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

9:42 a.m.

CHAIRPERSON MILLER: Okay, good morning, everyone. Sorry we're starting just a little bit late.

I want to welcome you to the regular meeting of the District of Columbia's Alcoholic Beverage Control Board. Today is July 24th, 2013. My name is Ruthanne Miller. I'm the Chairperson.

Joining me today on my far right is Mr. Donald Brooks. To my immediate right is Mr. Nick Alberti. To my immediate left is Mr. Mike Silverstein.

There are four of us in attendance today for the conduct of business 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

1 reporter. Accordingly, we must ask you to  
2 refrain from any disruptive noises or actions  
3 in the hearing room.

4 If you have any electronic devices  
5 such as cell phones or pagers, please make  
6 sure they're turned off to avoid any  
7 interruption of our proceedings.

8 When we call your case, please  
9 come forward. Take a seat at the table.  
10 You'll see a piece of paper there. That's for  
11 you to sign in so we get the correct spelling  
12 of your name in the record.

13 The Open Meetings Act requires  
14 that the public hearing in each case be open  
15 to the public.

16 The Board may, consistent with  
17 Section 405(b) of the Open Meetings Act, enter  
18 a closed meeting during or after a public  
19 hearing on a case to consult with an attorney  
20 to obtain legal advice, discuss settlement  
21 agreements, or deliberate upon a decision in  
22 an adjudication proceeding.

1                   Okay, so we're now ready to turn  
2                   to this morning's calendar. We are just going  
3                   to take one case out of order. Because I  
4                   understand that someone has time  
5                   contingencies. And that case is Sisy's, if  
6                   the parties are here, Case Number 13-AUD-  
7                   00002.

8                   MS. SCHMIDT: Good morning, Amy  
9                   Schmidt, Assistant Attorney General of behalf  
10                  of the District of Columbia.

11                  CHAIRPERSON MILLER: Good morning.

12                  MS. DE LEON: Good morning, Anna  
13                  De Leon for Sisy's Restaurant.

14                  CHAIRPERSON MILLER: Okay, could  
15                  you give me your name again please, over here.  
16                  Is there an interpreter at this table.

17                  MS. GALEAS: Yeah.

18                  CHAIRPERSON MILLER: That's you?

19                  MS. GALEAS: Yes, Susana Galeas.

20                  CHAIRPERSON MILLER: Okay.

21                  MS. GALEAS: G-A-L-E-A-S.

22                  CHAIRPERSON MILLER: All right.

1 So are you an official interpreter or a friend  
2 who's interpreting?

3 MS. DE LEON: Yes, I'm a friend.

4 CHAIRPERSON MILLER: Okay. I  
5 think I still want to swear you in as an  
6 interpreter.

7 MS. GALEAS: Yes, ma'am.

8 CHAIRPERSON MILLER: And what  
9 language?

10 MS. GALEAS: Spanish.

11 CHAIRPERSON MILLER: Spanish,  
12 okay. And do you solemnly affirm that you  
13 will faithfully and accurately interpret the  
14 proceedings of this matter from Spanish into  
15 English and from English into Spanish to the  
16 best of your ability?

17 MS. GALEAS: I do.

18 CHAIRPERSON MILLER: Okay, good. All  
19 right. So then we are ready to proceed.

20 This was scheduled for a Show  
21 Cause Hearing. But I understand there may be  
22 some preliminary matters?

1 MS. SCHMIDT: Yes. We have an  
2 Offer in Compromise presented to the Board.

3 CHAIRPERSON MILLER: Okay.

4 MS. SCHMIDT: And there is a fine  
5 to be paid of \$1,250 to be paid within 60  
6 days.

7 CHAIRPERSON MILLER: Okay. I'm  
8 going to repeat the offer and then you can let  
9 us know if your client agrees to that. And  
10 that is a fine of \$1,250 payable within 60  
11 days.

12 MS. GALEAS: Yes, ma'am.

13 CHAIRPERSON MILLER: And does she  
14 know that she waives her right to a hearing by  
15 accepting this offer?

16 MS. GALEAS: Yes, she understands,  
17 ma'am.

18 CHAIRPERSON MILLER: Okay. Any  
19 questions by Board members? All right.

20 Then I would move that we accept  
21 this Offer in Compromise of \$1,250 payable  
22 within 60 days. Do I have a second?

