

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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DJ Zion, LLC, :
t/a Secret Restaurant & Lounge: :
1414 9th Street, NW :
Retailer CT :
License No. 90210 : Show Cause
Case No. 12-CMP-00643 : Hearing
Case No. 13-CMP-00013 : (Status)
ANC 2F :
Operating After Hours; Failed :
to Obtain Cover Charge :
Endorsement; Failed to Obtain :
a Dancing Endorsement :
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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

9:43 a.m.

ACTING CHAIRMAN ALBERTI: The next case I'm going to call is Case No. 12-CMP-00643, DJ Zion, LLC, trading as Secret Restaurant & Lounge, License No. 90210.

Parties have come forward, so introductions, please?

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

MR. MPRAS: Emanuel Mpras, DJ Zion, LLC.

MR. KLINE: Good morning, Mr. Alberti and Members of the Board. Andrew Kline on behalf of DJ Zion, LLC. And there is a --

MR. MPRAS: Mr. Alberti, we're two individuals. We're each representing one of the individuals.

MR. KLINE: That is not correct. We are here representing the organization as the other individual has purported to dissolve

1 the LLC. So we do not see how Mr. Mpras who's
2 acting on behalf of that individual could
3 possibly represent the entity. And my
4 client --

5 MR. MPRAS: We do not agree with
6 that, Mr. Alberti, but we're here for a status
7 on these two cases and we're ready to deal
8 with that and nothing else at this time.

9 ACTING CHAIRMAN ALBERTI: Okay.
10 So I understand the conflict. Do we have one
11 of the owners -- one of the -- I understand
12 there are two -- at one time I know the
13 original license status was that we had two
14 owners.

15 MR. KLINE: Correct, and we do
16 have --

17 ACTING CHAIRMAN ALBERTI: We have
18 one of them here?

19 MR. KLINE: Yes.

20 ACTING CHAIRMAN ALBERTI: Okay.

21 MR. KLINE: May we introduce them
22 so we have them on the record?

1 ACTING CHAIRMAN ALBERTI: Yes,
2 please.

3 MR. KLINE: Would you state your
4 name for the record, please?

5 MR. DANEALE: My name is Derege
6 Daneale. I live in 1214 Madison Street, N.W.,
7 Washington, D.C.

8 ACTING CHAIRMAN ALBERTI: Morning.

9 MR. DANEALE: Morning.

10 ACTING CHAIRMAN ALBERTI: Mr.
11 Daneale?

12 MR. DANEALE: Yes, sir.

13 ACTING CHAIRMAN ALBERTI: Good
14 morning. Okay. So, Mr. Stern?

15 MR. STERN: Yes?

16 ACTING CHAIRMAN ALBERTI: Do you
17 have any preliminary -- wait, wait, wait,
18 wait. But before he goes to that, this is a
19 show cause status hearing. All right?

20 Mr. Daneale, did you receive --
21 or, Mr. Kline, you represent Mr. Daneale?

22 MR. KLINE: Correct.

1 ACTING CHAIRMAN ALBERTI: Mr.
2 Daneale, did you receive notice of show cause?

3 MR. KLINE: Yes, it was received,
4 it was read, it was understood and we're going
5 to waive any required formal reading.

6 ACTING CHAIRMAN ALBERTI: Great.
7 Thank you very much.

8 MR. MPRAS: Mr. Alberti, this is
9 Mr. Girmay.

10 ACTING CHAIRMAN ALBERTI: This is
11 the other owner?

12 MR. GIRMAY: Yes, Mr. Girmay,
13 Ephrem Girmay.

14 ACTING CHAIRMAN ALBERTI: Girmay?

15 MR. GIRMAY: Yes, sir.

16 ACTING CHAIRMAN ALBERTI: Okay.

17 So --

18 MR. MPRAS: And we also make the
19 same stipulations. Received, read, understood
20 and waived.

21 ACTING CHAIRMAN ALBERTI: Oh, I
22 appreciate that. Thank you, Mr. Mpras. That

1 actually helps.

