

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

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IN THE MATTER OF:	:
The NMD Group, LLC	: Show Cause
t/a Uniontown Bar & Grill	: Hearing
2200 Martin Luther King Jr	: (Status)
Ave SE	: Case No.
License #83238	: 12-AUD-00029
Retailer CR	:
ANC 8A	:

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February 27, 2013

The Alcoholic Beverage Control Board met in 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
 ALSO PRESENT:

CHRISTY GEPHARDT

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

9:40 a.m.

CHAIRPERSON MILLER: Okay, good morning, ladies and gentlemen. I'd like to welcome you to the regularly scheduled meeting of the District of Columbia Alcoholic Beverage Control Board.

Today is February 27, 2013. My name is Ruthanne Miller. I'm the Chairperson. Joining me today to my right is Mr. Donald Brooks, and to my immediate right is Mr. Nick Alberti. There are three members in attendance for the conduct of business this morning, with three constituting a quorum.

Topic of today's hearing calendar are available at the receptionist desk.

Please be aware that these proceedings are being recorded by a court reporter. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room.

If you have any electronic

1 devices, such as cell phones or such, please
2 make certain that they are turned off to avoid
3 any interruptions of this meeting.

4 Please note when you come forward
5 to the table, please take a seat. You'll see
6 a piece of paper on the table. Please sign in
7 on that piece of paper. This is to ensure the
8 correct spellings for the record.

9 The Open Meetings Act requires
10 that the public hearing on each case be open
11 to the public. The Board may, consistent with
12 Section 405B of the Open Meetings Act, enter
13 a closed meeting during or after the public
14 hearing on a case to consult with an attorney
15 to obtain their advice, discuss settlement
16 agreements, or deliberate upon a decision
17 and/or adjudication proceedings.

18 Okay, we will now turn to this
19 morning's calendar.

20 The first case on the calendar is
21 Case No. 12-AUD-00029, Uniontown Bar & Grill,
22 located 15 2200 Martin Luther King Jr. Avenue,

1 SE, License No. 84348.

2 Would the parties in this case
3 please come forward?

4 MS. GEPHARDT: Good morning. My
5 name is Christy Gephardt, with the Office of
6 the Attorney General.

7 CHAIRPERSON MILLER: Good morning.

8 I see there is no licensee here.

9 MS. GEPHARDT: No, there is not.

10 CHAIRPERSON MILLER: And, this is
11 a status hearing.

12 MS. GEPHARDT: I apologize. Did
13 you say this was Uniontown?

14 CHAIRPERSON MILLER: Yes.

15 MS. GEPHARDT: Okay, thank. I'm
16 sorry.

17 CHAIRPERSON MILLER: That's okay.

18 MS. GEPHARDT: Yes, this is a
19 status. Thank you.

20 In this case, no service for this
21 notice was given to Uniontown, and the reason
22 for that is the establishment is closed, as

1 the owner is incarcerated.

2 We've had communications that this
3 establishment will not be opening again, and
4 so the Government moves to dismiss this case
5 without prejudice.

6 CHAIRPERSON MILLER: Okay. Any
7 questions from Board Members?

8 Okay. Then I move that we grant
9 the Government's motion to dismiss this case
10 without prejudice.

11 Do I have a second?

12 MEMBER BROOKS: Second.

13 CHAIRPERSON MILLER: Mr. Brooks
14 has seconded the motion. All those in favor
15 say aye.

16 (Ayes.)

17 CHAIRPERSON MILLER: All those
18 opposed? All those abstaining?

19 Motion passes 3:0:0, and this case
20 is dismissed.

21 (Whereupon, the above-entitled
22 matter was concluded at 9:43 a.m.)

