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

(10:30 a.m.)

CHAIRPERSON MILLER: The next case on the calendar is Case No. 13-CC-00022, Mac's Wine & Liquor located at 401 Rhode Island Avenue, N.E., License NO. 60758, in ANC-5E.

MS. GEPHARDT: Chrissy Gephardt on behalf of the Office of the Attorney General.

MR. PAK: Paul Pak, manager of Mac's Wine & Liquors.

CHAIRPERSON MILLER: You're manager?

MR. PAK: Yes.

CHAIRPERSON MILLER: Okay. Are you authorized to represent the company?

MR. PAK: I am. Well, the owner is here.

CHAIRPERSON MILLER: The owner is here?

MR. PAK: Should she come up?

CHAIRPERSON MILLER: You should come up, yes. Whoops.

1 MS. PAK: Yes, my name is Haesun
2 Pak.

3 CHAIRPERSON MILLER: Okay.

4 MS. PAK: Yeah, uh-huh.

5 CHAIRPERSON MILLER: All right.
6 Did you receive notice of this hearing?

7 MR. PAK: Yes.

8 MS. PAK: Um-hum.

9 CHAIRPERSON MILLER: Okay. And
10 read it and understood it?

11 MR. PAK: Yes.

12 CHAIRPERSON MILLER: Okay. So
13 that notice will be part of the record, unless
14 there is an objection.

15 MR. PAK: No.

16 CHAIRPERSON MILLER: Okay.
17 (Whereupon, the document was
18 marked as Exhibit 1 for
19 identification.)

20 CHAIRPERSON MILLER: Are there any
21 preliminary matters in this case?

22 MS. GEPHARDT: Yes, there are.

1 There is a preliminary matter.

2 CHAIRPERSON MILLER: Okay.

3 MS. GEPHARDT: The parties have
4 agreed to an offer in compromise to be
5 presented today to the Board. The parties
6 have agreed on a fine consisting of \$750 to be
7 paid within --

8 MR. PAK: A week.

9 MS. GEPHARDT: -- one week.

10 CHAIRPERSON MILLER: Okay. Let me
11 ask Mr. Pak, do you agree to the -- and the
12 owner, Ms. Pak, do you agree to the fine of
13 \$750 to be paid within seven days?

14 MR. PAK: Yes.

15 CHAIRPERSON MILLER: Okay. And do
16 you understand you waive your right to a
17 hearing?

18 MR. PAK: That's fine.

19 CHAIRPERSON MILLER: Okay. All
20 right. Are there any questions by Board
21 Members of the parties?

22 MEMBER ALBERTI: And this was --

1 CHAIRPERSON MILLER: This --

2 MEMBER ALBERTI: -- Mac's Wine &
3 Liquors?

4 CHAIRPERSON MILLER: Yes.

5 MEMBER ALBERTI: I will not be
6 agreeing to this offer in compromise. This is
7 the third time within less than a year and a
8 half that there has been no ABC Manager on
9 duty. They were cited. They were warned for
10 sale to minors on this occasion with no ABC
11 Manager on duty. And it was just last
12 December that the Board issued an order
13 faulting them for having no ABC Manager on
14 duty.

15 So this occurred four months after
16 they were put on notice that they needed an
17 ABC Manager. I will not be agreeing to this
18 fine. I believe it is too low given the
19 history of this establishment.

20 CHAIRPERSON MILLER: Okay. Any
21 other comments? All right. I would move
22 approval of the offer in compromise. Do I

1 have a second?

2 MEMBER SILVERSTEIN: Second.

3 CHAIRPERSON MILLER: The motion
4 has been seconded. It is for a fine of \$750
5 to be paid within seven days.

6 All those in favor say aye.

7 MEMBER SILVERSTEIN: Aye.

8 CHAIRPERSON MILLER: Aye. All
9 those opposed?

10 MEMBER BROOKS: Opposed.

11 MEMBER ALBERTI: Opposed.

12 CHAIRPERSON MILLER: The motion
13 fails by a vote of 2-2-0.

14 Okay. Then what that means is
15 this is a step for a Show Cause Hearing for
16 October 30, 2013 at 10:00 a.m. Okay?

17 MR. PAK: October 30th, 10:00 a.m.?

18 CHAIRPERSON MILLER: Yes.

19 MR. PAK: Okay.

20 CHAIRPERSON MILLER: Okay.

21 MR. PAK: All right.

22 CHAIRPERSON MILLER: Thank you

1 very much.

