
19 for each charge to be paid today. Do I have
20 a second?

21 MEMBER SHORT: Second.

22 CHAIRPERSON MILLER: Mr. Short

1 seconded the motion.

2 All those in favor say aye.

3 ALL: Aye.

4 CHAIRPERSON MILLER: All those
5 opposed? All those abstaining? The motion
6 passes 5-0-0, I think.

7 Thank you. Okay. All right.
8 Then I think that completes our morning
9 hearings. And we will adjourn until our
10 afternoon hearings.

11 (Whereupon, the Show Cause
12 (Status) Hearing in the above-entitled matter
13 was concluded at 11:25 a.m.)

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\$2,000 8:3,3,13 9:18 \$4,000 8:2,13 9:18 a.m 2:2 3:19,20 10:13 above-entitled 10:12 abstaining 10:5 acceptable 9:1 accepting 9:11 address 5:19 adjourn 10:9 adopt 7:22 afternoon 10:10 agree 8:10 agreement 2:18 ALBERTI 1:18 6:11,13,17,22 7:4 7:10 Alcoholic 1:2,10,13 1:13 ANC-2B 1:7 2:7 4:7 anybody 2:11 approve 9:17 arrive 3:1 assigned 2:16 attorney 2:16 4:21 6:6 aye 10:2,3	call 2:4 4:4 called 3:2 case 1:8 2:4,4 3:2,9 3:22 4:4,5 Cause 1:6 2:22 3:7 10:11 Chairperson 1:15 1:17 2:3,10,20 3:8 3:13,17,21 4:3,10 4:14,18 5:3,7,10 5:13,20,22 6:3,7 6:10,12,20 7:2,6 7:11,19 8:5,8,12 8:16,19 9:2,5,9,13 9:16,22 10:4 charge 8:3,4,14 9:19 Columbia 1:1 2:9 4:9 come 3:10,17 4:4 5:1 completes 10:8 compromise 7:22 9:14,18 concluded 10:13 confusion 7:5 Control 1:2,13,13 counsel 7:13 CR 1:7 CSBT 1:5	Failed 1:9,10 favor 10:2 February 1:12 6:9 file 2:15 fine 8:1,3,12 first 6:19 7:8 five 5:17 Food 1:9 forward 4:4	leave 9:7 Let's 2:20 License 1:7 2:6 4:7 located 2:5 4:6 look 4:22	offer 7:22 9:13,17 Oh 3:16 4:16 6:7 okay 2:10,20 3:18 4:3,10,18 5:3,13 5:20 6:1,7,10,20 7:6,13,15,19 8:5,9 8:16,19 9:5,14 10:7 opposed 10:5 owner 4:19,22	R
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