

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
: :
R-S, Inc. :
t/a Souk Restaurant : Show Cause
1208 H Street, NE : Hearing
Retailer CR - ANC-6A : (Status)
License No. 88675 :
Case #12-CMP-00506 :
: :
(No ABC Manager on Duty) :
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March 20, 2013
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:
- RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
- MIKE SILVERSTEIN, Member
- ALSO PRESENT:
CHRISSEY GEPHARDT, OAG

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

(10:05 a.m.)

CHAIRPERSON MILLER: The next case on our calendar is Case No. 12- CMP-00506, Souk Restaurant located at 1208 H Street, N.E., License No. 88675 in ANC-6A.

Would the parties in this case, please, come forward? Good morning. You can have a seat.

MR. COX: My name is DuBois Cox. I'm with Federal Capital Solutions. I'm the financial advisor for R-S, Inc., which is the owner of Souk Restaurant.

CHAIRPERSON MILLER: And your name is Cox?

MR. COX: DuBois.

CHAIRPERSON MILLER: DuBois? Mr. DuBois?

MR. COX: Yes, ma'am.

CHAIRPERSON MILLER: Okay.

MR. COX: Last name. No, that's my first name.

1 CHAIRPERSON MILLER: Sorry.

2 MR. COX: Last name is Cox.

3 CHAIRPERSON MILLER: That's what I
4 thought.

5 MR. COX: C-O-X.

6 CHAIRPERSON MILLER: Okay. And
7 you are on file with the Agency as the owner?

8 MR. COX: I am and I brought
9 another notarized Power of Attorney form just
10 in case you didn't have it on file.

11 CHAIRPERSON MILLER: Oh, you are
12 the attorney or you are the owner?

13 MR. COX: I am their financial
14 advisor. I am not an attorney.

15 CHAIRPERSON MILLER: Oh, you
16 brought -- let's see what you brought for us
17 to look at. Okay. Thanks. So, sir, you are
18 -- you have the Power of Attorney?

19 MR. COX: Yes, ma'am.

20 CHAIRPERSON MILLER: And who is
21 the owner?

22 MR. COX: The owner is Jusline

1 Akhouti.

2 CHAIRPERSON MILLER: Okay.

3 MR. COX: The reason she isn't
4 here, she just had a baby.

5 CHAIRPERSON MILLER: Okay. Is her
6 signature on this? Oh, that's great.

7 MR. COX: Yes, yes, ma'am. I
8 think it is notarized. Isn't it?

9 CHAIRPERSON MILLER: Okay. That's
10 all right. I just couldn't read the script.

11 MR. COX: I gotcha.

12 CHAIRPERSON MILLER: But I guess
13 it's written.

14 MEMBER ALBERTI: Yes, I mean --

15 CHAIRPERSON MILLER: Yes, it could
16 be. Okay. This is the signature I guess.

17 MEMBER ALBERTI: The signature is
18 here.

19 CHAIRPERSON MILLER: Yes, okay.

20 MEMBER ALBERTI: I'm sorry, the
21 name is printed.

22 CHAIRPERSON MILLER: Yes.

1 MEMBER ALBERTI: But it looks like
2 it's fine.

3 CHAIRPERSON MILLER: Okay. All
4 right.

5 MEMBER ALBERTI: It looks fine.

6 CHAIRPERSON MILLER: Thank you.
7 All right. Ms. Gephardt, did you --

8 MS. GEPHARDT: Yes. We do have an
9 offer in compromise in this case.

10 CHAIRPERSON MILLER: Oh, wait. I
11 didn't get to -- actually, I --

12 MS. GEPHARDT: Oh, I'm sorry. We
13 haven't even --

14 CHAIRPERSON MILLER: I didn't know
15 if you had introduced yourself for the record.

16 MS. GEPHARDT: Oh, Chrissy
17 Gephardt on behalf of the District of
18 Columbia. I apologize.

19 CHAIRPERSON MILLER: Okay. Mr.
20 Cox, I just want to ask you then you are the
21 representative in this case?

22 MR. COX: Correct.

1 CHAIRPERSON MILLER: Did you or
2 your client receive this notice about the
3 hearing and read it and understand it?

4 MR. COX: I --

5 CHAIRPERSON MILLER: For today's
6 hearing?

7 MR. COX: To answer that question,
8 yes. I understand this is the second notice,
9 because apparently they did not receive the
10 first one.

11 CHAIRPERSON MILLER: Okay. But
12 you got it for this one?

13 MR. COX: Got it, yes, ma'am.

14 CHAIRPERSON MILLER: All right.
15 And then I'm going to enter that notice into
16 the record then, if there is no objection.

17 And then ask Ms. Gephardt if there
18 are any preliminary issues in this case?

19 MS. GEPHARDT: There is a
20 preliminary issue. The parties have reached
21 an offer in compromise to present to the Board
22 and that consists of a \$350 fine to be payable

1 within 30 days.

2 CHAIRPERSON MILLER: Okay. Mr.
3 Cox, is that your understanding of the
4 agreement?

5 MR. COX: That is correct. That
6 is correct.

7 CHAIRPERSON MILLER: The offer in
8 compromise, \$350 within 30 days?

9 MR. COX: Yes, ma'am.

10 CHAIRPERSON MILLER: Okay. And
11 that you understand that you waive your right
12 to a hearing if you accept this offer in
13 compromise?

14 MR. COX: We waive the right for a
15 hearing and we accept the compromise. Yes,
16 ma'am.

17 CHAIRPERSON MILLER: Okay. Good.
18 Any questions by Board Members.

19 All right. Then I move that we
20 accept this offer in compromise of \$350 to be
21 paid within 30 days. Do I have a second?

22 MEMBER BROOKS: Second.

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CHAIRPERSON MILLER: Mr. Brooks

has seconded the motion.

All those in favor say aye.

ALL: Aye.

CHAIRPERSON MILLER: All those
opposed? All those abstaining? Then the
motion passes by a vote of 4-0-0 to accept the
offer in compromise. Thank you. Thank you
very much.

(Whereupon, the Show Cause
(Status) Hearing in the above-entitled matter
was concluded at 10:10 a.m.)

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