

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF: :  
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Case #11-CMP-00368 :  
Soussi, Inc. : Show  
t/a Soussi : Cause  
2228 18th Street, N.W. : Hearing  
License #60448 : (Status)  
Retailer CR :  
ANC 1C :  
Violation of Voluntary :  
Agreement (Operating Sidewalk :  
Cafe After Hours) :  
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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  
FERNANDO RIVERO, OAG

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

10:00 a.m.

CHAIRPERSON MILLER: The next case which is actually scheduled for 10:00 a.m. and we are right on schedule is a fact finding hearing. It's Case Number 11-251-00353, Mad Hatter. Oh, wait a second. We have the Soussi thing. Okay. I'm sorry. I'm sorry.

Before we call the Mad Hatter, we have one more show cause status hearing. Sorry about that. Okay.

That is for Case Number 11-CMP-00368, Soussi at 2228 18th Street, N.W., License Number 60448 in ANC 1C.

And would the parties introduce themselves for the record when you're ready?

MR. RIVERO: Indulgence.

CHAIRPERSON MILLER: Okay.

MR. RIVERO: All right. Thank you.

Good morning, Board Members. Fernando Rivero for the District of Columbia.

1 MR. SAHRI: Jamel Sahri from --  
2 from Soussi Restaurant.

3 CHAIRPERSON MILLER: Okay.  
4 And you're the --

5 MR. SAHRI: I'm the owner. Yes.

6 CHAIRPERSON MILLER: You're the  
7 owner and let me ask you -- okay. So, this is  
8 set for a show cause hearing. Correct? Okay.  
9 All right.

10 Do we have an preliminary matters?

11 Did you sign in, sir?

12 MR. SAHRI: I'm sorry.

13 CHAIRPERSON MILLER: Did you sign  
14 in?

15 MR. SAHRI: No, I did not. I'm  
16 sorry.

17 CHAIRPERSON MILLER: Thank you.  
18 Okay.

19 MR. SAHRI: All right. Thank you.

20 MR. RIVERO: The parties do have  
21 an offer in compromise to present to the Board  
22 at this time.

1 CHAIRPERSON MILLER: You do.

2 Okay.

3 MR. RIVERO: The offer consists  
4 of, first, a consent motion to amend the  
5 notice to read a violation of D.C. Code 25-762  
6 B13. Which is the extension of hours of  
7 operation. This is a primary tier violation.  
8 So, we will amend the notice to have that be  
9 the violation and the fine will be a fine of  
10 \$2,000 that the Licensee will pay within 60  
11 days.

12 CHAIRPERSON MILLER: Okay.

13 MR. RIVERO: The facts in this  
14 case concern the outdoor seating area and  
15 having people sit there past the time that is  
16 allowed.

17 CHAIRPERSON MILLER: All right.

18 MR. RIVERO: The Licensee has  
19 instructed his employees also as part of this  
20 offer in compromise to start moving people out  
21 of there earlier than the last point in time  
22 so that after that time you don't still have

1 the situation we have of people sitting there.  
2 So, that's really what this is about.

3 It is a consent motion. The  
4 Licensee agrees to that.

5 CHAIRPERSON MILLER: Okay. I just  
6 want to repeat it for your benefit and out  
7 benefit.

8 MR. RIVERO: Yes.

9 CHAIRPERSON MILLER: Make sure  
10 that that's what, Mr. Sahri, that you agree  
11 to. Okay.

12 MR. SAHRI: Yes.

13 CHAIRPERSON MILLER: There is a  
14 consent motion to amend the notice for the  
15 charge to be a violation of D.C. Code 25-762  
16 B13.

17 MR. SAHRI: Yes.

18 CHAIRPERSON MILLER: Okay. And  
19 that you will pay a penalty of \$2,000 within  
20 60 days.

21 That's the OIC.

22 MR. RIVERO: Right.

1 CHAIRPERSON MILLER: The rest that  
2 you were talking about clearing people out  
3 earlier is not part of that. It's just an  
4 understanding.

5 MR. RIVERO: Correct. It's just  
6 so that the Board will understand that the  
7 Licensee has taken action on these facts.