2 So, Mr. Kline, do you have any
3 comments to offer us at this time?

4 MR. STERN: Yes, actually --

5 ACTING CHAIRMAN ALBERTI: Not, Mr.
6 Kline. I'm sorry. Mr. Stern.

7 MR. KLINE: Okay.

8 ACTING CHAIRMAN ALBERTI: Excuse
9 me. I'm sorry.

10 MR. KLINE: No problem.

11 MR. STERN: The parties have
12 reached an agreement which we hope the Board
13 will accept as an Offer in Compromise. For
14 this case, which is 13-CMP-00013, the
15 establishment would pay a fine of \$1,250 to
16 resolve the cases within 30 days. My
17 understanding is there is another case, which
18 I think was on the calendar --

19 ACTING CHAIRMAN ALBERTI: Well,
20 let's --

21 MR. STERN: of 12-CMP --

22 ACTING CHAIRMAN ALBERTI: Okay.

1 Go ahead.

2 MR. STERN: -- 643, which the
3 Government is willing to dismiss.

4 ACTING CHAIRMAN ALBERTI: Okay.
5 So let's deal with the -- let's pause on CMP-
6 00013 and just move briefly to case No. 12-
7 CMP-00643. All right? So that's the case
8 before us now. Okay?

9 MR. STERN: We're moving to
10 dismiss that case.

11 ACTING CHAIRMAN ALBERTI: Right.
12 So, all right. So the Government is moving to
13 dismiss this case which is for the same
14 license number, 90210.

15 All right. Board Members I move
16 that we accept the motion -- approve the
17 motion to dismiss that case.

18 MEMBER BROOKS: Second.

19 ACTING CHAIRMAN ALBERTI: Okay.
20 All in favor, say aye?

21 (Chorus of ayes.)

22 ACTING CHAIRMAN ALBERTI: All

1 opposed?

2 (No audible response.)

3 ACTING CHAIRMAN ALBERTI: The
4 motion carries 3-0.

5 Okay. So Case No. 12-CMP-00643
6 has been dismissed.

7 All right. Let's now come back to
8 Case No. 13-CMP-00013. The Offer in
9 Compromise that has been presented to us is
10 \$1,250 to be paid in 30 days.

11 Now I'm going to allow both
12 attorneys to speak on that before go any
13 farther.

14 MR. MPRAS: We agree with that.

15 Okay. So, Mr. Mpras, your client
16 agrees with that.

17 Mr. Kline?

18 MR. KLINE: WE agree with that
19 also.

20 ACTING CHAIRMAN ALBERTI: Okay.
21 Great. I didn't ask if you --

22 MR. KLINE: We understand --

1 ACTING CHAIRMAN ALBERTI: You
2 understand you -- good. Okay. So let's --

3 MR. KLINE: -- waive hearing if
4 it's accepted and waive right to appeal.

5 ACTING CHAIRMAN ALBERTI: Great.
6 Thank you very much for that.

7 So, Board Members, I move that we
8 accept the Offer in Compromise of a fine of
9 \$1,250 to be paid in 30 days.

10 MEMBER BROOKS: Second.

11 ACTING CHAIRMAN ALBERTI: All
12 those in favor, say aye?

13 (Chorus of ayes.)

14 ACTING CHAIRMAN ALBERTI: All
15 those opposed?

16 (No audible response.)

17 ACTING CHAIRMAN ALBERTI: The
18 motion carries 3-0. And that concludes this
19 case. Thank you for coming.

20 MR. KLINE: Okay. Thank you.

21 ACTING CHAIRMAN ALBERTI: And,
22 gentlemen, I thought we were going to have a

1 conflict on that, so that's why I --

2 MR. KLINE: No, that's fine.

3 ACTING CHAIRMAN ALBERTI: -- moved
4 the way I did.

5 MR. KLINE: Understood.

6 ACTING CHAIRMAN ALBERTI: But I
7 appreciate your cooperation.

8 MR. KLINE: Thank you.

9 ACTING CHAIRMAN ALBERTI: Thank
10 you.

11 (Whereupon, the hearing was
12 concluded at 9:49 a.m.)

