

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

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 IN THE MATTER OF: :
 :
 Chateau, Inc. t/a Chateau :
 3439 Benning Road NE : Show Cause
 : Hearing
 Retailer CR :
 License No. 10574 :
 ANC 7D :
 -----:

MARCH 18, 2015

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson

DONALD BROOKS, Member

NICK ALBERTI, Member

HECTOR RODRIGUEZ, Member

MIKE SILVERSTEIN, Member

JAMES SHORT, Member

HERMAN JONES, Member

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

9:50 a.m.

CHAIR MILLER: Case No. 14-AUD-00106, Chateau, located at 3439 Benning Road, Northeast, License No. 10574 in ANC 7D.

MR. MACK: Good morning, Kevin Mack on behalf of the licensee.

MR. RIVERO: Good morning, Fernando Rivero for the District of Columbia.

CHAIR MILLER: Sir, what's your name again?

MR. MACK: Kevin Mack.

CHAIR MILLER: Mack?

MR. MACK: K-E-V-I-N, M-A-C-K.

CHAIR MILLER: Okay, and are you an attorney?

MR. MACK: No, ma'am, I'm POA for the Chateau for ABRA matters.

CHAIR MILLER: You're the what?

MR. MACK: POA.

CHAIR MILLER: Point of contact?

MR. MACK: Power of attorney.

1 CHAIR MILLER: Power of attorney?

2 MR. MACK: Yes.

3 CHAIR MILLER: Got it, all right.

4 We have that on file?

5 MR. MACK: Yes, ma'am.

6 CHAIR MILLER: Okay, good. All
7 right.

8 MR. RIVERO: The Board's
9 indulgence.

10 CHAIR MILLER: I just want to also
11 announce that we have our sixth Board Member
12 joining us, Mr. Mike Silverstein.

13 MEMBER SILVERSTEIN: Good morning.

14 MR. RIVERO: Thank you, Madame
15 Chair. I had occasion to briefly inspect the
16 document that is on here? There's a question
17 that it may, in fact, be limited to whatever
18 application was filed at the time, and it may
19 not necessarily cover this proceeding.

20 CHAIR MILLER: Okay.

21 MR. RIVERO: While I am not
22 concerned about the representation today,

1 because he has presented the licensee in the
2 past in another matter, I think we would
3 either -- I guess after the hearing, he can
4 get confirmation from the Agency, that the
5 document does, in fact, extend to this
6 proceeding and that he can short-order file
7 another one.

8 CHAIR MILLER: Okay.

9 MR. RIVERO: And so, I let the
10 licensee's representative know that, what my
11 representation was, what my thoughts were
12 about the document that's on file.

13 CHAIR MILLER: Thank you. Okay,
14 okay, which leads me to ask, are there any
15 preliminary matters that are going to be
16 presented?

17 MR. RIVERO: There are not.

18 CHAIR MILLER: Okay

19 MR. RIVERO: I actually have not
20 had an opportunity to speak to the license,
21 the actual license.

22 CHAIR MILLER: Okay.

1 MR. RIVERO: We may be back, if
2 there's an opportunity that I see, but
3 otherwise, the Government would be ready for
4 the next scheduled hearing.

5 CHAIR MILLER: Okay.

6 MR. RIVERO: Show Cause Hearing.

7 CHAIR MILLER: And when you say
8 you may be back?

9 MR. RIVERO: Today.

10 CHAIR MILLER: This morning?

11 MR. RIVERO: Right.

12 CHAIR MILLER: Okay, all right.
13 Okay, so, I'm going to set this case for
14 hearing on April 22nd, 2015 at 11:00 a.m.

15 MR. MACK: Yes, ma'am.

16 CHAIR MILLER: Okay, and in the
17 meantime, I would echo Mr. Rivero's words
18 about confirming, you know, that everything is
19 in order, with respect to your power of
20 attorney for this case.

21 MR. MACK: yes, Madame Chairman.

22 CHAIR MILLER: Okay, great. Thank

1 you very much then.

2 MR. RIVERO: Thank you.

3 (Whereupon, the above-entitled
4 matter went of the record at 9:54 a.m. and
5 resumed at 11:00 a.m.)

6 CHAIR MILLER: Okay, we're back on
7 the record.

8 Mr. Rivero, did you have an issue,
9 you wanted to address?

10 MR. RIVERO: Yes.

11 CHAIR MILLER: Okay.

12 MR. RIVERO: During the break, I
13 determined that the licensee does need to file
14 a form for this proceeding.

15 CHAIR MILLER: Could you -- I
16 can't remember which case it is.

17 MR. RIVERO: This is Chateau.

18 CHAIR MILLER: Okay, Chateau, this
19 was the individual, we weren't sure about his
20 power of attorney.

21 MR. RIVERO: Right, the power of
22 attorney only covered a filing of a prior

1 application.

2 CHAIR MILLER: Okay.

3 MR. RIVERO: Did not apply to this
4 proceeding. He has agreed to file a new form
5 tomorrow with the proper licensee signature,
6 etcetera, and once that's filed, we can come
7 back next Wednesday at 9:30 a.m. and present
8 an offer in compromise.

9 CHAIR MILLER: Did you say next
10 Wednesday?

11 MR. RIVERO: Yes.

12 CHAIR MILLER: Okay, fine.

13 MR. RIVERO: We can do that.

14 CHAIR MILLER: Okay, good.

15 MR. RIVERO: Since he would not be
16 able to file it today.

17 CHAIR MILLER: Right, okay.

18 MR. RIVERO: Okay.

19 CHAIR MILLER: Thank you very
20 much. I just want to say for the record, this
21 was Case No. 14-AUD-000106 Chateau. Okay,
22 thank you very much.

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(Whereupon, the above-entitled
matter went off the record at 11:00 a.m.)

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