

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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Taj Mahal Enterprises, Ltd. :

t/a Fiesta Restaurant & Lounge: Show Cause

1327 Connecticut Avenue, NW : Hearing

Retailer CR :

License No. 882 :

Case No. 12-AUD-00047 :

ANC 2B :

Failed to File Quarterly :

Statements (3rd Quarter 2012) :

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APRIL 24, 2013

The Alcoholic Beverage Control Board met in the 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

HERMAN JONES, Member

ALSO PRESENT

MICHAEL STERN, OAG

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

10:09 a.m.

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2
3 CHAIRPERSON MILLER: Our next case
4 on our calendar is Case No. 12-AUD-00047,
5 Fiesta Restaurant and Lounge located at 1327
6 Connecticut Avenue, N.W., License No. 882 in
7 ANC 2B.

8 MR. STERN: Good morning. Michael
9 Stern representing the District of Columbia.

10 CHAIRPERSON MILLER: Morning, Mr.
11 Stern. Anyone here from Fiesta Restaurant
12 and Lounge? Come on forward. Okay. Morning.

13 MS. TULI: Hi, good morning.

14 CHAIRPERSON MILLER: Would you
15 identify yourself for the record?

16 MS. TULI: My name is Mitul Tuli.

17 MEMBER ALBERTI: I'm sorry, what
18 is it?

19 MS. TULI: Mitul Tuli.

20 CHAIRPERSON MILLER: Okay.

21 MS. TULI: I'm a partner in the
22 business.

1 CHAIRPERSON MILLER: All right.

2 Could you spell your last name?

3 MS. TULI: Tuli, T-U-L-I.

4 CHAIRPERSON MILLER: Tuli? Okay.

5 MEMBER JONES: Are you an owner?

6 MS. TULI: Yes, sir.

7 MEMBER JONES: You are? What
8 percentage of ownership?

9 MS. TULI: Ninety.

10 MEMBER JONES: Nine, zero?

11 MS. TULI: Yes, sir.

12 MEMBER JONES: Okay. Have you
13 updated that?

14 MS. TULI: Yes, I have.

15 MEMBER JONES: Okay.

16 MS. TULI: When I renewed the
17 license, I did it at that time.

18 MEMBER JONES: You did it at that
19 time?

20 MS. TULI: Yes.

21 MEMBER JONES: Okay.

22 CHAIRPERSON MILLER: All right.

1 MEMBER JONES: Martha, would you
2 mind checking and confirming that, please,
3 while we're proceeding? Thank you.

4 CHAIRPERSON MILLER: We don't have
5 your name down on our sheet.

6 MS. TULI: Yes, I got a letter
7 from Ms. Jenkins saying --

8 CHAIRPERSON MILLER: What's that?

9 MS. TULI: To come today.

10 CHAIRPERSON MILLER: Oh, okay.
11 Okay. All right. So this is a show cause
12 hearing actually. Are there any preliminary
13 matters in this case?

14 MR. STERN: Yes, there are. I
15 don't know if the Board will remember,
16 actually there was an agreement when we first
17 were here for status and the person; there was
18 a different person who showed up for the
19 establishment, didn't have written authority
20 to represent the establishment, which is why
21 we continued actually to last week. Then Ms.
22 Tuli was ill last week, so the Board continued

1 it to today. Just to give you some
2 background.

3 In any event, the agreement is
4 that the establishment will pay a fine of
5 \$1,000 within 30 days.

6 CHAIRPERSON MILLER: Thirty days?
7 Okay.

8 Ms. Tuli, are you agreeable to
9 that Offer in Compromise of \$1,000 within 30
10 days?

11 MS. TULI: Yes, I am.

12 CHAIRPERSON MILLER: Okay. And
13 you understand you waive your right to a
14 hearing if you enter into an Offer in
15 Compromise?