8 MR. SAHRI: We're just closing as  
9 well.

10 CHAIRPERSON MILLER: Okay. So,  
11 I'm just curious. How much earlier are you  
12 going to be stopping serving on --

13 MR. SAHRI: Well, we -- we have an  
14 arrangement with -- we being late. That night  
15 when the -- was there, we being late. We  
16 didn't set anybody out that, but it was people  
17 already there.

18 CHAIRPERSON MILLER: Right.

19 MR. SAHRI: And it's very hard for  
20 us to take them out of outside to put them  
21 inside and that's when it --

22 CHAIRPERSON MILLER: Right.

1 MR. SAHRI: People being there  
2 having a drink after the time of the voluntary  
3 agreement. But, we didn't take anybody from  
4 after.

5 CHAIRPERSON MILLER: Right.

6 MR. SAHRI: But, if someone was  
7 there already, we -- it's very hard for us to  
8 take them inside and I agree with --

9 CHAIRPERSON MILLER: So, the  
10 solution in the future is --

11 MR. SAHRI: In the future, we have  
12 to try to push people to inside early.

13 CHAIRPERSON MILLER: Um-hum.  
14 Okay.

15 MR. SAHRI: Before that to make it  
16 on time.

17 CHAIRPERSON MILLER: Okay. All  
18 right. Any questions from Board Members?

19 Okay. Then I would move that we  
20 accept this offer in compromise that the --  
21 that the notice to amended to charge a  
22 violation under D.C. 25-762 B13 and that the

1 Licensee pay a penalty of \$2,000 within 60  
2 days.

3 Do I have a second?

4 MEMBER BROOKS: Second.

5 CHAIRPERSON MILLER: Any questions  
6 or comments? Okay.

7 All those in favor of the motion  
8 say aye.

9 (Ayes.)

10 CHAIRPERSON MILLER: All those  
11 opposed? All those abstaining? The motion  
12 passes by a vote of 6-0-0.

13 Okay. Thank you very much.

14 (Whereupon, at 10:06 a.m., the  
15 hearing was adjourned.)