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<p style="text-align: center;">A</p> <p>accept 6:13 7:16 9:8</p> <p>accepted 9:4</p> <p>acting 1:18,19 2:3 3:2,9,17,20 4:1,8 4:10,13,16 5:1,6 5:10,14,16,21 6:5 6:8,19,22 7:4,11 7:19,22 8:3,20 9:1 9:5,11,14,17,21 10:3,6,9</p> <p>agree 3:5 8:14,18</p> <p>agreement 6:12</p> <p>agrees 8:16</p> <p>ahead 7:1</p> <p>Alberti 1:18,19 2:3 2:14,17 3:6,9,17 3:20 4:1,8,10,13 4:16 5:1,6,8,10,14 5:16,21 6:5,8,19 6:22 7:4,11,19,22 8:3,20 9:1,5,11,14 9:17,21 10:3,6,9</p> <p>Alcoholic 1:2,15,16</p> <p>allow 8:11</p> <p>ANC 1:10</p> <p>Andrew 2:14</p> <p>appeal 9:4</p> <p>appreciate 5:22 10:7</p> <p>approve 7:16</p> <p>attorneys 8:12</p> <p>audible 8:2 9:16</p> <p>aye 7:20 9:12</p> <p>eyes 7:21 9:13</p> <p>a.m 2:2 10:12</p> <hr/> <p style="text-align: center;">B</p> <p>back 8:7</p> <p>behalf 2:15 3:2</p> <p>Beverage 1:2,15,16</p> <p>Board 1:2,16 2:14 6:12 7:15 9:7</p> <p>briefly 7:6</p> <p>BROOKS 1:20 7:18 9:10</p>	<p>Building 1:17</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 6:18</p> <p>call 2:4</p> <p>carries 8:4 9:18</p> <p>case 1:9,10 2:4,4 6:14,17 7:6,7,10 7:13,17 8:5,8 9:19</p> <p>cases 3:7 6:16</p> <p>cause 1:9 4:19 5:2</p> <p>Chairman 1:18,19 2:3 3:9,17,20 4:1 4:8,10,13,16 5:1,6 5:10,14,16,21 6:5 6:8,19,22 7:4,11 7:19,22 8:3,20 9:1 9:5,11,14,17,21 10:3,6,9</p> <p>Charge 1:12</p> <p>Chorus 7:21 9:13</p> <p>client 3:4 8:15</p> <p>CMP 7:5</p> <p>CMP-00643 7:7</p> <p>Columbia 1:1 2:10</p> <p>come 2:7 8:7</p> <p>coming 9:19</p> <p>comments 6:3</p> <p>Compromise 6:13 8:9 9:8</p> <p>concluded 10:12</p> <p>concludes 9:18</p> <p>conflict 3:10 10:1</p> <p>Control 1:2,15,16</p> <p>cooperation 10:7</p> <p>correct 2:20 3:15 4:22</p> <p>Cover 1:12</p> <p>CT 1:8</p> <hr/> <p style="text-align: center;">D</p> <p>Dancing 1:13</p> <p>Daneale 4:5,6,9,11 4:12,20,21 5:2</p> <p>days 6:16 8:10 9:9</p> <p>deal 3:7 7:5</p> <p>Derege 4:5</p> <p>dismiss 7:3,10,13</p>	<p>7:17</p> <p>dismissed 8:6</p> <p>dissolve 2:22</p> <p>District 1:1 2:10</p> <p>DJ 1:6 2:5,11,15</p> <p>DONALD 1:20</p> <p>D.C 1:17 4:7</p> <hr/> <p style="text-align: center;">E</p> <p>Emanuel 2:11</p> <p>Endorsement 1:12 1:13</p> <p>entity 3:3</p> <p>Ephrem 5:13</p> <p>establishment 6:15</p> <p>Excuse 6:8</p> <hr/> <p style="text-align: center;">F</p> <p>Failed 1:11,12</p> <p>farther 8:13</p> <p>favor 7:20 9:12</p> <p>fine 6:15 9:8 10:2</p> <p>formal 5:5</p> <p>forward 2:7</p> <hr/> <p style="text-align: center;">G</p> <p>gentlemen 9:22</p> <p>Girmay 5:9,12,12 5:13,14,15</p> <p>go 7:1 8:12</p> <p>goes 4:18</p> <p>going 2:4 5:4 8:11 9:22</p> <p>good 2:13 