16 MS. TULI: Yes.

17 CHAIRPERSON MILLER: You waive
18 your right to have a hearing?

19 MS. TULI: Yes, ma'am.

20 CHAIRPERSON MILLER: Okay.

21 MEMBER JONES: Ma'am, could you
22 spell your last name, please?

1 MS. TULI: Tuli, T-U-L-I.

2 MEMBER JONES: T-U-L-I?

3 MS. TULI: Yes.

4 MEMBER ALBERTI: Is there a new
5 license renewal there?

6 MEMBER JONES: (Off microphone.)

7 CHAIRPERSON MILLER: So where are
8 we? Where are we on that now?

9 MEMBER ALBERTI: It's all right.

10 CHAIRPERSON MILLER: It's all
11 right?

12 MEMBER ALBERTI: He said it's all
13 right.

14 CHAIRPERSON MILLER: All right.
15 Okay. All right. Then we have an Offer in
16 Compromise of \$1,000 to be paid within 30
17 days. I would move that we accept this Offer
18 in Compromise. Do I have a second?

19 MEMBER BROOKS: Second.

20 CHAIRPERSON MILLER: Mr. Brooks
21 has seconded the motion. Any comments or
22 questions?

1 (No audible response.)

2 CHAIRPERSON MILLER: All those in
3 favor then, say aye?

4 (Chorus of ayes.)

5 CHAIRPERSON MILLER: All those
6 opposed?

7 (No audible response.)

8 CHAIRPERSON MILLER: All those
9 abstaining?

10 (No audible response.)

11 CHAIRPERSON MILLER: Okay. I'm
12 sure I heard everybody. Did you say aye?

13 MEMBER ALBERTI: I said aye. I
14 don't know --

15 MEMBER BROOKS: Aye. I did, too.

16 CHAIRPERSON MILLER: Okay. All
17 right. Then the vote is 4-0-0 to approve the
18 Offer in Compromise of a \$1,000 fine payable
19 within 30 days. Thank you.

20 MR. STERN: Thank you.

21 (Whereupon, the hearing was
22 concluded at 10:14 a.m.)

