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

(10:17 a.m.)

CHAIRPERSON MILLER: The next case on our calendar is Case No. 12-AUD-00008, Cafe Green at 1513 17th Street, NW, License No. 81752 in ANC-2B.

MR. STERN: Good morning, Chairperson. Michael Stern representing the District of Columbia.

MR. KIM: Good morning, Board Members. Daniel Kim representing -- partner of Java Green Coffee & Tea.

CHAIRPERSON MILLER: I'm sorry, what's your name, sir?

MR. KIM: Daniel Kim.

CHAIRPERSON MILLER: Okay. Mr. Kim, okay. This is a Show Cause (Status) Hearing. Did you receive notice?

MR. KIM: Yes, ma'am.

CHAIRPERSON MILLER: And did you read it?

MR. KIM: Yes.

1 CHAIRPERSON MILLER: Did you
2 understand it?

3 MR. KIM: Yes, ma'am.

4 CHAIRPERSON MILLER: Okay. And do
5 you waive our reading of the notice into the
6 record? It's a formality where we would read
7 the notice that you were sent into the record.

8 MR. KIM: Okay. Yes.

9 CHAIRPERSON MILLER: So what I'm
10 asking you is if you say it's okay that we
11 don't have to read it into the record --

12 MR. KIM: Oh, no, you don't have
13 to.

14 CHAIRPERSON MILLER: Okay. Then
15 we can proceed. All right. Thank you.

16 Mr. Stern, are there any
17 preliminary matters in this case?

18 MR. STERN: Not at this time.

19 CHAIRPERSON MILLER: Okay.

20 MR. STERN: Actually, if the
21 Government could request that we pass this and
22 recall it in a few minutes --

1 CHAIRPERSON MILLER: Okay.

2 MR. STERN: -- quite frankly, I
3 misread what the offer was and that led to
4 non-communication with the other parties. So
5 if I could speak with them for a couple of
6 minutes, if potentially possible.

7 CHAIRPERSON MILLER: Okay. We
8 will pass and you can come back when you are
9 ready and we'll call you again.

10 MR. STERN: Thank you.

11 CHAIRPERSON MILLER: Okay.

12 (Whereupon, at 10:19 a.m. a recess
13 until 10:23 a.m.)

14 CHAIRPERSON MILLER: The next case
15 -- well, are you ready, Mr. Stern, on that
16 previous case? Okay. We will go back to Case
17 No. 12-AUD-00008, Cafe Green.

18 MR. KIM: Good morning.

19 CHAIRPERSON MILLER: Good morning
20 again.

21 MR. STERN: Yes, Michael Stern
22 again representing the District of Columbia.

1 The parties have discussed an
2 offer in compromise which we hope the Board
3 will accept. The respondent would pay a fine
4 of \$750 within 30 days to resolve this matter.

5 CHAIRPERSON MILLER: Mr. Stern,
6 have the quarterly statements been filed or
7 Mr. Kim?

8 MR. KIM: Yes, ma'am.

9 CHAIRPERSON MILLER: Mr. --

10 MR. STERN: I don't have that
11 information.

12 CHAIRPERSON MILLER: Mr. Kim?

13 MR. KIM: We -- actually, we were
14 -- as owner of the company, now, that our
15 previous managers have left, we are collecting
16 all these -- especially all the -- our food
17 sales we got the report from the -- we asked
18 of vendors provide all the receipts, so we got
19 all the data. But we are trying to put most
20 sales on food a lot, so we are getting a lot
21 of small invoices for the food, which I have
22 a question for the -- what category the number

1 is.

2 We have most of the numbers ready
3 for all of them, so we are trying to go back
4 in data for two years, so it's probably going
5 to take another week to finish all of that.
6 But the food expenses we have. Also, there is
7 a category for the miscellaneous expenses. We
8 are not quite sure what our -- what should go
9 to that category, whether they go to food.
10 I'm going to go ask question later after the
11 hearing, so we can fill out the papers in a
12 week.

13 CHAIRPERSON MILLER: Okay. The
14 Board's policy is, basically, to accept the
15 fine with the statements filed. If we accept
16 the offer in compromise, you also have to file
17 reports by then.

18 MR. KIM: Yes.

19 CHAIRPERSON MILLER: Okay. So
20 there has been an offer in compromise of \$750
21 to be paid within 30 days and it's expected
22 that you would also file your quarterly

1 statements within that time as well?

2 MR. KIM: Yes, ma'am.

3 CHAIRPERSON MILLER: Okay. Mr.
4 Jones?

5 MEMBER JONES: I just wanted to
6 make sure I'm clear. So you are stating here
7 today on the record that you will have those
8 quarterly statements filed with ABRA within 30
9 days of today's date?

