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

9:33 a.m.

CHAIRPERSON MILLER: Good morning, ladies and gentlemen. I'd like to welcome you to the regularly scheduled meeting of the District of Columbia Alcoholic Beverage Control Board. Today is May 23rd, 2012.

My name is Ruthanne Miller. I'm the Chairperson. Joining me today to my far right is Mr. Calvin Nophlin. To his immediate left is Mr. Donald Brooks. To my immediate right is Mr. Nick Alberti. To my far left is Ms. Jeannette Mobley and to my immediate left is Mr. Mike Silverstein.

The Board has six members in attendance for the conduct of business today with three constituting a quorum.

Copies of today's hearing calendar and agenda are available at the receptionist's desk. Please be aware that these proceedings are being recorded by a Court Reporter. Accordingly, we must ask you to refrain from

1 any disruptive noises or actions in the
2 hearing room.

3 If you have electronic devices,
4 pagers or cell phones or such please make
5 certain that they're turned off to avoid any
6 interruption of the proceedings.

7 Please note that when you come
8 forward there's a piece of paper on each
9 table. As your case is called, please take a
10 seat at the table and sign in. This is to
11 insure that the correct spelling of your name
12 for the record.

13 The record will be closed at the
14 conclusion of each case except for any
15 materials specifically requested by the Board
16 or if the parties elect to submit proposed
17 findings of fact and conclusions of law within
18 30 calendar days after the conclusion of the
19 hearing as permitted by 23 DCMR Section
20 1717.2.

21 After the record is closed, no
22 other information will be accepted by the

1 Board.

2 Copies of transcripts are
3 available by contacting ABRA's records
4 manager, Bill Hager, and it's the sole
5 responsibility of the party to make this
6 request.

7 The Open Meetings Act requires
8 that the public hearing on each case be open
9 to the public. The Board may consistent with
10 Section 405b of the Open Meetings Act enter
11 into a closed meeting during or after the
12 public hearing on a case to consult with an
13 attorney to obtain legal advice, to set
14 settlement agreements or deliberate a final
15 decision in an adjudication proceeding.

16 We'll now move to the cases on our
17 calendar for this morning.

18 The first case is a Show Cause
19 Status Hearing and the Case No. 12-AUD-00009.
20 El Sauce Restaurant and Carry Out located at
21 1227 11th Street, NW. License No. 72654 in
22 ANC 2F.

1 Will the parties in this case
2 please come forward.

3 Okay. Would you introduce
4 yourself for the record?

5 MS. PHILLIPS: Louise Phillips,
6 Assistant Attorney General for the District of
7 Columbia. And to my right is Alexis Grilli,
8 an intern for the Office of the Attorney
9 General who has just completed her first year
10 of law school at GW and will be interning with
11 our office and our section for the summer.

12 CHAIRPERSON MILLER: Great.

13 MS. PHILLIPS: So, you may see a
14 lot of her.

15 CHAIRPERSON MILLER: Great.
16 What's your last name, ma'am?

17 MS. GRILLI: Grilli, G-R-I-L-L-I.

18 CHAIRPERSON MILLER: Okay. Thank
19 you.

20 Sir? Your name?

21 MR. CARCAMO: Jose Carcamo.

22 Okay. And, you, ma'am?

1 MS. CARCAMO: Elsie Carcamo.

2 CHAIRPERSON MILLER: Okay. And
3 are you the partners of the --

4 MS. CARCAMO: I'm his daughter.
5 I'm her daughter.

6 CHAIRPERSON MILLER: You're the
7 daughter. Okay. Are you the owner?

8 MS. CARCAMO: He's the owner.

9 CHAIRPERSON MILLER: Okay. Thank
10 you.

11 So, this is a Show Cause Status
12 Hearing. Did you get notice of this hearing,
13 ma'am?

14 MS. CARCAMO: Yes.

15 CHAIRPERSON MILLER: Okay. Did
16 you read it?

17 MS. CARCAMO: Yes, but I don't
18 understand everything.

19 CHAIRPERSON MILLER: You don't
20 understand it?

21 MS. CARCAMO: No.

22 CHAIRPERSON MILLER: Okay.

1 MS. PHILLIPS: He has a copy?

2 CHAIRPERSON MILLER: He has a
3 copy?

4 MS. CARCAMO: Yes.

5 MS. PHILLIPS: Yes, he does.

6 CHAIRPERSON MILLER: Okay. I
7 don't have a copy in front of me. I want to
8 make sure that he understands this proceeding.

9 MS. PHILLIPS: I don't know if you
10 heard, Madam Chair. I had Fernando Rivero
11 speak with Mr. Carcamo yesterday in Spanish so
12 he knows what the charges are and he knows
13 what the quarterly statement is about. Mr.
14 Fernando Rivero suggested that someone come
15 who could help Mr. Carcamo interpret what was
16 said today.