2 (Whereupon, the Show Cause
3 (Status) Hearing in the above-entitled matter
4 was concluded at 10:35 a.m.)

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<p style="text-align: center;">A</p> <p>ABC 1:10 5:8,10,13 5:17</p> <p>above-entitled 7:3</p> <p>agree 4:11,12</p> <p>agreed 4:4,6</p> <p>agreeing 5:6,17</p> <p>ALBERTI 1:18 4:22 5:2,5 6:11</p> <p>Alcoholic 1:2,13,13</p> <p>ANC-5E 1:8 2:6</p> <p>approval 5:22</p> <p>Attorney 2:8</p> <p>authorized 2:15</p> <p>Ave 1:7</p> <p>Avenue 2:6</p> <p>aye 6:6,7,8</p> <p>a.m 2:2 6:16,17 7:4</p> <hr/> <p style="text-align: center;">B</p> <p>behalf 2:8</p> <p>believe 5:18</p> <p>Beverage 1:2,13,13</p> <p>Board 1:2,13 4:5 4:20 5:12</p> <p>BROOKS 1:19 6:10</p> <p>Building 1:14</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 2:4</p> <p>case 1:9 2:3,4 3:21</p> <p>Cause 1:6 6:15 7:2</p> <p>Chairperson 1:15 1:18 2:3,11,14,18 2:21 3:3,5,9,12,16 3:20 4:2,10,15,19 5:1,4,20 6:3,8,12 6:18,20,22</p> <p>Chrissy 1:22 2:7</p> <p>cited 5:9</p> <p>COLUMBIA 1:1</p> <p>come 2:20,22</p> <p>comments 5:21</p> <p>company 2:15</p> <p>compromise 4:4 5:6,22</p>	<p>concluded 7:4</p> <p>consisting 4:6</p> <p>Control 1:2,13,13</p> <hr/> <p style="text-align: center;">D</p> <p>days 4:13 6:5</p> <p>December 5:12</p> <p>DISTRICT 1:1</p> <p>document 3:17</p> <p>DONALD 1:19</p> <p>duty 1:10 5:9,11,14</p> <p>D.C 1:14</p> <hr/> <p style="text-align: center;">E</p> <p>ESQ 1:22</p> <p>establishment 5:19</p> <p>Exhibit 3:18</p> <hr/> <p style="text-align: center;">F</p> <p>fails 6:13</p> <p>faulting 5:13</p> <p>favor 6:6</p> <p>fine 4:6,12,18 5:18 6:4</p> <p>four 5:15</p> <hr/> <p style="text-align: center;">G</p> <p>General 2:8</p> <p>Gephardt 1:22 2:7 2:7 3:22 4:3,9</p> <p>given 5:18</p> <hr/> <p style="text-align: center;">H</p> <p>Haesun 3:1</p> <p>half 5:8</p> <p>hearing 1:7,14 3:6 4:17 6:15 7:3</p> <p>history 5:19</p> <hr/> <p style="text-align: center;">I</p> <p>identification 3:19</p> <p>Island 1:7 2:5</p> <p>issued 5:12</p> <hr/> <p style="text-align: center;">L</p> <p>License 1:8 2:6</p> <p>Liquor 2:5</p> <p>Liquors 1:6,6 2:10</p>	<p>5:3</p> <p>located 2:5</p> <p>low 5:18</p> <hr/> <p style="text-align: center;">M</p> <p>Mac's 1:6,6 2:4,10 5:2</p> <p>manager 1:10 2:9 2:12 5:8,11,13,17</p> <p>marked 3:18</p> <p>matter 1:5 4:1 7:3</p> <p>matters 3:21</p> <p>means 6:14</p> <p>MEETING 1:3</p> <p>Member 1:18,19 1:19 4:22 5:2,5 6:2,7,10,11</p> <p>Members 4:21</p> <p>met 1:13</p> <p>MIKE 1:19</p> <p>Miller 1:15,18 