10 MR. KIM: 30 days, sir.

11 MEMBER JONES: Of today's date?

12 MR. KIM: Yes.

13 MEMBER JONES: Okay. Thank you.

14 CHAIRPERSON MILLER: Okay. Any
15 other questions? All right. Then we have an
16 offer in compromise of \$750 to be paid within
17 30 days and the licensee has agreed to also
18 file the quarterly statements by then, at the
19 same time.

20 So I would move that we accept
21 this offer in compromise. Do I have a second?

22 MEMBER NOPHLIN: Second.

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CHAIRPERSON MILLER: Comments?

All those in favor say aye.

FIVE MEMBERS: Aye.

CHAIRPERSON MILLER: All those
opposed?

MEMBER JONES: Opposed.

CHAIRPERSON MILLER: All those
abstaining? Then the vote is 5-1-0 to accept
the offer in compromise.

Thank you very much.

MR. KIM: Thank you.

(Whereupon, the Show Cause
(Status) Hearing in the above-entitled matter
was concluded at 10:26 a.m.)

<p>A</p> <p>above-entitled 8:13 ABRA 7:8 abstaining 8:8 accept 5:3 6:14,15 7:20 8:8 agreed 7:17 ALBERTI 1:18 Alcoholic 1:2,13,14 ANC-2B 1:8 2:6 asked 5:17 asking 3:10 aye 8:2,3 a.m 2:2 4:12,13 8:14</p>	<p>Comments 8:1 company 5:14 compromise 5:2 6:16,20 7:16,21 8:9 concluded 8:14 Control 1:2,13,14 couple 4:5 CR 1:8</p>	<p>Government 3:21 Green 1:6,6 2:5,12 4:17</p>	<p>MIKE 1:20 Miller 1:15,17 2:3 2:13,16,20 3:1,4,9 3:14,19 4:1,7,11 4:14,19 5:5,9,12 6:13,19 7:3,14 8:1 8:4,7 minutes 3:22 4:6 miscellaneous 6:7 misread 4:3 morning 2:7,10 4:18,19 move 7:20</p>	<p>potentially 4:6 preliminary 3:17 PRESENT 1:17,21 presiding 1:15 previous 4:16 5:15 probably 6:4 proceed 3:15 provide 5:18 put 5:19 P-R-O-C-E-E-D-... 2:1</p>
<p>B</p> <p>back 4:8,16 6:3 basically 6:14 Beverage 1:2,13,14 Board 1:2,14 2:10 5:2 Board's 6:14 BROOKS 1:18</p>	<p>D</p> <p>Daniel 2:11,15 data 5:19 6:4 date 7:9,11 days 5:4 6:21 7:9 7:10,17 discussed 5:1 District 1:1 2:9 4:22 DONALD 1:18 D.C 1:15</p>	<p>I</p> <p>information 5:11 invoices 5:21</p> <p>J</p> <p>Java 1:6 2:12 Jones 1:19 7:4,5,11 7:13 8:6 June 1:12</p>	<p>N</p> <p>name 2:14 NICK 1:18 non-communicat... 4:4 NOPHLIN 1:19 7:22 notice 2:18 3:5,7 number 5:22 numbers 6:2 NW 1:7 2:5 N.W 1:14</p>	<p>Q</p> <p>quarterly 1:10 5:6 6:22 7:8,18 question 5:22 6:10 questions 7:15 quite 4:2 6:8</p>
<p>C</p> <p>Cafe 1:6 2:4 4:17 calendar 2:4 call 4:9 CALVIN 1:19 case 1:9 2:3,4 3:17 4:14,16,16 category 5:22 6:7,9 Cause 1:6 2:17 8:12 Chairperson 1:15 1:17 2:3,8,13,16 2:20 3:1,4,9,14,19 4:1,7,11,14,19 5:5 5:9,12 6:13,19 7:3 7:14 8:1,4,7 clear 7:6 Coffee 1:6 2:12 collecting 5:15 Columbia 1:1 2:9 4:22 come 4:8</p>	<p>E</p> <p>especially 5:16 expected 6:21 expenses 6:6,7</p>	<p>K</p> <p>Kim 2:10,11,15,15 2:17,19,22 3:3,8 3:12 4:18 5:7,8,12 5:13 6:18 7:2,10 7:12 8:11</p>	<p>O</p> <p>OAG 1:22 offer 4:3 5:2 6:16 6:20 7:16,21 8:9 Oh 3:12 okay 2:16,17 3:4,8 3:10,14,19 4:1,7 4:11,16 6:13,19 7:3,13,14 opposed 8:5,6 owner 5:14</p>	<p>R</p> <p>read 2:21 3:6,11 reading 3:5 ready 4:9,15 6:2 recall 3:22 receipts 5:18 receive 2:18 recess 4:12 record 3:6,7,11 7:7 report 5:17 reports 6:17 representing 2:8 2:11 4:22 request 3:21 resolve 5:4 respondent 5:3 Retailer 1:8 right 3:15 7:15 Room 1:14 Ruthanne 1:15,17</p>
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