

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
: :
Acqua 2 Limited Partnership :
t/a Acqua Al 2 :
212 7th Street, SE : Show Cause
Retailer Class CR : Hearing
License No. 80056 : (Status)
Case No. 11-CMP-00325 :
ANC 6B :
Substantial Change (Change to :
the Exterior); Failed to :
Obtain a Sidewalk Caf, :
Endorsement :
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FEBRUARY 15, 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

- NICK ALBERTI, Member
- DONALD BROOKS, Member
- HERMAN JONES, Member
- JEANNETTE MOBLEY, Member
- CALVIN NOPHLIN, Member
- MIKE SILVERSTEIN, Member

ALSO PRESENT

FERNANDO RIVERO, OIG

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

2 10:08 a.m.

3 CHAIRPERSON MILLER: The next case
4 on the agenda is another show cause status
5 hearing for case No. 11-CMP-00325, Acqua Al 2
6 at 212 7th Street, S.E., License No. 80056 in
7 ANC 6B.

8 And would you introduce yourselves
9 for the record, please?

10 MR. RIVERO: Good morning, Board
11 members. Fernando Rivero for the District of
12 Columbia standing in for Walter Adams.

13 MR. LEE: Good morning, Board
14 members. Ralph Lee, managing partner, Acqua
15 Al 2.

16 MR. GEJDENSON: Good morning,
17 Board members. Ari Gejdenson, partner at
18 Acqua Al 2.

19 CHAIRPERSON MILLER: Okay. Mr.
20 Lee, did you receive notice of this show cause
21 hearing?

22 MR. LEE: Yes.

1 CHAIRPERSON MILLER: And did you
2 read it?

3 MR. LEE: Yes.

4 CHAIRPERSON MILLER: Did you
5 understand it?

6 MR. LEE: Yes.

7 CHAIRPERSON MILLER: And do you
8 waive my reading into the record?

9 MR. LEE: Yes.

10 CHAIRPERSON MILLER: Okay. So are
11 there preliminary matters in this case?

12 MR. RIVERO: Yes, Board members.
13 The parties have an Offer in Compromise to
14 present to this Board at this time. The offer
15 consists of the dismissal of charge 1 and a
16 fine of \$1,000 payable in 30 days.

17 CHAIRPERSON MILLER: Okay. And
18 first of all, let me ask, Mr. Lee, if that OIC
19 is agreeable to you, that being the dismissal
20 of charge 1 and a fine of \$1,000 payable in 30
21 days?

22 MR. LEE: Yes.

1 CHAIRPERSON MILLER: And you
2 understand that you waive your right to a
3 hearing?

4 MR. LEE: I do.

5 CHAIRPERSON MILLER: Okay. And
6 then my other question is have you obtained
7 your sidewalk caf, endorsement?

8 MR. LEE: Yes, we have.

9 CHAIRPERSON MILLER: Okay. Any
10 other questions by the Board?

11 (No audible response.)

12 CHAIRPERSON MILLER: Okay. I
13 would move that we accept this Offer in
14 Compromise consisting of a \$1,000 fine for the
15 first charge -- I'm sorry, the first charge --
16 let me start again. My motion would be to
17 accept this OIC consisting of charge 1 being
18 dropped and a \$1,000 fine for the 2nd charge
19 relating to the sidewalk caf, endorsement.
20 And the \$1,000 would be payable in 30 days.

21 Do I have a second?

22 MEMBER NOPHLIN: Second.

1 CHAIRPERSON MILLER: All those in
2 favor, say aye? Aye.

3 MEMBER ALBERTI: Aye.

4 MEMBER BROOKS: Aye.

5 MEMBER JONES: Aye.

6 MEMBER MOBLEY: Aye.

7 MEMBER NOPHLIN: Aye.

8 MEMBER SILVERSTEIN: Aye.

9 CHAIRPERSON MILLER: All those
10 opposed?

11 (No audible response.)

12 CHAIRPERSON MILLER: All those
13 abstaining?

14 (No audible response.)

15 CHAIRPERSON MILLER: The vote is
16 7-0-0 to accept the Offer in Compromise.

17 Thank you very much.

18 (Whereupon, the hearing was
19 concluded at 11:12 a.m.)

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