

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
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Case #11-CMP-00550 :
Trattoria Alberto, Inc. :Show
t/a Trattoria Alberto :Cause
504 8th Street, S.E. :Hearing
License #8946 :(Status)
Retailer CR :
ANC 6B :
Failed to File Quarterly :
Statements :
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APRIL 4, 2012

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., 4th Floor, Washington, D.C. 20009, Chairperson Miller, presiding.

PRESENT

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
CALVIN NOPHLIN, Member
MICHAEL SILVERSTEIN, Member

JEANNETTE MOBLEY, Member

ALSO PRESENT

MICHAEL STERN, OAG

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

9:49 a.m.

CHAIRPERSON MILLER: The next case on our calendar is Case Number 11-CMP-00550 for Trattoria Alberto located at 504 8th Street, S.E., License Number 8946 in ANC 6B.

Good morning. Would parties introduce themselves please?

MR. YOUNG: Francis Young for Trattoria Alberto.

MR. STERN: Michael Stern representing the District of Columbia.

CHAIRPERSON MILLER: And yes, please sign in.

Mr. Young, what's your relation to the establishment?

MR. YOUNG: I am the representative for the establishment and their attorney in fact.

CHAIRPERSON MILLER: Okay. And did you receive notice of this show cause hearing?

1 MR. YOUNG: Yes, they did.

2 CHAIRPERSON MILLER: They did.

3 They read it?

4 MR. YOUNG: They read -- they read
5 the hearing and they are confused because they
6 have copies of the report that were delivered
7 to -- were mailed to the District.

8 CHAIRPERSON MILLER: Okay. So,
9 let's just stick with the notice first and
10 then we can move into substance.

11 But, you or they read the notice
12 of the show cause hearing? Well, the show
13 cause status hearing that you're here for
14 today.

15 MR. YOUNG: Yes. Yes.

16 CHAIRPERSON MILLER: Okay. And
17 did you understand that?

18 MR. YOUNG: Yes.

19 CHAIRPERSON MILLER: Okay. And do
20 you waive our reading of that notice into the
21 record?

22 MR. YOUNG: Yes.

1 CHAIRPERSON MILLER: Okay. Fine.

2 All right. Now, then we can move to
3 preliminary matters.

4 Let me just ask Mr. Stern first
5 and then I'll come back to you.

6 Mr. Stern, do you have any
7 preliminary matters?

8 MR. STERN: There are none that we
9 are aware of.

10 CHAIRPERSON MILLER: Okay. Mr.
11 Young, did you want to say something? I think
12 you --

13 MR. YOUNG: The establishment has
14 been in operation for years and has never
15 failed to deliver. It has always mailed it
16 in. The owner will -- the president will sign
17 an affidavit that he did -- mailed it in
18 timely.

19 As an offer in settlement, the
20 establishment is going to pay the \$250 fine to
21 alleviate coming to the hearing in May and
22 we'll pay that within 24 hours.

1 CHAIRPERSON MILLER: Okay. That's
2 something you would need to work out with Mr.
3 Stern and then come back to the Board on.

4 Mr. Stern, have you had a chance
5 to talk to --

6 MR. STERN: We did have a chance
7 to talk. That was not the offer that the
8 Government made.

9 CHAIRPERSON MILLER: Okay. So,
10 you've had your chance. It's not like you
11 want us to come back to you after you have a
12 chance to talk some more.

13 MR. STERN: I would just add that
14 Ms. Gephardt is the attorney assigned. He's
15 welcome to call her and appeal that decision
16 to her.

17 CHAIRPERSON MILLER: Okay. So,
18 Mr. Young, I think at this time I'm going to
19 set the case -- it has been set for a show
20 cause hearing on May 16th --

21 MR. YOUNG: Right.

22 CHAIRPERSON MILLER: -- at 11:00

1 a.m. and between now and then if you have an
2 opportunity to talk more with OAG about a
3 settlement, you can do so.

4 MR. YOUNG: Understand.

5 CHAIRPERSON MILLER: Okay. Okay.
6 Yes, sure. Go ahead.

7 MEMBER ALBERTI: Mr. Young, is
8 your client aware that you now have the
9 opportunity to do online filing of the
10 quarterly reports?

11 MR. YOUNG: As a matter of fact,
12 they are and as a result of this notice, the
13 last report was faxed in. They have a copy of
14 the fax.

15 MEMBER ALBERTI: Great. Great.
16 Because that's the guaranteed way of knowing
17 that we -- yes, thank you. Great.

18 CHAIRPERSON MILLER: Okay. Well,
19 thank you. Good luck.

20 (Whereupon, at 9:52 a.m., the
21 hearing was adjourned.)

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add 5:13 adjourned 6:21 affidavit 4:17 ahead 6:6 ALBERTI 1:18 6:7 6:15 Alberto 1:6,6 2:5 2:10 Alcoholic 1:2,13,13 alleviate 4:21 ANC 1:9 2:6 appeal 5:15 APRIL 1:12 assigned 5:14 attorney 2:19 5:14 aware 4:9 6:8 a.m 2:2 6:1,20	decision 5:15 deliver 4:15 delivered 3:6 District 1:1 2:12 3:7 DONALD 1:18 D.C 1:14	let's 3:9 License 1:8 2:6 located 2:5 luck 6:19	please 2:8,14 preliminary 4:3,7 PRESENT 1:16,21 president 4:16 presiding 1:15 P-R-O-C-E-E-D-... 2:1	thank 6:17,19 think 4:11 5:18 time 5:18 timely 4:18 today 3:14 Trattoria 1:6,6 2:5 2:10 t/a 1:6	quarterly 1:9 6:10	read 3:3,4,4,11 reading 3:20 receive 2:21 record 3:21 Reeves 1:14 relation 2:15 report 3:6 6:13 reports 6:10 representative 2:18 representing 2:12 result 6:12 Retailer 1:8 right 4:2 5:21 Room 1:14 RUTHANNE 1:17	understand 3:17 6:4	
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