

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Big River Breweries, LTD
t/a Gordon Biersch Brewery Show Cause
900 F Street, NW Hearing
Retailer CR - ANC-2C (Status)
License No. 60326
Case #14-CMP-00577

(No ABC Manager on Duty)

February 25, 2015

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:

NICK ALBERTI, Acting Chairman
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HERMAN JONES, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

FERNANDO RIVERO, OAG

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

2 10:59 a.m.

3 ACTING CHAIRMAN ALBERTI: Moving right
4 along, all right. Moving on the next case is
5 Case No. 14-CMP-00577. This is a Show Cause
6 (Status) Hearing regarding Big River Breweries,
7 LTD t/a Gordon Biersch Brewery, License No.
8 60326.

9 Parties forward and introductions,
10 please.

11 MR. RIVERO: Good morning, Board
12 Members. Fernando Rivero for the District of
13 Columbia standing in for Amy Schmidt.

14 MR. FONSECA: Good morning, Members of
15 the Board. Michael Fonseca on behalf of the
16 licensee. With me is its General Manager, Mike
17 Rice. I have a letter which I have given to the
18 Board's General Counsel and to the Assistant
19 Attorney General authorizing me at the hearing
20 and the ability to settle.

21 ACTING CHAIRMAN ALBERTI: All right.
22 Thank you for that, Mr. Fonseca. Thank you,

1 gentlemen. Good morning.

2 Okay. So, Mr. Fonseca, did your
3 client receive notice of this hearing?

4 MR. FONSECA: Yes. And Mr. Rice here
5 has both read it, understands it. I have been in
6 contact with corporate officers, they have read
7 it, they understand it. And we are prepared to
8 proceed and waive reading.

9 ACTING CHAIRMAN ALBERTI: Great.
10 Thank you, Mr. Fonseca. Mr. Rivero, are there
11 any preliminary matters?

12 MR. RIVERO: The parties have an Offer
13 in Compromise to present to the Board, at this
14 time.

15 ACTING CHAIRMAN ALBERTI: Okay.

16 MR. RIVERO: The offer consists of a
17 fine of \$2,000 payable immediately.

18 ACTING CHAIRMAN ALBERTI: Payable
19 immediately?

20 MR. RIVERO: Immediately.

21 ACTING CHAIRMAN ALBERTI: Okay.

22 Great. So as I hear it, the Offer in Compromise

1 is a fine of \$2,000 to be paid today. Mr.
2 Fonseca, is -- your client just heard the Offer
3 in Compromise. Does he understand the Offer in
4 Compromise?

5 MR. RICE: Yes.

6 MR. FONSECA: Yes.

7 ACTING CHAIRMAN ALBERTI: Do you
8 accept it?

9 MR. RICE: Yes.

10 ACTING CHAIRMAN ALBERTI: And do you
11 waive your right to a hearing based on this Offer
12 in Compromise?

13 MR. RICE: Yes.

14 ACTING CHAIRMAN ALBERTI: All right.
15 Thank you.

16 So I move that we accept the Offer in
17 Compromise for a fine of \$2,000 to be paid today.
18 Is there a second?

19 MEMBER SHORT: Second.

20 ACTING CHAIRMAN ALBERTI: Mr. Short
21 seconded.

22 All those in favor say aye.

1 ALL: Aye.

2 ACTING CHAIRMAN ALBERTI: All those
3 opposed? The motion carries 5-0. Thank you.

4 MR. FONSECA: Thank you.

5 ACTING CHAIRMAN ALBERTI: This matter
6 is -- thank you.

7 MR. FONSECA: Just one comment. Out
8 of respect for the Board and the substance of its
9 first hearing, I appreciate the fact that we are
10 now on a rocket docket.

11 ACTING CHAIRMAN ALBERTI: I try my
12 best, Mr. Fonseca.

13 (Whereupon, the Show Cause (Status)
14 Hearing in the above-entitled matter was
15 concluded at 11:01 a.m.)

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