

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
: :
Narveer, Inc. :
t/a Caf, of India :
4909 Wisconsin Avenue, NW : Show Cause
Retailer CR : Hearing
License No. 83570 :
Case No. 11-CMP-00525 :
ANC 3E :
Failed to File Quarterly :
Statements :
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JUNE 27, 2012

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

CALVIN NOPHLIN, Member
MIKE SILVERSTEIN, Member

ALSO PRESENT

FERNANDO RIVERA, OAG

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

9:44 a.m.

CHAIRPERSON MILLER: The next case is a show cause hearing, Case No. 11-CMP-00525, Caf, of India, 4909 Wisconsin Avenue, N.W., License No. 83570 in ANC 3E.

Good morning, sir.

MR. PRAMOD: Good morning. How are you?

CHAIRPERSON MILLER: Good, how are you?

MR. RIVERO: Fernando Rivero for the District of Columbia.

CHAIRPERSON MILLER: Okay. And have a seat. So you're here on the Caf, of India case?

MR. PRAMOD: Yes.

CHAIRPERSON MILLER: All right. Could you identify yourself for the record, please?

MR. PRAMOD: My name is Pramod Joseph. I am the general manager in Caf, of

1 India. I work for my brother.

2 CHAIRPERSON MILLER: You're
3 general manager?

4 MR. PRAMOD: Yes.

5 CHAIRPERSON MILLER: Do you have
6 some authorization? Oh, you do? Good. What
7 is that that you have?

8 MR. PRAMOD: I have a letter of
9 authorization written and given to me by the
10 owner.

11 CHAIRPERSON MILLER: Given to you
12 by the owner?

13 MR. PRAMOD: Yes.

14 CHAIRPERSON MILLER: To --

15 MR. PRAMOD: To represent they in
16 this case.

17 CHAIRPERSON MILLER: To represent
18 him in this case today?

19 MR. PRAMOD: Yes.

20 CHAIRPERSON MILLER: Okay. And to
21 be able to accept an Offer in Compromise or to
22 go forward --

1 MR. PRAMOD: Yes.

2 CHAIRPERSON MILLER: -- or --

3 MR. PRAMOD: Sure.

4 CHAIRPERSON MILLER: -- any of
5 those things?

6 MR. PRAMOD: Yes.

7 CHAIRPERSON MILLER: Okay. Why
8 don't you sign in also? There's a piece of
9 paper.

10 Okay. There is this: "To whom it
11 may concern, this is the authorization to act
12 as an agent to Pramod Joseph. Mr. Pramod is
13 general manager at our establishment and Mr.
14 Pramod will resolve the existing case with
15 ABRA on behalf of the license holder. Any
16 further questions, feel free to contact us."
17 Signed by the president.

18 Okay. Thank you. Okay. So this
19 is a show cause hearing. Are there any
20 preliminary matters?

21 MR. RIVERO: Yes, Board members,
22 the parties have an Offer in Compromise to

1 present to the Board at this time, and the
2 Offer in Compromise consists of a --
3 indulgence. The Offer in Compromise consists
4 of a fine of \$500 payable immediately and the
5 Government has taken into account in order to
6 design this Offer in Compromise that the
7 report in question was filed at a time --
8 online at a time where the Web site, the ABRA
9 Web site was having problems with the system.
10 There was a period of time during which that
11 was the case. And so we took that into
12 account in fashioning today's Offer in
13 Compromise. The facts of the case concern an
14 online filing.

15 CHAIRPERSON MILLER: Are you say
16 that it was actually timely filed?

17 MR. RIVERO: No, there is no
18 evidence that it was filed at all.

19 CHAIRPERSON MILLER: Okay.

20 MR. RIVERO: And there were -- it
21 was during a period of time though where the
22 system was experiencing some problems. So we

1 took that into account in terms of fashioning
2 the Offer in Compromise.

3 CHAIRPERSON MILLER: Okay.

4 MR. RIVERO: In terms of the fine
5 that is presented to the Board at this time.

6 CHAIRPERSON MILLER: Okay. I'm
7 not sure I pronounced your name right. How do
8 you pronounce your name?

9 MR. PRAMOD: Pramod.

10 CHAIRPERSON MILLER: Pramod?

11 MR. PRAMOD: Yes.

12 CHAIRPERSON MILLER: Okay. Do you
13 have any comments on -- well, first of all, do
14 you understand the Offer in Compromise to be
15 \$500 to be paid immediately --

16 MR. PRAMOD: Yes.

17 CHAIRPERSON MILLER: -- as a
18 result of a -- okay. And that's acceptable to
19 you?

20 MR. PRAMOD: Yes.

21 CHAIRPERSON MILLER: Okay.

22 MEMBER ALBERTI: May I ask a

1 question?