17 CHAIRPERSON MILLER: Right.

18 MS. PHILLIPS: But, Mr. Rivero h
19 ad a long conversation in Spanish and I sat
20 there and I know it was a long conversation in
21 which they had an exchange which I could
22 understand about this much of it.

1 CHAIRPERSON MILLER: Let me ask
2 you. Is there anything that we're going to do
3 here today other than set the case for a
4 hearing?

5 MS. PHILLIPS: The only thing
6 we're going to do and which is why I was
7 outside of the hearing room trying to find the
8 support staff person was that he has handed me
9 a copy of the quarterly statement which has
10 been prepared for the notice in question and
11 I was trying to get it date stamped and copied
12 so that I could have a copy and Mr. Carcamo
13 could have a copy and we would then discuss
14 whatever we need to discuss at a later date
15 because we hadn't been able to come to a
16 conclusion because this had not bene turned
17 in, this quarterly statement.

18 CHAIRPERSON MILLER: Okay. So,
19 what you have is a quarterly statement, the
20 one that is at issue in this case.

21 MS. PHILLIPS: In the notice.

22 CHAIRPERSON MILLER: Okay. In the

1 notice and it's going to be turned in today as
2 far as you know? Is that right?

3 MS. PHILLIPS: I have the only
4 copy. I was trying to get it turned in
5 personally so I could get a date stamped copy
6 personally for my file.

7 CHAIRPERSON MILLER: Okay.

8 MS. PHILLIPS: But there wasn't
9 anybody in the hearing room except the Court
10 Reporter.

11 CHAIRPERSON MILLER: Okay. Well,
12 it seems to me that there's probably a need
13 for an interpreter here and we don't have one.

14 MS. PHILLIPS: Yes, Mr. Rivero
15 said to bring somebody or he could call the
16 office and get an interpreter. He did not
17 call to request an interpreter but he brought
18 his daughter. So, if we go to hearing, Show
19 Cause Hearing, and don't resolve this matter,
20 we will need an interpreter and I'll request
21 it now. But for this hearing now I think she
22 seems to be able to communicate some of the

1 information.

2 CHAIRPERSON MILLER: Is your name
3 Elsa Carcamo?

4 MS. CARCAMO: Elsie.

5 CHAIRPERSON MILLER: Elsie. Are
6 you understanding everything that's being said
7 or no?

8 MS. CARCAMO: I understand but not
9 everything.

10 CHAIRPERSON MILLER: Okay. So,
11 we're going to need an interpreter in this
12 case. So, I think at this point I'm just going
13 to set this for hearing unless you continue on
14 whatever outside of the hearing room, any
15 other discussions you might have.

16 So, this case is set for a hearing
17 on July 18, 2012, at 11:00 a.m.

18 Do you have any questions? Okay.

19 MS. PHILLIPS: And I also can
20 state for the record that the Certificate of
21 Service indicates that a Spanish-speaking
22 investigator hand delivered the notice so

1 she's supposed to explain it to them.

2 CHAIRPERSON MILLER: Okay.

3 MS. PHILLIPS: So, just to let the
4 record be perfectly clear about ABRA's attempt
5 to communicate in Spanish with regard to this
6 notice.

7 CHAIRPERSON MILLER: Thank you.

8 Okay.

9 MS. PHILLIPS: Who do I need to
10 give this to because I don't want it in my
11 hands much longer? It's the only copy.

12 CHAIRPERSON MILLER: Someone will
13 come and take that from you. So, I think that
14 concludes this case -- Status Hearing. It's
15 set for a hearing and in the meantime if you
16 talk with the Government that's fine, but all
17 we're doing today is setting a hearing.

18 Thank you.

19 MS. CARCAMO: Thank you.

20 MS. PHILLIPS: Do they need to
21 waive reading?

22 CHAIRPERSON MILLER: Waive reading

1 of the notice? Okay. I ask if you got the
2 notice and totally understand it. The other
3 question is, do you waive our reading of the
4 notice into the record? And all that is is
5 you got a written notice about this charge and
6 you waive it. I don't have to read it right
7 now into the record. Is that all right with
8 you?

9 MS. PHILLIPS: Is that okay?

10 MS. CARCAMO: Yes.

11 CHAIRPERSON MILLER: Okay. All
12 right.

13 MS. PHILLIPS: Thank you, Madam
14 Chair.

15 CHAIRPERSON MILLER: Okay. Thank
16 you.

17 (Whereupon, the above matter was
18 concluded at 9:40 a.m.)

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