1 MEMBER BROOKS: Second.

2 CHAIRPERSON MILLER: Mr. Brooks  
3 has seconded the motion. All those in favor  
4 say aye.

5 (Multiple Ayes)

6 CHAIRPERSON MILLER: All those  
7 opposed, all those abstaining? Then the  
8 motions passes by a vote of 4-0-0.

9 (Off microphone discussion)

10 MEMBER SILVERSTEIN: Madam Chair?

11 CHAIRPERSON MILLER: Yes.

12 MEMBER SILVERSTEIN: While we're  
13 waiting, I think we should explain to the  
14 folks we took this case out of order, not  
15 because the gentle lady is special, but  
16 because the interpreter had some serious time  
17 issues.

18 And we must provide an interpreter  
19 legally in order for this to continue. So  
20 those of you waiting, we'll move this as  
21 quickly as we can. That's why that was done.  
22 Thank you.

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MS. GALEAS: Thank you.

MEMBER SILVERSTEIN: Gracias.

CHAIRPERSON MILLER: Thank you  
very much.

FEMALE PARTICIPANT: Thank you for  
all.

MEMBER SILVERSTEIN: For what it's  
worth there.

CHAIRPERSON MILLER: Thank you,  
Mr. Silverstein.

(Whereupon, the hearing was  
concluded at 9:47 a.m.)

