

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF: :  
 :  
Cheng Restaurant Group, :  
t/a Tony Cheng's Mongolian : Show  
Barbeque : Cause  
619 H Street NW : Hearing  
Retailer CR :  
License No. 7880 :  
Failed to File Quarterly :  
Statements (4th Qtr 2013) :  
Case No. 14-CMP-00275 :  
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SEPTEMBER 17, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Chairperson Ruthanne Miller, presiding.

PRESENT:  
RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
HECTOR RODRIGUEZ, Member

ALSO PRESENT:  
MAUREEN ZANIEL, District of Columbia

1           P R O C E E D I N G S

2   10:06 a.m.

3                   MS. MILLER:   Okay, our next case  
4           is, we're now moving into our Show Cause  
5           Hearing Statuses, Case No. 14-CMP-00275, Tony  
6           Cheng's Mongolian Barbecue located at 619 H  
7           Street NW. There are two Tony Cheng Seafood  
8           cases. We might as well call them together  
9           and that is Case No. CMP-00274.

10                   MS. ZANIEL:   I thought they were  
11           two separate -

12                   MS. MILLER:   Oh, you want to take  
13           it -

14                   MS. ZANIEL:   I'm asking.

15                   MS. MILLER:   Oh I'm sorry, the  
16           other one is a seafood restaurant. Okay,  
17           let's deal with the first one first. You're  
18           right. Tony Cheng's Mongolian Barbecue, 619  
19           H Street NW, License No. 7880 in ANC 2C. Good  
20           morning.

21                   MS. CHENG:   Hi, good morning. Say  
22           your name.

1 MR. CHENG: And my name is Anthony  
2 Cheng.

3 MS. MILLER: Okay. Good morning.

4 MS. CHENG: Good morning,  
5 Stephanie Cheng. I'm his daughter. I'm here  
6 to help -

7 MS. MILLER: Okay.

8 MS. CHENG: -- facilitate any  
9 language issues so I'll be speaking on his  
10 behalf.

11 MS. MILLER: Okay.

12 MS. ZANIEL: Maureen Zaniel on  
13 behalf of the District of the Columbia.

14 MS. MILLER: Okay. I just want to  
15 ask him if he, did you get notice of this  
16 hearing?

17 MS. CHENG: Yes.

18 MS. MILLER: Did you read it and  
19 understand it?

20 MS. CHENG: Yes.

21 MS. MILLER: Okay. So you don't  
22 have any notice issues on this case? Okay.

1 Are there any preliminary matters?

2 MS. ZANIEL: Yes. I haven't had an  
3 opportunity to talk to the licensee, but the  
4 district recommends or does dismiss this  
5 charge conditioned upon the issuance of the  
6 mandatory warning that's required for this  
7 particular charge.

8 MS. MILLER: Okay. So as I  
9 understand it, this is probably a first  
10 offense in this case and so you are actually  
11 entitled to a warning.

12 MS. CHENG: Okay.

13 MS. MILLER: So therefore the  
14 government is not going to go forward with  
15 prosecuting this.

16 MS. CHENG: Thank you.

17 MS. MILLER: Okay. So --

18 MS. ZANIEL: If I may just say it,  
19 sorry. The warning means of course if there  
20 is a second violation then its actionable in  
21 another infraction.

22 MS. CHENG: Yes, we understand.

1 MS. MILLER: Okay. So I would  
2 like to move that we dismiss this case as  
3 subject to rule directed enforcement to  
4 actually issue a written warning.