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<p style="text-align: center;"><b>A</b></p> <p><b>abstaining</b> 8:11  <b>accept</b> 7:20  <b>action</b> 6:7  <b>adjourned</b> 8:15  <b>agree</b> 5:10 7:8  <b>agreement</b> 1:10 7:3  <b>agrees</b> 5:4  <b>ALBERTI</b> 1:18  <b>Alcoholic</b> 1:2,13,14  <b>allowed</b> 4:16  <b>amend</b> 4:4,8 5:14  <b>amended</b> 7:21  <b>ANC</b> 1:9 2:14  <b>anybody</b> 6:16 7:3  <b>APRIL</b> 1:12  <b>area</b> 4:14  <b>arrangement</b> 6:14  <b>aye</b> 8:8  <b>Ayes</b> 8:9  <b>a.m</b> 2:2,4 8:14</p>	<p><b>Code</b> 4:5 5:15  <b>Columbia</b> 1:1 2:22  <b>comments</b> 8:6  <b>compromise</b> 3:21  4:20 7:20  <b>concern</b> 4:14  <b>consent</b> 4:4 5:3,14  <b>consists</b> 4:3  <b>Control</b> 1:2,13,14  <b>Correct</b> 3:8 6:5  <b>CR</b> 1:8  <b>curious</b> 6:11</p> <p style="text-align: center;"><b>D</b></p> <p><b>days</b> 4:11 5:20 8:2  <b>District</b> 1:1 2:22  <b>DONALD</b> 1:19  <b>drink</b> 7:2  <b>D.C</b> 1:15 4:5 5:15  7:22</p>	<p><b>hours</b> 1:10 4:6</p> <p style="text-align: center;"><b>I</b></p> <p><b>Indulgence</b> 2:17  <b>inside</b> 6:21 7:8,12  <b>instructed</b> 4:19  <b>introduce</b> 2:15</p> <p style="text-align: center;"><b>J</b></p> <p><b>Jamel</b> 3:1  <b>JEANNETTE</b> 1:21</p> <p style="text-align: center;"><b>L</b></p> <p><b>late</b> 6:14,15  <b>License</b> 1:8 2:14  <b>Licensee</b> 4:10,18  5:4 6:7 8:1</p> <p style="text-align: center;"><b>M</b></p> <p><b>Mad</b> 2:6,9  <b>MATTER</b> 1:4  <b>matters</b> 3:10  <b>MEETING</b> 1:3  <b>Member</b> 1:18,19  1:19,20,21 8:4  <b>Members</b> 2:21 7:18  <b>met</b> 1:14  <b>MICHAEL</b> 1:20  <b>Miller</b> 1:15,18 2:3  2:18 3:3,6,13,17  4:1,12,17 5:5,9,13  5:18 6:1,10,18,22  7:5,9,13,17 8:5,10</p>	<p style="text-align: center;"><b>O</b></p> <p><b>OAG</b> 1:23  <b>offer</b> 3:21 4:3,20  7:20  <b>Oh</b> 2:7  <b>OIC</b> 5:21  <b>okay</b> 2:8,11,18 3:3  3:7,8,18 4:2,12  5:5,11,18 6:10  7:14,17,19 8:6,13  <b>Operating</b> 1:10  <b>operation</b> 4:7  <b>opposed</b> 8:11  <b>outdoor</b> 4:14  <b>outside</b> 6:20  <b>owner</b> 3:5,7</p> <p style="text-align: center;"><b>P</b></p> <p><b>part</b> 4:19 6:3  <b>parties</b> 2:15 3:20  <b>passes</b> 8:12  <b>pay</b> 4:10 5:19 8:1  <b>penalty</b> 5:19 8:1  <b>people</b> 4:15,20 5:1  6:2,16 7:1,12  <b>point</b> 4:21  <b>preliminary</b> 3:10  <b>present</b> 1:17,22  3:21  <b>presiding</b> 1:15  <b>primary</b> 4:7  <b>push</b> 7:12  <b>put</b> 6:20  <b>P-R-O-C-E-E-D-...</b>  2:1</p>	<p><b>Restaurant</b> 3:2  <b>Retailer</b> 1:8  <b>right</b> 2:5,19 3:9,19  4:17 5:22 6:18,22  7:5,18  <b>Rivero</b> 1:23 2:17  2:19,22 3:20 4:3  4:13,18 5:8,22 6:5  <b>Room</b> 1:14  <b>RUTHANNE</b> 1:18</p> <p style="text-align: center;"><b>S</b></p> <p><b>Sahri</b> 3:1,1,5,12,15  3:19 5:10,12,17  6:8,13,19 7:1,6,11  7:15  <b>schedule</b> 2:5  <b>scheduled</b> 2:4  <b>seating</b> 4:14  <b>second</b> 2:7 8:3,4  <b>serving</b> 6:12  <b>set</b> 3:8 6:16  <b>show</b> 1:6 2:10 3:8  <b>Sidewalk</b> 1:10  <b>sign</b> 3:11,13  <b>SILVERSTEIN</b>  1:20  <b>sir</b> 3:11  <b>sit</b> 4:15  <b>sitting</b> 5:1  <b>situation</b> 5:1  <b>solution</b> 7:10  <b>sorry</b> 2:8,8,11 3:12  3:16  <b>Soussi</b> 1:6,6 2:8,13  3:2  <b>start</b> 4:20  <b>status</b> 1:8 2:10  <b>stopping</b> 6:12  <b>Street</b> 1:7,15 2:13  <b>sure</b> 5:9</p>
<p style="text-align: center;"><b>B</b></p> <p><b>benefit</b> 5:6,7  <b>Beverage</b> 1:2,13,14  <b>Board</b> 1:2,14 2:21  3:21 6:6 7:18  <b>BROOKS</b> 1:19 8:4  <b>Building</b> 1:14  <b>B13</b> 4:6 5:16 7:22</p> <p style="text-align: center;"><b>C</b></p> <p><b>Cafe</b> 1:10  <b>call</b> 2:9  <b>CALVIN</b> 1:19  <b>case</b> 1:5 2:3,6,12  4:14  <b>cause</b> 1:6 2:10 3:8  <b>Chairperson</b> 1:15  1:18 2:3,18 3:3,6  3:13,17 4:1,12,17  5:5,9,13,18 6:1,10  6:18,22 7:5,9,13  7:17 8:5,10  <b>charge</b> 5:15 7:21  <b>clearing</b> 6:2  <b>closing</b> 6:8</p>	<p style="text-align: center;"><b>E</b></p> <p><b>earlier</b> 4:21 6:3,11  <b>early</b> 7:12  <b>employees</b> 4:19  <b>extension</b> 4:6</p> <p style="text-align: center;"><b>F</b></p> <p><b>fact</b> 2:5  <b>facts</b> 4:13 6:7  <b>favor</b> 8:7  <b>Fernando</b> 1:23  2:22  <b>finding</b> 2:5  <b>fine</b> 4:9,9  <b>first</b> 4:4  <b>Floor</b> 1:15  <b>future</b> 7:10,11</p> <p style="text-align: center;"><b>G</b></p> <p><b>going</b> 6:12  <b>Good</b> 2:21</p> <p style="text-align: center;"><b>H</b></p> <p><b>hard</b> 6:19 7:7  <b>Hatter</b> 2:7,9  <b>hearing</b> 1:7,14 2:6  2:10 3:8 8:15</p>	<p style="text-align: center;"><b>N</b></p> <p><b>NICK</b> 1:18  <b>night</b> 6:14  <b>NOPHLIN</b> 1:19  <b>notice</b> 4:5,8 5:14  7:21  <b>Number</b> 2:6,12,14  <b>N.W</b> 1:7,15 2:13</p>	<p style="text-align: center;"><b>Q</b></p> <p><b>questions</b> 7:18 8:5</p> <p style="text-align: center;"><b>R</b></p> <p><b>read</b> 4:5  <b>ready</b> 2:16  <b>really</b> 5:2  <b>record</b> 2:16  <b>Reeves</b> 1:14  <b>repeat</b> 5:6  <b>rest</b> 6:1</p>	<p style="text-align: center;"><b>T</b></p> <p><b>take</b> 6:20 7:3,8  <b>taken</b> 6:7  <b>talking</b> 6:2  <b>Thank</b> 2:19 3:17,19  8:13</p>