<p style="text-align: center;"><b>A</b></p> <p><b>ability</b> 5:16  <b>abstaining</b> 7:7  <b>accept</b> 6:20  <b>accepting</b> 6:15  <b>accurately</b> 5:13  <b>Act</b> 3:13,17  <b>actions</b> 3:2  <b>adjudication</b> 3:22  <b>advice</b> 3:20  <b>affirm</b> 5:12  <b>agenda</b> 2:19  <b>agreements</b> 3:21  <b>agrees</b> 6:9  <b>Alberti</b> 1:18 2:13  <b>Alcoholic</b> 1:2,13,14  2:8  <b>Amy</b> 1:22 4:8  <b>ANC</b> 1:10  <b>Anna</b> 4:12  <b>Assistant</b> 4:9  <b>attendance</b> 2:15  <b>attorney</b> 3:19 4:9  <b>available</b> 2:19  <b>avoid</b> 3:6  <b>aware</b> 2:21  <b>aye</b> 7:4  <b>Ayes</b> 7:5  <b>a.m</b> 2:2 8:12</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>behalf</b> 4:9  <b>best</b> 5:16  <b>Beverage</b> 1:2,13,14  2:8  <b>bit</b> 2:5  <b>Board</b> 1:2,14 2:8  3:16 6:2,19  <b>Brooks</b> 1:18 2:12  7:1,2  <b>Building</b> 1:14  <b>business</b> 2:16</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>calendar</b> 2:18 4:2  <b>call</b> 3:8  <b>case</b> 1:10 3:8,14,19</p>	<p>4:3,5,6 7:14  <b>Cause</b> 1:6 5:21  <b>cell</b> 3:5  <b>Chair</b> 7:10  <b>Chairperson</b> 1:15  1:17 2:3,10 4:11  4:14,18,20,22 5:4  5:8,11,18 6:3,7,13  6:18 7:2,6,11 8:3  8:9  <b>client</b> 6:9  <b>closed</b> 3:18  <b>Columbia</b> 1:1 4:10  <b>Columbia's</b> 2:7  <b>come</b> 3:9  <b>Compromise</b> 6:2  6:21  <b>concluded</b> 8:12  <b>conduct</b> 2:16  <b>consistent</b> 3:16  <b>constituting</b> 2:17  <b>consult</b> 3:19  <b>contingencies</b> 4:5  <b>continue</b> 7:19  <b>Control</b> 1:2,13,14  2:8  <b>Copies</b> 2:18  <b>correct</b> 3:11  <b>court</b> 2:22  <b>CR</b> 1:9</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>days</b> 6:6,11,22  <b>De</b> 4:12,13 5:3  <b>decision</b> 3:21  <b>deliberate</b> 3:21  <b>desk</b> 2:20  <b>devices</b> 3:4  <b>discuss</b> 3:20  <b>discussion</b> 7:9  <b>disruptive</b> 3:2  <b>District</b> 1:1 2:7  4:10  <b>Donald</b> 1:18 2:12  <b>D.C</b> 1:15</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>electronic</b> 3:4</p>	<p><b>English</b> 5:15,15  <b>enter</b> 3:17  <b>explain</b> 7:13</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>faithfully</b> 5:13  <b>far</b> 2:11  <b>favor</b> 7:3  <b>FEMALE</b> 8:5  <b>fine</b> 6:4,10  <b>folks</b> 7:14  <b>forward</b> 3:9  <b>four</b> 2:15  <b>friend</b> 5:1,3</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>Galeas</b> 4:17,19,19  4:21 5:7,10,17  6:12,16 8:1  <b>General</b> 4:9  <b>gentle</b> 7:15  <b>give</b> 4:15  <b>going</b> 4:2 6:8  <b>good</b> 2:3 4:8,11,12  5:18  <b>Gracias</b> 8:2  <b>G-A-L-E-A-S</b> 4:21</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>hearing</b> 1:7,14 2:18  3:3,14,19 5:21  6:14 8:11</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p><b>immediate</b> 2:12,13  <b>interpret</b> 5:13  <b>interpreter</b> 4:16  5:1,6 7:16,18  <b>interpreting</b> 5:2  <b>interruption</b> 3:7  <b>issues</b> 7:17</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>Joining</b> 2:11  <b>July</b> 1:12 2:9</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>know</b> 6:9,14</p>	<p style="text-align: center;"><b>L</b></p> <p><b>lady</b> 7:15  <b>language</b> 5:9  <b>late</b> 2:5  <b>left</b> 2:13  <b>legal</b> 3:20  <b>legally</b> 7:19  <b>Leon</b> 4:12,13 5:3  <b>License</b> 1:9  <b>little</b> 2:5</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p><b>Madam</b> 7:10  <b>matter</b> 1:5 5:14  <b>matters</b> 5:22  <b>ma'am</b> 5:7 6:12,17  <b>meeting</b> 1:3 2:7  3:18  <b>Meetings</b> 3:13,17  <b>Member</b> 1:18,18  1:19 7:1,10,12 8:2  8:7  <b>members</b> 6:19  <b>met</b> 1:14  <b>Mexican</b> 1:7  <b>MICHAEL</b> 1:19  <b>microphone</b> 7:9  <b>Mike</b> 2:14  <b>Miller</b> 1:15,17 2:3  2:9 4:11,14,18,20  4:22 5:4,8,11,18  6:3,7,13,18 7:2,6  7:11 8:3,9  <b>morning</b> 2:4 4:8,11  4:12  <b>morning's</b> 4:2  <b>motion</b> 7:3  <b>motions</b> 7:8  <b>move</b> 6:20 7:20  <b>Multiple</b> 7:5</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>name</b> 2:9 3:12 4:15  <b>Nick</b> 1:18 2:13  <b>noises</b> 3:2  <b>Number</b> 4:6  <b>NW</b> 1:8</p>	<p><b>N.W</b> 1:15</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>OAG</b> 1:22  <b>obtain</b> 3:20  <b>offer</b> 6:2,8,15,21  <b>official</b> 5:1  <b>okay</b> 2:3 4:1,14,20  5:4,12,18 6:3,7,18  <b>open</b> 3:13,14,17  <b>opposed</b> 7:7  <b>order</b> 4:3 7:14,19</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>papers</b> 3:5  <b>paid</b> 6:5,5  <b>paper</b> 3:10  <b>PARTICIPANT</b>  8:5  <b>parties</b> 4:6  <b>passes</b> 7:8  <b>payable</b> 6:10,21  <b>phones</b> 3:5  <b>piece</b> 3:10  <b>please</b> 2:21 3:5,8  4:15  <b>preliminary</b> 5:22  <b>PRESENT</b> 1:17,21  <b>presented</b> 6:2  <b>presiding</b> 1:15  <b>proceed</b> 5:19  <b>proceeding</b> 3:22  <b>proceedings</b> 2:22  3:7 5:14  <b>provide</b> 7:18  <b>public</b> 3:14,15,18  <b>P-R-O-C-E-E-D-...</b>  2:1</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>questions</b> 6:19  <b>quickly</b> 7:21  <b>quorum</b> 2:17</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>ready</b> 4:1 5:19  <b>receptionist's</b> 2:19  <b>record</b> 3:12</p>
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<b>recorded</b> 2:22 <b>Reeves</b> 1:14 <b>refrain</b> 3:2 <b>regular</b> 2:7 <b>repeat</b> 6:8 <b>reporter</b> 3:1 <b>requires</b> 3:13 <b>Restaurant</b> 1:7 4:13 <b>Retailer</b> 1:9 <b>right</b> 2:11,12 4:22 5:19 6:14,19 <b>room</b> 1:14 3:3 <b>Ruthanne</b> 1:15,17 2:9 <hr/> <b>S</b> <hr/> <b>Salvadoran</b> 1:6 <b>scheduled</b> 5:20 <b>Schmidt</b> 1:22 4:8,9 6:1,4 <b>seat</b> 3:9 <b>second</b> 6:22 7:1 <b>seconded</b> 7:3 <b>Section</b> 3:17 <b>see</b> 3:10 <b>serious</b> 7:16 <b>settlement</b> 3:20 <b>Show</b> 1:6 5:20 <b>sign</b> 3:11 <b>Silverstein</b> 1:19 2:14 7:10,12 8:2,7 8:10 <b>Sisy's</b> 1:6,8 4:5,13 <b>solemnly</b> 5:12 <b>Sorry</b> 2:4 <b>Spanish</b> 5:10,11,14 5:15 <b>special</b> 7:15 <b>spelling</b> 3:11 <b>starting</b> 2:4 <b>Street</b> 1:8,15 <b>sure</b> 3:6 <b>Susana</b> 4:19 <b>swear</b> 5:5 <hr/> <b>T</b> <hr/> <b>table</b> 3:9 4:16	<b>take</b> 3:9 4:3 <b>Thank</b> 7:22 8:1,3,5 8:9 <b>think</b> 5:5 7:13 <b>three</b> 2:16 <b>time</b> 4:4 7:16 <b>today</b> 2:8,11,16 <b>today's</b> 2:18 <b>turn</b> 4:1 <b>turned</b> 3:6 <b>t/a</b> 1:8 <hr/> <b>U</b> <hr/> <b>understand</b> 4:4 5:21 <b>understands</b> 6:16 <hr/> <b>V</b> <hr/> <b>vote</b> 7:8 <hr/> <b>W</b> <hr/> <b>waiting</b> 7:13,20 <b>waives</b> 6:14 <b>want</b> 2:6 5:5 <b>Washington</b> 1:15 <b>welcome</b> 2:6 <b>we'll</b> 7:20 <b>we're</b> 2:4 4:1 7:12 <b>worth</b> 8:8 <hr/> <b>Y</b> <hr/> <b>Yeah</b> 4:17 <hr/> <b>\$</b> <hr/> <b>\$1,250</b> 6:5,10,21 <hr/> <b>0</b> <hr/> <b>00002</b> 4:7 <hr/> <b>1</b> <hr/> <b>13-AUD</b> 4:6 <b>13-AUD-00002</b> 1:10 <b>14th</b> 1:8,14 <hr/> <b>2</b> <hr/> <b>2000</b> 1:14 <b>2013</b> 1:12 2:9 <b>24</b> 1:12	<b>24th</b> 2:9 <hr/> <b>3</b> <hr/> <b>3911</b> 1:8 <hr/> <b>4</b> <hr/> <b>4C</b> 1:10 <b>4-0-0</b> 7:8 <b>405(b)</b> 3:17 <hr/> <b>6</b> <hr/> <b>60</b> 6:5,10,22 <hr/> <b>7</b> <hr/> <b>76125</b> 1:9 <hr/> <b>9</b> <hr/> <b>9:42</b> 2:2 <b>9:47</b> 8:12		
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