

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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Top Chef, Inc. :
t/a Wok and Roll :
604 H Street, NW : Show Cause
Retailer CR : Hearing
License No. 60447 : (Status)
Case No. 13-AUD-00020 :
ANC 2C :
Failed to File Quarterly :
Statements (3rd Quarter 2012):
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JUNE 26, 2013

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Washington, D.C., Nick Alberti, Acting Chairman, presiding.

PRESENT
NICK ALBERTI, Acting Chairman
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member

ALSO PRESENT
MICHAEL STERN, OAG

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

9:40 a.m.

ACTING CHAIRMAN ALBERTI: Good morning, everyone. I'd like to welcome you to the regularly scheduled meeting of the Alcoholic Beverage Control Board. Today is June 26th, 2013 and the time is approximately 9:40.

I'd like to first introduce you to the members of the Board with us today. To my far right is Board Member Donald Brooks. To my left is Board Member Mike Silverstein. And I am Nick Alberti and I will be chairing today's hearings.

Just like to mention before we start that I'd like everyone to turn off all your electronic devices so we don't have any interruptions. And when you come forward to the table there is a piece of paper for you to sign your name so that we have the correct spelling of your name.

The first case I'm going to call

1 today is Case No. 13-AUD-00020, Top Chef,
2 Incorporated, trading as Wok and Roll, License
3 No. 60447.

4 Parties forward and introductions,
5 please? This is a show cause status hearing.

6 MR. STERN: Michael Stern
7 representing the District of Columbia.

8 ACTING CHAIRMAN ALBERTI: If you
9 would turn on your microphone, Mr. Stern.

10 Is yours on, sir? Is the light
11 on? There you go. Great. Thank you very
12 much. Please introduce yourself.

13 MR. QUINTO: Hi, name is Victor
14 Quinto on behalf of Top Chef, Incorporated,
15 Wok and Roll Restaurant.

16 ACTING CHAIRMAN ALBERTI: Thank
17 you. Good morning, Mr. Quinto.

18 This is a show cause status
19 hearing. Mr. Quinto, did you receive notice
20 of show cause?

21 MR. QUINTO: Yes.

22 ACTING CHAIRMAN ALBERTI: Did you

1 read it and do you understand it?

2 MR. QUINTO: Yes.

3 ACTING CHAIRMAN ALBERTI: Okay.

4 Then without any objection, I will enter that
5 into the record.

6 Okay. Are there any preliminary
7 matters in this case, Mr. Stern?

8 MR. STERN: There are none at this
9 time.

10 ACTING CHAIRMAN ALBERTI: Okay.

11 Since there are no preliminary matters, we'll
12 set this matter over for a show cause hearing
13 on July 31st, 2013 at 11:00 a.m.

14 Is that time agreeable to both
15 parties? July --

16 MR. STERN: It is fine for the
17 Government.

18 ACTING CHAIRMAN ALBERTI: July
19 31st. I'm sorry? July 31st at 11:00 a.m.?

20 MR. QUINTO: Yes.

21 ACTING CHAIRMAN ALBERTI: Okay.

22 Thank you. That concludes this matter. Thank

1 you for coming.

2 (Whereupon, at 9:42 a.m. off the
3 record until 10:24 a.m.)

4 ACTING CHAIRMAN ALBERTI: Okay.
5 We're back on the record. I'm going to recall
6 Case No. 13-AUD-00020, License No. 60447.

7 Would the parties come forward,
8 please?

9 Okay. I'll have everyone
10 introduce themselves again.

11 MR. STERN: Yes, Michael Stern
12 representing the District of Columbia.

13 MR. QUINTO: Victor Quinto from
14 Top Chef, Incorporated, Wok and Roll
15 Restaurant.

16 ACTING CHAIRMAN ALBERTI: Okay.
17 Thank you, gentlemen, for letting us know that
18 you wanted to recall this case. This is a
19 show cause status hearing. We recognize that
20 the owner has received a notice of show cause.

21 Mr. Stern, are there any
22 preliminary matters?

1 MR. STERN: Yes, the parties have
2 now entered into an agreement which we hope
3 the Board will accept as an Offer in
4 Compromise. The Respondent will pay a fine of
5 \$2,000 within 30 days to resolve the charge
6 against him.

7 ACTING CHAIRMAN ALBERTI: Okay.
8 Your Offer in Compromise, as I hear it, is a
9 fine of \$2,000 to be paid in 30 days.

10 Mr. Quinto, you've heard the Offer
11 in Compromise. Do you understand it and do
12 you accept it?

13 MR. QUINTO: Yes.

14 ACTING CHAIRMAN ALBERTI: Okay.
15 And will you waive your right to a hearing
16 based on that Offer in Compromise?

17 MR. QUINTO: (No audible
18 response.)

19 ACTING CHAIRMAN ALBERTI: Thank
20 you. My recommendation to the Board is that
21 we accept the Offer in Compromise for a fine
22 of \$2,000 to be paid in 30 days.