<p style="text-align: center;">A</p> <p>abstaining 7:9 accept 6:17 agreeable 5:8 agreement 4:16 5:3 ALBERTI 1:18 2:17 6:4,9,12 7:13 Alcoholic 1:2,14,14 ANC 1:10 2:7 approve 7:17 APRIL 1:13 audible 7:1,7,10 authority 4:19 Avenue 1:8 2:6 aye 7:3,12,13,15 eyes 7:4 a.m 2:2 7:22</p> <hr/> <p style="text-align: center;">B</p> <p>background 5:2 Beverage 1:2,14,14 Board 1:2,14 4:15 4:22 Brooks 1:19 6:19 6:20 7:15 Building 1:15 business 2:22</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 2:4 case 1:9 2:3,4 4:13 cause 1:7 4:11 Chairperson 1:16 1:18 2:3,10,14,20 3:1,4,22 4:4,8,10 5:6,12,17,20 6:7 6:10,14,20 7:2,5,8 7:11,16 checking 4:2 Chorus 7:4 Columbia 1:1 2:9 come 2:12 4:9 comments 6:21 Compromise 5:9 5:15 6:16,18 7:18 concluded 7:22 confirming 4:2</p>	<p>Connecticut 1:8 2:6 continued 4:21,22 Control 1:2,14,14 CR 1:8</p> <hr/> <p style="text-align: center;">D</p> <p>days 5:5,6,10 6:17 7:19 different 4:18 District 1:1 2:9 DONALD 1:19 D.C 1:15</p> <hr/> <p style="text-align: center;">E</p> <p>enter 5:14 Enterprises 1:6 establishment 4:19 4:20 5:4 event 5:3 everybody 7:12</p> <hr/> <p style="text-align: center;">F</p> <p>Failed 1:10 favor 7:3 Fiesta 1:7 2:5,11 File 1:10 fine 5:4 7:18 first 4:16 forward 2:12</p> <hr/> <p style="text-align: center;">G</p> <p>give 5:1 good 2:8,13</p> <hr/> <p style="text-align: center;">H</p> <p>heard 7:12 hearing 1:8,15 4:12 5:14,18 7:21 HERMAN 1:19 Hi 2:13</p> <hr/> <p style="text-align: center;">I</p> <p>identify 2:15 ill 4:22</p> <hr/> <p style="text-align: center;">J</p> <p>Jenkins 4:7</p>	<p>JONES 1:19 3:5,7 3:10,12,15,18,21 4:1 5:21 6:2,6</p> <hr/> <p style="text-align: center;">K</p> <p>know 4:15 7:14</p> <hr/> <p style="text-align: center;">L</p> <p>letter 4:6 license 1:9 2:6 3:17 6:5 located 2:5 Lounge 1:7 2:5,12</p> <hr/> <p style="text-align: center;">M</p> <p>Mahal 1:6 Martha 4:1 MATTER 1:5 matters 4:13 ma'am 5:19,21 MEETING 1:3 Member 1:18,19 1:19 2:17 3:5,7,10 3:12,15,18,21 4:1 5:21 6:2,4,6,9,12 6:19 7:13,15 met 1:14 Michael 1:22 2:8 microphone 6:6 Miller 1:16,18 2:3 2:10,14,20 3:1,4 3:22 4:4,8,10 5:6 5:12,17,20 6:7,10 6:14,20 7:2,5,8,11 7:16 mind 4:2 Mitul 2:16,19 morning 2:8,10,12 2:13 motion 6:21 move 6:17</p> <hr/> <p style="text-align: center;">N</p> <p>name 2:16 3:2 4:5 5:22 new 6:4 NICK 1:18 Nine 3:10</p>	<p>Ninety 3:9 NW 1:8 N.W 1:15 2:6</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:22 Offer 5:9,14 6:15 6:17 7:18 Oh 4:10 okay 2:12,20 3:4,12 3:15,21 4:10,11 5:7,12,20 6:15 7:11,16 opposed 7:6 owner 3:5 ownership 3:8</p> <hr/> <p style="text-align: center;">P</p> <p>paid 6:16 partner 2:21 pay 5:4 payable 7:18 percentage 3:8 person 4:17,18 please 4:2 5:22 preliminary 4:12 PRESENT 1:17,21 presiding 1:16 proceeding 4:3 P-R-O-C-E-E-D-... 2:1</p> <hr/> <p style="text-align: center;">Q</p> <p>Quarter 1:11 Quarterly 1:10 questions 6:22</p> <hr/> <p style="text-align: center;">R</p> <p>record 2:15 Reeves 1:15 remember 4:15 renewal 6:5 renewed 3:16 represent 4:20 representing 2:9 response 7:1,7,10 Restaurant 1:7 2:5 2:11</p>	<p>Retailer 1:8 right 3:1,22 4:11 5:13,18 6:9,11,13 6:14,15 7:17 Room 1:15 Ruthanne 1:15,18</p> <hr/> <p style="text-align: center;">S</p> <p>saying 4:7 second 6:18,19 seconded 6:21 sheet 4:5 show 1:7 4:11 showed 4:18 sir 3:6,11 sorry 2:17 spell 3:2 5:22 Statements 1:11 status 4:17 Stern 1:22 2:8,9,11 4:14 7:20 Street 1:15 sure 7:12</p> <hr/> <p style="text-align: center;">T</p> <p>Taj 1:6 Thank 4:3 7:19,20 Thirty 5:6 time 3:17,19 today 4:9 5:1 Tuli 2:13,16,16,19 2:19,21 3:3,3,4,6 3:9,11,14,16,20 4:6,9,22 5:8,11,16 5:19 6:1,1,3 T-U-L-I 3:3 6:1,2 t/a 1:7</p> <hr/> <p style="text-align: center;">U</p> <p>understand 5:13 updated 3:13</p> <hr/> <p style="text-align: center;">V</p> <p>vote 7:17</p> <hr/> <p style="text-align: center;">W</p> <p>waive 5:13,17 Washington 1:15</p>
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