2:3 2:11,14,18,21 3:3 3:5,9,12,16,20 4:2 4:10,15,19 5:1,4 5:20 6:3,8,12,18 6:20,22</p> <p>minors 5:10</p> <p>months 5:15</p> <p>motion 6:3,12</p> <p>move 5:21</p> <hr/> <p style="text-align: center;">N</p> <p>name 3:1</p> <p>needed 5:16</p> <p>NICK 1:18</p> <p>notice 3:6,13 5:16</p> <p>NW 1:7</p> <p>N.E 2:6</p> <p>N.W 1:14</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:22</p> <p>objection 3:14</p> <p>occasion 5:10</p> <p>occurred 5:15</p> <p>October 6:16,17</p> <p>offer 4:4 5:6,22</p> <p>Office 2:8</p>	<p>Okay 2:14 3:3,9,12 3:16 4:2,10,15,19 5:20 6:14,16,19 6:20</p> <p>opposed 6:9,10,11</p> <p>order 5:12</p> <p>owner 2:16,18 4:12</p> <hr/> <p style="text-align: center;">P</p> <p>paid 4:7,13 6:5</p> <p>Pak 2:9,9,13,16,20 3:1,2,4,7,8,11,15 4:8,11,12,14,18 6:17,19,21</p> <p>part 3:13</p> <p>parties 4:3,5,21</p> <p>Paul 2:9</p> <p>preliminary 3:21 4:1</p> <p>PRESENT 1:17,21</p> <p>presented 4:5</p> <p>presiding 1:15</p> <p>put 5:16</p> <p>P-R-O-C-E-E-D-... 2:1</p> <hr/> <p style="text-align: center;">Q</p> <p>questions 4:20</p> <hr/> <p style="text-align: center;">R</p> <p>read 3:10</p> <p>receive 3:6</p> <p>record 3:13</p> <p>Reeves 1:14</p> <p>represent 2:15</p> <p>Retailer 1:8</p> <p>Rhode 1:7 2:5</p> <p>right 3:5 4:16,20 5:21 6:21</p> <p>Room 1:14</p> <p>Ruthanne 1:15,18</p> <hr/> <p style="text-align: center;">S</p> <p>sale 5:10</p> <p>second 6:1,2</p> <p>seconded 6:4</p> <p>September 1:12</p> <p>seven 4:13 6:5</p>	<p>Show 1:6 6:15 7:2</p> <p>SILVERSTEIN 1:19 6:2,7</p> <p>Status 1:8 7:3</p> <p>step 6:15</p> <p>Street 1:14</p> <p>Suite 1:14</p> <hr/> <p style="text-align: center;">T</p> <p>Thank 6:22</p> <p>third 5:7</p> <p>time 5:7</p> <p>today 4:5</p> <p>t/a 1:6</p> <hr/> <p style="text-align: center;">U</p> <p>uh-huh 3:4</p> <p>Um-hum 3:8</p> <p>understand 4:16</p> <p>understood 3:10</p> <hr/> <p style="text-align: center;">V</p> <p>vote 6:13</p> <hr/> <p style="text-align: center;">W</p> <p>waive 4:16</p> <p>warned 5:9</p> <p>Washington 1:14</p> <p>week 4:8,9</p> <p>Whoops 2:22</p> <p>Wine 1:6 2:5,10 5:2</p> <hr/> <p style="text-align: center;">Y</p> <p>Yeah 3:4</p> <p>year 5:7</p> <hr/> <p style="text-align: center;">p</p> <p>p 1:4,10</p> <hr/> <p style="text-align: center;">\$</p> <p>\$750 4:6,13 6:4</p> <hr/> <p style="text-align: center;">#</p> <p>#13-CC-00022 1:9</p> <hr/> <p style="text-align: center;">1</p> <p>1 3:18</p> <p>10:00 6:16,17</p> <p>10:30 2:2</p>
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