<p style="text-align: center;">A</p> <p>above-entitled 5:21 abstaining 5:18 Act 3:9,12 actions 2:20 adjudication 3:17 advice 3:15 agreements 3:16 Alberti 1:17 2:12 Alcoholic 1:2,12,13 2:6 ANC 1:9 and/or 3:17 apologize 4:12 attendance 2:13 attorney 3:14 4:6 available 2:16 Ave 1:8 Avenue 3:22 avoid 3:2 aware 2:17 aye 5:15 Ayes 5:16 a.m 2:2 5:22</p> <hr/> <p style="text-align: center;">B</p> <p>Bar 1:6 3:21 Beverage 1:2,12,13 2:6 Board 1:2,13 2:7 3:11 5:7 Brooks 1:18 2:11 5:12,13 Building 1:13 business 2:13</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 2:15 3:19 3:20 case 1:8 3:10,14,20 3:21 4:2,20 5:4,9 5:19 Cause 1:6 cell 3:1 certain 3:2 Chairperson 1:14 1:17 2:3,9 4:7,10</p>	<p>4:14,17 5:6,13,17 Christy 1:22 4:5 closed 3:13 4:22 Columbia 1:1 2:6 come 3:4 4:3 communications 5:2 concluded 5:22 conduct 2:13 consistent 3:11 constituting 2:14 consult 3:14 Control 1:2,12,13 2:7 correct 3:8 court 2:18 CR 1:9</p> <hr/> <p style="text-align: center;">D</p> <p>decision 3:16 deliberate 3:16 desk 2:16 devices 3:1 discuss 3:15 dismiss 5:4,9 dismissed 5:20 disruptive 2:20 District 1:1 2:6 Donald 1:18 2:10 D.C 1:14</p> <hr/> <p style="text-align: center;">E</p> <p>electronic 2:22 ensure 3:7 enter 3:12 establishment 4:22 5:3</p> <hr/> <p style="text-align: center;">F</p> <p>favor 5:14 February 1:11 2:8 first 3:20 forward 3:4 4:3</p> <hr/> <p style="text-align: center;">G</p> <p>General 4:6 gentlemen 2:4 Gephardt 1:22 4:4</p>	<p>4:5,9,12,15,18 given 4:21 good 2:3 4:4,7 Government 5:4 Government's 5:9 grant 5:8 Grill 1:6 3:21 Group 1:6</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:6,13 2:15 2:21 3:10,14 4:11</p> <hr/> <p style="text-align: center;">I</p> <p>immediate 2:11 incarcerated 5:1 interruptions 3:3</p> <hr/> <p style="text-align: center;">J</p> <p>Joining 2:10 Jr 1:7 3:22</p> <hr/> <p style="text-align: center;">K</p> <p>King 1:7 3:22</p> <hr/> <p style="text-align: center;">L</p> <p>ladies 2:4 License 1:8 4:1 licensee 4:8 LLC 1:6 located 3:22 Luther 1:7 3:22</p> <hr/> <p style="text-align: center;">M</p> <p>Martin 1:7 3:22 matter 1:5 5:22 meeting 1:3 2:5 3:3 3:13 Meetings 3:9,12 Member 1:17,18 5:12 members 2:12 5:7 met 1:13 Miller 1:14,17 2:3 2:9 4:7,10,14,17 5:6,13,17 morning 2:4,14 4:4 4:7</p>	<p>morning's 3:19 motion 5:9,14,19 move 5:8 moves 5:4</p> <hr/> <p style="text-align: center;">N</p> <p>name 2:9 4:5 Nick 1:17 2:11 NMD 1:6 noises 2:20 note 3:4 notice 4:21 N.W 1:14</p> <hr/> <p style="text-align: center;">O</p> <p>obtain 3:15 Office 4:5 okay 2:3 3:18 4:15 4:17 5:6,8 open 3:9,10,12 opening 5:3 opposed 5:18 owner 5:1</p> <hr/> <p style="text-align: center;">P</p> <p>paper 3:6,7 parties 4:2 passes 5:19 phones 3:1 piece 3:6,7 please 2:17 3:1,4,5 3:6 4:3 prejudice 5:5,10 PRESENT 1:15,19 presiding 1:14 proceedings 2:18 3:17 public 3:10,11,13 P-R-O-C-E-E-D... 2:1</p> <hr/> <p style="text-align: center;">Q</p> <p>questions 5:7 quorum 2:14</p> <hr/> <p style="text-align: center;">R</p> <p>reason 4:21 receptionist 2:16</p>	<p>record 3:8 recorded 2:18 Reeves 1:13 refrain 2:20 regularly 2:5 reporter 2:19 requires 3:9 Retailer 1:9 right 2:10,11 room 1:13 2:21 Ruthanne 1:14,17 2:9</p> <hr/> <p style="text-align: center;">S</p> <p>scheduled 2:5 SE 1:8 4:1 seat 3:5 second 5:11,12 seconded 5:14 Section 3:12 see 3:5 4:8 service 4:20 settlement 3:15 Show 1:6 sign 3:6 sorry 4:16 spellings 3:8 status 1:7 4:11,19 Street 1:14</p> <hr/> <p style="text-align: center;">T</p> <p>table 3:5,6 take 3:5 thank 4:15,19 three 2:12,14 today 2:8,10 today's 2:15 Topic 2:15 turn 3:18 turned 3:2 t/a 1:6</p> <hr/> <p style="text-align: center;">U</p> <p>Uniontown 1:6 3:21 4:13,21</p> <hr/> <p style="text-align: center;">W</p> <p>Washington 1:14</p>
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