2 CHAIRPERSON MILLER: Yes.

3 MEMBER ALBERTI: Mr. Rivero, what
4 knowledge do you have -- I mean, where did you
5 derive your knowledge that ABRA has having
6 problems during this period?

7 MR. RIVERO: From my consultation
8 with the Agency.

9 MEMBER ALBERTI: Okay.

10 MR. RIVERO: In the process of
11 developing a case, I consult with the
12 appropriate staff at the Agency, whether it's
13 an investigator or some administrative --
14 someone in the administrative section.

15 MEMBER ALBERTI: Yes, that's
16 helpful. Thank you.

17 MR. RIVERO: Yes. And as the
18 Board knows, it is ultimately the
19 responsibility of a licensee to ensure that
20 something is filed. So that explains the
21 nature of the Offer in Compromise before the
22 Board today.

1 MEMBER ALBERTI: Okay. Thank you.
2 That's helpful.

3 CHAIRPERSON MILLER: Any other
4 comments?

5 (No audible response.)

6 CHAIRPERSON MILLER: Okay. Those
7 sound like special circumstances, so I would
8 move that we accept this Offer in Compromise
9 of \$500 to be paid immediately. Do I have a
10 second?

11 MEMBER NOPHLIN: Second.

12 CHAIRPERSON MILLER: Any comments?

13 (No audible response.)

14 CHAIRPERSON MILLER: Okay. All
15 those in favor of accepting the Offer in
16 Compromise, say aye?

17 (Chorus of ayes.)

18 CHAIRPERSON MILLER: All those
19 opposed?

20 (No audible response.)

21 CHAIRPERSON MILLER: All those
22 abstaining?

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(No audible response.)

CHAIRPERSON MILLER: The vote is
5-0-0 to accept the Offer in Compromise.

MR. RIVERO: Thank you.

CHAIRPERSON MILLER: Thank you
very much.

MR. PRAMOD: Thank you.

CHAIRPERSON MILLER: And I'd like
to welcome Mr. Jones.

MEMBER JONES: Thank you, Madam
Chair.

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

<p style="text-align: center;">A</p> <p>able 3:21 ABRA 4:15 5:8 7:5 abstaining 8:22 accept 3:21 8:8 9:3 acceptable 6:18 accepting 8:15 account 5:5,12 6:1 act 4:11 administrative 7:13,14 Agency 7:8,12 agent 4:12 ALBERTI 1:19 6:22 7:3,9,15 8:1 Alcoholic 1:2,14,15 ANC 1:10 2:6 appropriate 7:12 audible 8:5,13,20 9:1 authorization 3:6,9 4:11 Avenue 1:8 2:5 aye 8:16 eyes 8:17 a.m 2:2 9:13</p>	<p>4:2,4,7 5:15,19 6:3,6,10,12,17,21 7:2 8:3,6,12,14,18 8:21 9:2,5,8 Chorus 8:17 circumstances 8:7 Columbia 1:1 2:13 comments 6:13 8:4 8:12 Compromise 3:21 4:22 5:2,3,6,13 6:2,14 7:21 8:8,16 9:3 concern 4:11 5:13 concluded 9:13 consists 5:2,3 consult 7:11 consultation 7:7 contact 4:16 Control 1:2,14,15 CR 1:8</p>	<p>filing 5:14 fine 5:4 6:4 first 6:13 forward 3:22 free 4:16 further 4:16</p> <p style="text-align: center;">G</p> <p>general 2:22 3:3 4:13 given 3:9,11 go 3:22 Good 2:7,8,10 3:6 Government 5:5</p>	<p>matters 4:20 mean 7:4 MEETING 1:3 Member 1:19,19 1:20,21 6:22 7:3,9 7:15 8:1,11 9:10 members 4:21 met 1:15 MIKE 1:21 Miller 1:17,18 2:3 2:10,14,18 3:2,5 3:11,14,17,20 4:2 4:4,7 5:15,19 6:3 6:6,10,12,17,21 7:2 8:3,6,12,14,18 8:21 9:2,5,8 morning 2:7,8 move 8:8</p>	<p>payable 5:4 period 5:10,21 7:6 piece 4:8 please 2:20 Pramod 2:8,17,21 2:21 3:4,8,13,15 3:19 4:1,3,6,12,12 4:14 6:9,9,10,11 6:16,20 9:7 preliminary 4:20 present 1:18,22 5:1 presented 6:5 president 4:17 presiding 1:17 problems 5:9,22 7:6 process 7:10 pronounce 6:8 pronounced 6:7 P-R-O-C-E-E-D-... 2:1</p>
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