5 MR. BROOKS: Second.

6 MS. MILLER: Okay. Mr. Alberti,  
7 any questions?

8 MR. ALBERTI:

9 Yeah. Can I just ask the family member  
10 --

11 MS. MILLER: Yeah.

12 MR. ALBERTI: -- family member  
13 that we just issue a warning here?

14 MS. MILLER: I see, yes okay.

15 MS. ZANIEL: Well, I think the  
16 warning should be in writing so -

17 MR. ALBERTI: Oh, it will be. It  
18 will be.

19 MS. ZANIEL: Okay.

20 MS. MILLER: And will be followed  
21 with a written warning.

22 MR. ALBERTI: It'll be followed

1 up, the board just issue a warning and then  
2 we'll follow it up with a -

3 MS. MILLER: Oh, okay, all right.  
4 We understand. All right.

5 MR. ALBERTI: I think we already  
6 have something in play to do that.

7 MS. MILLER: Oh, okay. We are  
8 issuing a warning right now in writing to you  
9 -

10 MS. ZANIEL: Government efficiency  
11 is a wonderful goal.

12 MS. MILLER: Thank you.

13 MR. ALBERTI: When it happens.

14 MS. MILLER: So if you could wait  
15 for that piece of paper, but you can take a  
16 seat in the audience.

17 MS. CHENG: Okay.

18 MR. ALBERTI: No, we have another  
19 one.

20 MS. ZANIEL: But we're also -

21 MS. MILLER: Oh, you're here on  
22 the next one.

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MR. ALBERTI: Yeah.

MS. MILLER: Okay.

(Whereupon the hearing was  
concluded at 10:10 a.m.)

