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

1:53 p.m.

CHAIRPERSON MILLER: Okay. The next thing on our calendar is Case No. 12-CMP-00434, Dollar Plus Food Store, located at 1443 Howard Road, SE, License No. 88380, in ANC 8A.

Are you here on that case? Okay, great.

If the parties would identify themselves for the record.

MR. STERN: Yes, good afternoon. Michael Stern, representing the District of Columbia.

CHAIRPERSON MILLER: Good afternoon.

MR. MPRAS: Emanuel Mpras for the Dollar Plus Food Store.

MR. HAILE: Yonas Haile, Manager of Dollar Plus Food Store.

Okay, could you give me your name again, sir?

MR. HAILE: Yonas Haile, Y-O-N-A-

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2 CHAIRPERSON MILLER: And, what's
3 your relation with the --

4 MR. HAILE: I'm the Manager.

5 CHAIRPERSON MILLER: -- you are
6 the Manager?

7 MR. HAILE: Yes.

8 CHAIRPERSON MILLER: Okay. And,
9 Mr. Mpras, you are authorized to represent the
10 owner?

11 MR. MPRAS: The owner is here.

12 CHAIRPERSON MILLER: Oh, the owner
13 is here, too. Oh, okay.

14 MR. MPRAS: He was there when it
15 happened, so he has personal knowledge of the
16 incident.

17 CHAIRPERSON MILLER: Oh, okay,
18 fine.

19 The owner, do you want to come up
20 and state your name for the record, so
21 everyone knows you are here. You can sit up
22 here as well.

1 MR. AHMED: My name is Fasil
2 Ahmed.

3 CHAIRPERSON MILLER: Okay, thank
4 you very much.

5 Okay. So, this is a show cause
6 hearing. Do you have any preliminary matters?

7 MR. STERN: There is a preliminary
8 matter. The parties have discussed an offer
9 in compromise which we hope the Board will
10 accept.

11 The offer in compromise consists
12 of a fine of \$250, which will be paid within
13 seven days.

14 I want to make a comment on the
15 offer in compromise, because it's highly
16 unusual for the Government to accept a fine in
17 the same amount that the citation in this case
18 was originally written for.

19 What is changed is, previously the
20 respondents had been here unrepresented, and
21 that is only relevant to my next question.
22 Since today the counsel came in and was able

1 to show me, and I guess we gave that to the
2 Board, an invoice which shows that the window
3 in question that was not lettered was repaired
4 the very morning the investigator came in at
5 11:30.

6 So, it was an extremely short
7 period of time that the lettering was not up.
8 And, as I learned from the investigator, they
9 showed him the lettering when he was there, it
10 just hadn't been put up on the new window.

11 Because of that, and the short
12 period of time for which they were in
13 violation, not that they could not have done
14 it a little bit earlier when the window first
15 went up, but the short period of time that
16 they were in violation the Government would
17 present the offer in compromise, or would
18 agree to the offer in compromise, that fines
19 them the minimum amount, which is \$250 for the
20 violation.

21 CHAIRPERSON MILLER: Okay. Do you
22 have any other comments on that?

1 MR. MPRAS: No, ma'am, we confer
2 with the Government.

3 CHAIRPERSON MILLER: Okay.
4 Members of the Board, do you have any other
5 questions?

6 Okay then, let me ask Mr. Mpras,
7 does your client agree to the offer in
8 compromise of \$250 to be paid within seven
9 days?

10 MR. MPRAS: They do.

11 CHAIRPERSON MILLER: Okay, thank
12 you.

13 Okay, then if there are no further
14 questions, then I would move that we accept
15 this offer in compromise, of \$250 to be paid
16 within seven days, in light of Mr. Stern's
17 representation of the facts as they occurred.

18 Do I have a second?

19 MEMBER BROOKS: Second.

20 CHAIRPERSON MILLER: Mr. Brooks
21 has seconded the motion.

22 Any other comments?

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All those in favor say aye.

(Ayes.)

CHAIRPERSON MILLER: All those
opposed?

All those abstaining?

Then the motion passes by a vote
of 4:0:0 to accept this offer in compromise of
\$250 to be paid within seven days.

MR. MPRAS: Thank you.

CHAIRPERSON MILLER: Okay, thank
you very much.

(Whereupon, the above-entitled
matter was concluded at 1:57 p.m.)

<p>A</p> <p>able 4:22 above-entitled 7:12 abstaining 7:5 accept 4:10,16 6:14 7:7 afternoon 2:11,15 agree 5:18 6:7 Ahmed 1:22 4:1,2 ALBERTI 1:17 Alcoholic 1:2,12,12 amount 4:17 5:19 ANC 1:9 2:6 authorized 3:9 aye 7:1 Ayes 7:2</p>	<p>confer 6:1 consists 4:11 Control 1:2,12,12 counsel 4:22</p> <p>D</p> <p>days 4:13 6:9,16 7:8 discussed 4:8 District 1:1 2:12 Dollar 1:6 2:5,17 2:19 DONALD 1:18 D.C 1:13</p>	<p>Howard 1:7 2:6</p> <p>I</p> <p>identify 2:9 incident 3:16 investigator 5:4,8 invoice 5:2</p> <p>J</p> <p>JONES 1:17</p> <p>K</p> <p>knowledge 3:15 knows 3:21</p>	<p>N</p> <p>name 2:20 3:20 4:1 new 5:10 NICK 1:17 N.W 1:13</p> <p>O</p> <p>occurred 6:17 offer 4:8,11,15 5:17 5:18 6:7,15 7:7 Oh 3:12,13,17 okay 2:3,7,20 3:8 3:13,17 4:3,5 5:21 6:3,6,11,13 7:10 opposed 7:4 originally 4:18 owner 3:10,11,12 3:19</p>	<p>representation 6:17 representing 2:12 respondents 4:20 Retailer 1:8 Road 1:7 2:6 Room 1:13 Ruthanne 1:13,16</p>
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