1 MEMBER BROOKS: I second.

2 ACTING CHAIRMAN ALBERTI: Thank
3 you, Mr. Brooks. All those on favor, say aye?

4 (Chorus of ayes.)

5 ACTING CHAIRMAN ALBERTI: All
6 those opposed?

7 (No audible response.)

8 ACTING CHAIRMAN ALBERTI: The
9 motion carries 3-0.

10 That concludes this matter. Thank
11 you, Mr. Quinto.

12 MEMBER SILVERSTEIN: Mr. Chairman?

13 ACTING CHAIRMAN ALBERTI: Just a
14 moment. Okay. Mr. Silverstein?

15 MEMBER SILVERSTEIN: I'd like to
16 thank both parties in this case for being here
17 early and being able to move this out of the
18 way so that we can get to the rest of our
19 schedule. I thank you very much for your
20 cooperation, wish you good luck and stay cool.

21 ACTING CHAIRMAN ALBERTI: Yes,
22 thank you. And, Mr. Quinto, if you'd just

1 pause for a moment and have a seat, we'll have
2 a form for you to sign. Thank you.

3 (Whereupon, the hearing was
4 concluded at 10:25 a.m.)

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<p style="text-align: center;">B</p> <p>back 5:5 based 6:16 behalf 3:14 Beverage 1:2,14,14 2:6 Board 1:2,14 2:6 2:10,11,12 6:3,20 Brooks 1:18 2:11 7:1,3 Building 1:15</p>	<p style="text-align: center;">D</p> <p>days 6:5,9,22 devices 2:17 District 1:1 3:7 5:12 Donald 1:18 2:11 D.C 1:15</p>	<p style="text-align: center;">I</p> <p>Incorporated 3:2 3:14 5:14 interruptions 2:18 introduce 2:9 3:12 5:10 introductions 3:4</p> <p style="text-align: center;">J</p> <p>July 4:13,15,18,19 June 1:13 2:7</p>	<p style="text-align: center;">O</p> <p>OAG 1:22 objection 4:4 Offer 6:3,8,10,16 6:21 Okay 4:3,6,10,21 5:4,9,16 6:7,14 7:14 opposed 7:6 owner 5:20</p>	<p style="text-align: center;">S</p> <p>schedule 7:19 scheduled 2:5 seat 8:1 second 7:1 set 4:12 show 1:8 3:5,18,20 4:12 5:19,20 sign 2:20 8:2 Silverstein 1:19 2:12 7:12,14,15 sir 3:10 sorry 4:19 spelling 2:21 start 2:16 Statements 1:11 status 1:9 3:5,18 5:19</p>
<p style="text-align: center;">C</p> <p>call 2:22 carries 7:9 case 1:9 2:22 3:1 4:7 5:6,18 7:16 cause 1:8 3:5,18,20 4:12 5:19,20 chairing 2:13 Chairman 1:16,18 2:3 3:8,16,22 4:3</p>	<p style="text-align: center;">E</p> <p>early 7:17 electronic 2:17 enter 4:4 entered 6:2</p> <p style="text-align: center;">F</p> <p>Failed 1:10 far 2:11 favor 7:3 File 1:10 fine 4:16 6:4,9,21 first 2:9,22 form 8:2 forward 2:18 3:4 5:7</p>	<p style="text-align: center;">K</p> <p>know 5:17</p> <p style="text-align: center;">L</p> <p>left 2:12 letting 5:17 License 1:9 3:2 5:6 light 3:10 luck 7:20</p> <p style="text-align: center;">M</p> <p>matter 1:5 4:12,22 7:10 matters 4:7,11 5:22 meeting 1:3 2:5 Member 1:18,19 2:11,12 7:1,12,15</p>	<p>paid 6:9,22 paper 2:19 parties 3:4 4:15 5:7 6:1 7:16 pause 8:1 pay 6:4 piece 2:19 please 3:5,12 5:8 preliminary 4:6,11 5:22 PRESENT 1:17,21 presiding 1:16 P-R-O-C-E-E-D-... 2:1</p> <p style="text-align: center;">Q</p> <p>Quarter 1:11</p>	<p style="text-align: center;">S</p> <p>schedule 7:19 scheduled 2:5 seat 8:1 second 7:1 set 4:12 show 1:8 3:5,18,20 4:12 5:19,20 sign 2:20 8:2 Silverstein 1:19 2:12 7:12,14,15 sir 3:10 sorry 4:19 spelling 2:21 start 2:16 Statements 1:11 status 1:9 3:5,18 5:19</p>

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