

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
: :
Sami Restaurant, LLC :
t/a Bistro 18 : Show Cause
2420 18th Street, NW : Hearing
Retailer CR :
License No. 86876 :
Case No. 12-AUD-00041 :
ANC 1C :
Failed to File Quarterly :
Statements (1st 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
AMY SCHMIDT, OAG

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

10:40 a.m.

CHAIRPERSON MILLER: Case No. 12-
AUD-00041, Bistro 18, 2420 18th Street, N.W.,
License No. 86876 in ANC 1C.

MR. GHULAIS: Sami Ghulais.

MS. SCHMIDT: Amy Schmidt,
Assistant Attorney General on behalf of the
District of Columbia.

CHAIRPERSON MILLER: Okay. So
this is a show cause hearing. Are there any
preliminary matters?

MS. SCHMIDT: Yes, there is.

CHAIRPERSON MILLER: Okay.

MS. SCHMIDT: We have an Offer in
Compromise. There will be a \$1,000 fine to be
payable within 90 days.

MR. GHULAIS: Yes. All I'm saying
is this citation, it took place during that
time when according to the Board when the
Jamaican just -- when I was cleaning the mess
from the past. I would like to -- the Board

1 if they can read this letter that's --

2 CHAIRPERSON MILLER: Ms. Walker?
3 What is that piece of paper?

4 MEMBER BROOKS: What is that?

5 MR. GHULAIS: I'm not denying the
6 violation, but I would like -- because what I
7 thought was when I put the 6,500 last time for
8 all that mess what's happening on the past, I
9 thought this violation was with them, but it
10 wasn't. It come along by itself. So I'm
11 seeking from the Board a little help to reduce
12 the amount and if they can give me also some
13 times to pay money for that, to pay the
14 amount.

15 CHAIRPERSON MILLER: Any questions
16 from Board Members? Mr. Brooks?

17 MEMBER BROOKS: Yes, I'm confused
18 now. Is the OIC \$1,000?

19 MS. SCHMIDT: Yes.

20 MEMBER BROOKS: Okay.

21 MS. SCHMIDT: I was told it was
22 accepted. This is new to me. So you're not

1 acceptable with \$1,000?

2 MR. GHULAIS: Yes, I mean if they
3 can reduce it, because like I explain, I have
4 it on the letter that was early 2012 when I
5 was explaining to the Board what's happening
6 with the Jamaican situation and everything.
7 We were trying to clean all the mess because
8 of the register and the -- all this. So
9 that's why we didn't do the quarterly
10 statement.

11 But the last time we had the
12 settlement for the 6,500, me and Miss Amy. I
13 thought that's what this violation was, but it
14 wasn't. It come about by itself. And I
15 believe that based on -- like the Board can
16 help me a little bit with the amount because
17 of my financial situation. I just paid this
18 year like 7,250 for ABRA and financially I'm
19 not that good to pay this amount. And I feel
20 like this supposed to be with the other
21 violations that happen in the past when you
22 charged me last time.

1 CHAIRPERSON MILLER: Okay. I mean
2 I hear your explanation, but I just want to
3 double-check if I understand where you are on
4 this violation today in which the Government
5 has offered an Offer in Compromise on this
6 violation that you would pay \$1,000 within 90
7 days. Now do you agree to that?

8 MR. GHULAIS: Just try to seek for
9 a little help from the Board to reduce the
10 amount.

11 CHAIRPERSON MILLER: No, we don't
12 do that in this kind of proceeding. Okay? So
13 this is the situation: We can either vote yes
14 or no on an agreement that you two come to.
15 We can't reduce it here. If you don't want to
16 accept this agreement, then you go to a
17 hearing and the Board hears all the evidence
18 in the case and then the Board decides, you
19 know, based on the penalty range under the
20 statute. if the Board finds you guilty or
21 liable or whatever, then the Board would look
22 at a fine. But at this point it would be you

1 agree and then we will accept that or not
2 accept it.

3 MR. GHULAIS: A question. If --
4 like if you can see my letter, that's when I
5 put it early 2012. It's there. If the Board
6 like can concern that letter for explanation.
7 That's why I didn't do the quarterly statement
8 for that, or I just I have to go for hearing
9 and just have to --

10 CHAIRPERSON MILLER: No, really
11 the Board really can't consider evidence even
12 at this case. It's only if you agree on a
13 settlement.

14 MR. GHULAIS: Okay.

15 CHAIRPERSON MILLER: Then the
16 Board can say yes or no to that settlement.

17 MR. GHULAIS: Okay. Then I'll
18 take the option for 90 days, just make sure
19 that my financially obligations --

20 CHAIRPERSON MILLER: So --

21 MR. GHULAIS: -- are like good at
22 90 days.

1 CHAIRPERSON MILLER: Right. Well,
2 that's what the Government presented. So let
3 me make sure that that's the Offer in
4 Compromise that you agree to, which would be
5 a fine of \$1,000 payable within 90 days. Is
6 that what you agree to?

7 MR. GHULAIS: Yes.

8 CHAIRPERSON MILLER: Okay. Any
9 questions, Board Members?

10 MEMBER ALBERTI: I think Mr. --

11 CHAIRPERSON MILLER: Mr. Jones?

12 MEMBER JONES: I just want to make
13 sure that I understand that you understand
14 that you have every right to go to a hearing
15 if you feel like you want to, but you're
16 willingly accepting the OIC and you're waiving
17 your right to a hearing based on that
18 acceptance.

19 MR. GHULAIS: I just --

20 MEMBER JONES: It's easy. Yes or
21 no, do you understand that?

22 MR. GHULAIS: Yes.

1 MEMBER JONES: Okay. Thank you.

2 CHAIRPERSON MILLER: Okay.

3 Anything else?

4 (No audible response.)

5 CHAIRPERSON MILLER: Okay. Then I

6 would move that we accept this Offer in

7 Compromise of \$1,000 payable within 90 days.

8 Do I have a second?

9 MEMBER BROOKS: Second.

10 CHAIRPERSON MILLER: Mr. Brooks

11 has seconded the motion. All those in favor,

12 say aye?

13 (Chorus of ayes.)

14 CHAIRPERSON MILLER: All those

15 opposed?

16 (No audible response.)

17 CHAIRPERSON MILLER: All those

18 abstaining?

19 (No audible response.)

20 CHAIRPERSON MILLER: Then the

21 motion passes 4-0-0 to approve the Offer in

22 Compromise of \$1,000 payable within 90 days.

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Okay. Thank you very much. Yes,
I will have an order for you.

(Whereupon, the hearing was
concluded at 10:47 a.m.)

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