4:13 9:2</p> <p>Government 7:3 7:12</p> <p>Great 5:6 8:21 9:5</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:9,17 4:19 9:3 10:11</p> <p>helps 6:1</p> <p>hope 6:12</p> <p>Hours 1:11</p> <hr/> <p style="text-align: center;">I</p> <p>individual 2:22 3:2</p> <p>individuals 2:18,19</p>	<p>introduce 3:21</p> <p>introductions 2:8</p> <hr/> <p style="text-align: center;">J</p> <p>JUNE 1:14</p> <hr/> <p style="text-align: center;">K</p> <p>Kline 2:13,15,20 3:15,19,21 4:3,21 4:22 5:3 6:2,6,7 6:10 8:17,18,22 9:3,20 10:2,5,8</p> <p>know 3:12</p> <hr/> <p style="text-align: center;">L</p> <p>let's 6:20 7:5,5 8:7 9:2</p> <p>license 1:9 2:6 3:13 7:14</p> <p>live 4:6</p> <p>LLC 1:6 2:5,12,15 3:1</p> <p>Lounge 1:7 2:6</p> <hr/> <p style="text-align: center;">M</p> <p>Madison 4:6</p> <p>MATTER 1:5</p> <p>MEETING 1:3</p> <p>Member 1:20,21 7:18 9:10</p> <p>Members 2:14 7:15 9:7</p> <p>met 1:16</p> <p>Michael 1:22 2:9</p> <p>MIKE 1:21</p> <p>morning 2:13 4:8,9 4:14</p> <p>motion 7:16,17 8:4 9:18</p> <p>move 7:6,15 9:7</p> <p>moved 10:3</p> <p>moving 7:9,12</p> <p>Mpras 2:11,11,17 3:1,5 5:8,18,22 8:14,15</p> <hr/> <p style="text-align: center;">N</p> <p>name 4:4,5</p>	<p>Nick 1:17,19</p> <p>notice 5:2</p> <p>number 7:14</p> <p>NW 1:8</p> <p>N.W 1:17 4:6</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:22</p> <p>Obtain 1:12,12</p> <p>offer 6:3,13 8:8 9:8</p> <p>Oh 5:21</p> <p>Okay 3:9,20 4:14 5:16 6:7,22 7:4,8 7:19 8:5,15,20 9:2 9:20</p> <p>Operating 1:11</p> <p>opposed 8:1 9:15</p> <p>organization 2:21</p> <p>original 3:13</p> <p>owner 5:11</p> <p>owners 3:11,14</p> <hr/> <p style="text-align: center;">P</p> <p>paid 8:10 9:9</p> <p>parties 2:7 6:11</p> <p>pause 7:5</p> <p>pay 6:15</p> <p>please 2:8 4:2,4</p> <p>possibly 3:3</p> <p>preliminary 4:17</p> <p>PRESENT 1:19,22</p> <p>presented 8:9</p> <p>presiding 1:18</p> <p>problem 6:10</p> <p>purported 2:22</p> <p>P-R-O-C-E-E-D-... 2:1</p> <hr/> <p style="text-align: center;">R</p> <p>reached 6:12</p> <p>read 5:4,19</p> <p>reading 5:5</p> <p>ready 3:7</p> <p>receive 4:20 5:2</p> <p>received 5:3,19</p> <p>record 3:22 4:4</p> <p>Reeves 1:17</p> <p>represent 3:3 4:21</p>
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representing 2:10 2:18,21 required 5:5 resolve 6:16 response 8:2 9:16 Restaurant 1:7 2:6 Retailer 1:8 right 4:19 7:7,11 7:12,15 8:7 9:4 Room 1:17	<hr/> W <hr/> wait 4:17,17,17,18 waive 5:5 9:3,4 waived 5:20 Washington 1:17 4:7 way 10:4 we're 2:17,18 3:6,7 5:4 7:9 willing 7:3	<hr/> 9 <hr/> 9th 1:8 9:43 2:2 9:49 10:12 90210 1:9 2:6 7:14		
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