

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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Optimism, LLC :
t/a Optimism :
3301 12th Street, NE : Show Cause
Retailer CR : Hearing
License No. 83552 : (Status)
Case No. 13-CMP-00067 :
ANC 5B :
Failed to Post ABC License; :
Failed to Post Pregnancy :
Sign :
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AUGUST 7, 2013

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

MIKE SILVERSTEIN, Member

ALSO PRESENT

WALTER ADAMS, OAG

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

10:13 a.m.

CHAIRPERSON MILLER: The next case on the calendar, Case No. 13-CMP-00067, Optimism located at 3301 12th Street, N.E., License No. 83552 in ANC 5B.

MR. ADAMS: Good morning, Madam Chair. Walter Adams representing the District of Columbia.

CHAIRPERSON MILLER: Good morning.

MR. BROWN: Good morning. I'm Jesse Brown, owner of Optimism.

CHAIRPERSON MILLER: Okay. Mr. Brown, did you receive notice of this hearing?

MR. BROWN: Yes, ma'am.

CHAIRPERSON MILLER: And did you read it and understand it?

MR. BROWN: Yes.

CHAIRPERSON MILLER: All right. Then we're going to make that notice a part of the record, unless you have any objection. Any objection to making the notice part of the

1 record?

2 MR. BROWN: Yes. No.

3 CHAIRPERSON MILLER: No?

4 (Laughter.)

5 CHAIRPERSON MILLER: All right.

6 So now are there any preliminary matters in
7 this case?

8 MR. ADAMS: There's a preliminary
9 matter. For this case there are two charges,
10 one for the establishment not posting a sign.
11 Well, they're actually both related to failure
12 to post signs in a conspicuous place. One is
13 for the ABC license. The other one is a sign
14 regarding the dangers of drinking alcohol
15 during pregnancy.

16 We have agreed to settle this
17 matter, as this is the establishment's first
18 secondary offenses, for a total fine of \$450.
19 For charge 1 that would be a \$350 fine, and
20 for charge, which is dictated by statute of
21 only a \$100 fine, which will bring us to a
22 total of 450. And that fine can be paid today

1 upon the Board's approval.

2 CHAIRPERSON MILLER: Okay. Mr.
3 Brown, do you agree to that Offer in
4 Compromise of a \$450 fine, which includes 350
5 for the lettering offense and \$100 for the
6 pregnancy sign offense?

7 MR. BROWN: Yes.

8 CHAIRPERSON MILLER: And payable
9 today?

10 MR. BROWN: Yes.

11 CHAIRPERSON MILLER: Okay. And do
12 you understand you waive your right to a
13 hearing then on this?

14 MR. BROWN: Yes.

15 CHAIRPERSON MILLER: Okay. Good.
16 Any Board questions?

17 (No audible response.)

18 CHAIRPERSON MILLER: Okay. I
19 would move that we approve this Offer in
20 Compromise of a \$450 total; 350 for the
21 lettering offense and 100 for the warning sign
22 offense, payable today.

1 MEMBER SILVERSTEIN: Second.

2 CHAIRPERSON MILLER: Okay. Mr.
3 Silverstein has seconded the motion. All
4 those in favor, say aye?

5 (Chorus of ayes.)

6 CHAIRPERSON MILLER: All those
7 opposed?

8 (No audible response.)

9 CHAIRPERSON MILLER: All those
10 abstaining?

11 (No audible response.)

12 CHAIRPERSON MILLER: Motion passes
13 4-0-0.

14 Okay. We'll get that to you in a
15 minute.

16 MR. BROWN: Okay.

17 CHAIRPERSON MILLER: Thank you.

18 (Whereupon, the hearing was
19 concluded at 10:16 a.m.)
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