<p><b>thing</b> 2:8  <b>tier</b> 4:7  <b>time</b> 3:22 4:15,21              4:22 7:2,16  <b>try</b> 7:12  <b>t/a</b> 1:6</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>Um-hum</b> 7:13  <b>understand</b> 6:6  <b>understanding</b> 6:4</p> <hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p><b>violation</b> 1:9 4:5,7              4:9 5:15 7:22  <b>voluntary</b> 1:9 7:2  <b>vote</b> 8:12</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>wait</b> 2:7  <b>want</b> 5:6  <b>Washington</b> 1:15  <b>We're</b> 6:8</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>p</b> 1:4,11</p> <hr/> <p style="text-align: center;"><b>\$</b></p> <hr/> <p><b>\$2,000</b> 4:10 5:19              8:1</p> <hr/> <p style="text-align: center;"><b>#</b></p> <hr/> <p><b>#11-CMP-00368</b>              1:5  <b>#60448</b> 1:8</p> <hr/> <p style="text-align: center;"><b>0</b></p> <hr/> <p><b>00368</b> 2:13</p> <hr/> <p style="text-align: center;"><b>1</b></p> <hr/> <p><b>1C</b> 1:9 2:14  <b>10:00</b> 2:2,4  <b>10:06</b> 8:14  <b>11-CMP</b> 2:12  <b>11-251-00353</b> 2:6  <b>14th</b> 1:14  <b>18th</b> 1:7 2:13</p> <hr/> <p style="text-align: center;"><b>2</b></p>	<p><b>2000</b> 1:14  <b>20009</b> 1:15  <b>2012</b> 1:12  <b>2228</b> 1:7 2:13  <b>25-762</b> 4:5 5:15              7:22</p> <hr/> <p style="text-align: center;"><b>4</b></p> <hr/> <p><b>4</b> 1:12  <b>4th</b> 1:15</p> <hr/> <p style="text-align: center;"><b>6</b></p> <hr/> <p><b>6-0-0</b> 8:12  <b>60</b> 4:10 5:20 8:1  <b>60448</b> 2:14</p>			
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