<p style="text-align: center;"><b>A</b></p> <p>a.m 2:2 7:4  <b>actionable</b> 4:20  <b>Alberti</b> 1:17 5:6,8  5:12,17,22 6:5,13  6:18 7:1  <b>Alcoholic</b> 1:2,13,14  <b>ANC</b> 2:19  <b>Anthony</b> 3:1  <b>asking</b> 2:14  <b>audience</b> 6:16</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>Barbecue</b> 2:6,18  <b>Barbeque</b> 1:7  <b>behalf</b> 3:10,13  <b>Beverage</b> 1:2,13,14  <b>board</b> 1:2,13 6:1  <b>BROOKS</b> 1:18 5:5  <b>Building</b> 1:14</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>C</b> 2:1  <b>call</b> 2:8  <b>case</b> 1:10 2:3,5,9  3:22 4:10 5:2  <b>cases</b> 2:8  <b>Cause</b> 1:7 2:4  <b>Chairperson</b> 1:15  1:17  <b>charge</b> 4:5,7  <b>Cheng</b> 1:6 2:7,21  3:1,2,4,5,8,17,20  4:12,16,22 6:17  <b>Cheng's</b> 1:7 2:6,18  <b>CMP-00274</b> 2:9  <b>Columbia</b> 1:1,20  3:13  <b>concluded</b> 7:4  <b>conditioned</b> 4:5  <b>Control</b> 1:2,13,14  <b>course</b> 4:19  <b>CR</b> 1:8</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D</b> 2:1  <b>D.C</b> 1:15</p>	<p><b>daughter</b> 3:5  <b>deal</b> 2:17  <b>directed</b> 5:3  <b>dismiss</b> 4:4 5:2  <b>district</b> 1:1,20 3:13  4:4  <b>DONALD</b> 1:18</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>E</b> 2:1,1  <b>efficiency</b> 6:10  <b>enforcement</b> 5:3  <b>entitled</b> 4:11</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>facilitate</b> 3:8  <b>Failed</b> 1:9  <b>family</b> 5:9,12  <b>File</b> 1:9  <b>first</b> 2:17,17 4:9  <b>follow</b> 6:2  <b>followed</b> 5:20,22  <b>forward</b> 4:14</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>G</b> 2:1  <b>go</b> 4:14  <b>goal</b> 6:11  <b>going</b> 4:14  <b>good</b> 2:19,21 3:3,4  <b>government</b> 4:14  6:10  <b>Group</b> 1:6</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>H</b> 1:8 2:6,19  <b>happens</b> 6:13  <b>hearing</b> 1:8,14 2:5  3:16 7:3  <b>HECTOR</b> 1:18  <b>help</b> 3:6  <b>Hi</b> 2:21</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p><b>infraction</b> 4:21  <b>issuance</b> 4:5  <b>issue</b> 5:4,13 6:1  <b>issues</b> 3:9,22</p>	<p><b>issuing</b> 6:8  <b>It'll</b> 5:22</p> <hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>language</b> 3:9  <b>let's</b> 2:17  <b>License</b> 1:9 2:19  <b>licensee</b> 4:3  <b>located</b> 2:6</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p><b>mandatory</b> 4:6  <b>MATTER</b> 1:5  <b>matters</b> 4:1  <b>Maureen</b> 1:20 3:12  <b>means</b> 4:19  <b>MEETING</b> 1:3  <b>member</b> 1:17,18,18  5:9,12  <b>met</b> 1:13  <b>Miller</b> 1:15,17 2:3  2:12,15 3:3,7,11  3:14,18,21 4:8,13  4:17 5:1,6,11,14  5:20 6:3,7,12,14  6:21 7:2  <b>Mongolian</b> 1:7 2:6  2:18  <b>morning</b> 2:20,21  3:3,4  <b>move</b> 5:2  <b>moving</b> 2:4</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>N</b> 2:1  <b>N.W</b> 1:14  <b>name</b> 2:22 3:1  <b>NICK</b> 1:17  <b>notice</b> 3:15,22  <b>NW</b> 1:8 2:7,19</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>O</b> 2:1  <b>offense</b> 4:10</p>	<p><b>Oh</b> 2:12,15 5:17 6:3  6:7,21  <b>okay</b> 2:3,16 3:3,7  3:11,14,21,22 4:8  4:12,17 5:1,6,14  5:19 6:3,7,17 7:2  <b>opportunity</b> 4:3</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>P</b> 2:1  <b>paper</b> 6:15  <b>particular</b> 4:7  <b>piece</b> 6:15  <b>play</b> 6:6  <b>preliminary</b> 4:1  <b>PRESENT</b> 1:16,19  <b>presiding</b> 1:15  <b>probably</b> 4:9  <b>prosecuting</b> 4:15</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>Qtr</b> 1:10  <b>Quarterly</b> 1:9  <b>questions</b> 5:7</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>R</b> 2:1  <b>read</b> 3:18  <b>recommends</b> 4:4  <b>Reeves</b> 1:14  <b>required</b> 4:6  <b>restaurant</b> 1:6 2:16  <b>Retailer</b> 1:8  <b>right</b> 2:18 6:3,4,8  <b>RODRIGUEZ</b> 1:18  <b>Room</b> 1:14  <b>rule</b> 5:3  <b>Ruthanne</b> 1:15,17</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p><b>S</b> 2:1  <b>seafood</b> 2:7,16  <b>seat</b> 6:16  <b>second</b> 4:20 5:5  <b>see</b> 5:14  <b>separate</b> 2:11  <b>SEPTEMBER</b>  1:12</p>	<p><b>Show</b> 1:7 2:4  <b>sorry</b> 2:15 4:19  <b>speaking</b> 3:9  <b>Statements</b> 1:10  <b>Statuses</b> 2:5  <b>Stephanie</b> 3:5  <b>Street</b> 1:8,14 2:7,19  <b>subject</b> 5:3</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p><b>t/a</b> 1:7  <b>take</b> 2:12 6:15  <b>talk</b> 4:3  <b>Thank</b> 4:16 6:12  <b>think</b> 5:15 6:5  <b>thought</b> 2:10  <b>Tony</b> 1:7 2:5,7,18  <b>two</b> 2:7,11</p> <hr/> <p style="text-align: center;"><b>U</b></p> <p><b>understand</b> 3:19  4:9,22 6:4</p> <hr/> <p style="text-align: center;"><b>V</b></p> <p><b>violation</b> 4:20</p> <hr/> <p style="text-align: center;"><b>W</b></p> <p><b>wait</b> 6:14  <b>want</b> 2:12 3:14  <b>warning</b> 4:6,11,19  5:4,13,16,21 6:1,8  <b>Washington</b> 1:15  <b>we'll</b> 6:2  <b>we're</b> 2:4 6:20  <b>wonderful</b> 6:11  <b>writing</b> 5:16 6:8  <b>written</b> 5:4,21</p> <hr/> <p style="text-align: center;"><b>X</b></p> <hr/> <p style="text-align: center;"><b>Y</b></p> <p><b>Yeah</b> 5:9,11 7:1</p> <hr/> <p style="text-align: center;"><b>Z</b></p> <p><b>Zaniel</b> 1:20 2:10,14  3:12,12 4:2,18  5:15,19 6:10,20</p>
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<b>10:06</b> 2:2 <b>10:10</b> 7:4 <b>14-CMP-00275</b> 1:10 2:5 <b>14th</b> 1:14 <b>17</b> 1:12				
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<b>2000</b> 1:14 <b>2013</b> 1:10 <b>2014</b> 1:12 <b>2C</b> 2:19				
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<b>4th</b> 1:10				
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<b>619</b> 1:8 2:6,18				
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<b>7880</b> 1:9 2:19				