

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-AUD-00002

:

European Restaurant Group, LLC: Show

t/a One

: Cause

1606 20th Street, N.W.

: Hearing

License #83468

:

Retailer CR

:

ANC 2B

:

Failed to Meet Food Sales

:

Requirements

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FEBRUARY 22, 2012

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

CALVIN NOPHLIN, Member

MICHAEL SILVERSTEIN, Member

JEANNETTE MOBLEY, Member

ALSO PRESENT

LOUISE PHILLIPS, OAG

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

2 1:42 p.m.

3 CHAIR MILLER: We are back on the
4 record for our afternoon session and the first
5 case is Case Number 11-AUD-00002, One located
6 at 1606 20th Street, N.W., License Number
7 83468 in ANC 2B.

8 So, would the parties introduce
9 themselves for the record please?

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

13 Good afternoon.

14 CHAIR MILLER: Good afternoon.

15 MR. PAPADEMETRIOU: Hello, Board.
16 My name is Nicholas Papademetriou, managing
17 member of European Restaurant Group.

18 CHAIR MILLER: Thank you. So, do
19 we have any preliminary matters?

20 MS. PHILLIPS: We do. This matter
21 was really set -- it was originally set for a
22 show cause on an annual gross receipts charge.

1 However, in keeping with the background and
2 purpose of the MOA which was put into effect
3 on January 1st, 2010 and the fact that I have
4 a copy of the new type of certificate of
5 occupancy and I have a letter to the Board
6 requesting that they accept that certificate
7 of occupancy and I have an email from the
8 agency telling me that the Board has accepted
9 it officially and given that the restaurant if
10 they had been using the new C of O would have
11 been in compliance with the requirements of
12 the statute on the annual gross receipts, the
13 District of Columbia moves to dismiss this
14 charge.

15 CHAIR MILLER: Okay. And does the
16 Licensee have anything you'd like to add?

17 MR. PAPADEMETRIOU: No.

18 CHAIR MILLER: Would you like it
19 dismissed?

20 MR. PAPADEMETRIOU: That would be
21 a beautiful day, adding to a beautiful day.

22 CHAIR MILLER: Okay. Any

1 questions by Board Members?

2 MEMBER MOBLEY: Yes, Madam Chair,
3 for the record.

4 CHAIR MILLER: Yes.

5 MEMBER MOBLEY: I'm sorry. I
6 didn't get your name, sir.

7 MR. PAPADEMETRIOU: It's Nicholas
8 Papademetriou.

9 MEMBER MOBLEY: Thank you.

10 CHAIR MILLER: Anything else?
11 Okay. Then I would move to grant the motion
12 to dismiss. Do I have a second?

13 MEMBER SILVERSTEIN: Second.

14 CHAIR MILLER: All those in favor
15 say aye.

16 (Ayes.)

17 CHAIR MILLER: All those opposed.
18 All those abstaining. And then the vote is 6
19 to 0 to grant the motion to dismiss and the
20 case is dismissed.

21 Thank you very much.

22 MR. PAPADEMETRIOU: Thank you very

1 much, ladies and gentlemen.

2 MS. PHILLIPS: Thank you.

3 CHAIR MILLER: Enjoy the
4 afternoon.

5 MS. PHILLIPS: Yes, may you be
6 able to get out soon because there's always
7 more Board business I hear.

8 CHAIR MILLER: So, you're not
9 staying for the -- are you Prospect Dining?

10 MS. PHILLIPS: That's been
11 continued.

12 CHAIR MILLER: Right.

13 MS. PHILLIPS: And yes, I am
14 litigating that case.

15 CHAIR MILLER: We're going to
16 announce that. Right.

17 MS. PHILLIPS: I'm not Prospect
18 Dining.

19 CHAIR MILLER: That was scheduled
20 for 4:00 p.m.

21 MEMBER ALBERTI: Are you sure you
22 don't want to stick around and listen to us

1 dismiss it? Postpone it?

2 MS. PHILLIPS: Dismiss some more
3 cases. Gee, I'm going to have to pass.

4 CHAIR MILLER: Just so you know
5 though, it was scheduled to April 4th, 3:00
6 p.m. Is that what you know?

7 MS. PHILLIPS: I have it on my
8 calendar at work.

9 CHAIR MILLER: Okay.

10 MS. PHILLIPS: You know, we agreed
11 that --

12 CHAIR MILLER: You can contact our
13 attorney.

14 MS. PHILLIPS: Yes, I think I've
15 even gotten a notice already.

16 CHAIR MILLER: Okay. Good.

17 MS. PHILLIPS: All right. Thank
18 you.

19 CHAIR MILLER: All right. Thank
20 you.

21 (Whereupon, at 1:45 p.m., the
22 hearing was adjourned.)

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