

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
 2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
 3 ALCOHOLIC BEVERAGE CONTROL BOARD

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5 IN THE MATTER OF: :
 6 Cava Mezze Grill :
 7 Tenleytown, LLC, t/a :
 8 Cava Mezza Grill :
 9 4237 Wisconsin Avenue, NW : Case #14-CMP-00597
 10 License #90698 : Hearing
 11 Retailer CR : (Status)
 12 ANC 3E :
 13 No ABC Manager on Duty :
 14 Lettering :

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16 Wednesday, October 28, 2015

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18 Whereupon, the above-referenced matter
 19 came on for hearing at the Alcoholic Beverage
 20 Control Board, Reeves Center, 2000 14th Street,
 21 N.W., Suite 400S, Washington, D.C. 20009.

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1 CHAIRPERSON:

2 RUTHANNE MILLER, Presiding

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4 BOARD MEMBERS:

5 MICHAEL SILVERSTEIN

6 HERMAN JONES

7 HECTOR RODRIGUEZ

8 NICK ALBERTI

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10 ALSO PRESENT:

11 LOUISE PHILIPS, ESQ.,

12 on behalf of District of Columbia

13 KEITH LIVELY, ESQ.

14 ROB GRESHAM

15 on behalf of the Licensee

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

2 CHAIRPERSON MILLER: We're early. The
3 next case is not until ten o'clock. It's Cava
4 Mezze Grill. And I don't see anybody here from
5 the Government on that case early.

6 THE INTERPRETER: He's outside.

7 CHAIRPERSON MILLER: Oh, here comes the
8 Government.

9 [Pause.]

10 CHAIRPERSON MILLER: Okay. So, if the
11 parties are here, we'll call the case. Good
12 morning. It's still early. Are the parties here
13 for Cava Mezze Grill, do you know?

14 MR. RODRIGUEZ: Yes. They're just
15 waiting to get in the door.

16 CHAIRPERSON MILLER: Okay. Good. Then
17 we can start early.

18 MS. PHILIPS: Wouldn't hurt. Good
19 morning, board members.

20 CHAIRPERSON MILLER: Okay. I'm going to
21 call Case Number 14-CMP-00597, Cava Mezze Grill,
22 located at 4237 Wisconsin Avenue, Northwest,

1 License Number 90698, in ANC 3E.

2 Good morning. When you're ready, would
3 you introduce yourselves for the record, and also
4 sign in on that piece of paper on the table?

5 MS. PHILIPS: Good morning, Louise
6 Philips, Assistant Attorney General for the
7 District of Columbia.

8 MR. LIVELY: Keith Lively of Doyle,
9 Barlow and Mazard for Cava Mezze Grill
10 Tenleytown.

11 MR. GRESHAM: And Rob Gresham, Director
12 of Operations for Cava Grill.

13 CHAIRPERSON MILLER: Mr. Lively, are you
14 counsel or are you --

15 MR. LIVELY: Yes.

16 CHAIRPERSON MILLER: You're counsel.
17 Okay. And, Mr. Gresham, you said you're Chief of
18 Operations?

19 MR. GRESHAM: Yes, ma'am.

20 CHAIRPERSON MILLER: All right. Thank
21 you.

22 Are there any preliminary matters?

1 MS. PHILIPS: Yes, Madam Chair. The
2 parties will present an offer in compromise to
3 the board. The amount is \$300 to be paid within
4 30 days.

5 CHAIRPERSON MILLER: Okay. Mr. Lively,
6 is your client agreeable to the offer in
7 compromise of \$300 to be paid within 30 days?

8 MR. LIVELY: Yes, ma'am, he is. They
9 are.

10 CHAIRPERSON MILLER: Okay. And, Ms.
11 Philips, does that also have the proviso that if
12 it's not paid within 30 days, the license would
13 be suspended? Or is that not until paid?

14 MS. PHILIPS: Yes, that's a proviso.
15 They will pay it in 30 days. They've told me
16 they would.

17 MR. LIVELY: Understood.

18 CHAIRPERSON MILLER: Okay. All right.
19 That's usually what goes along with that. That's
20 why I asked. Okay. And does your client
21 understand that by entering into an offer in
22 compromise, he waives his right to a hearing and

1 to appeal?

2 MR. LIVELY: Yes.

3 CHAIRPERSON MILLER: Okay. Any questions
4 by board members?

5 [No audible response.]

6 CHAIRPERSON MILLER: Okay. Then I move
7 that we accept this offer in compromise of \$300
8 to be paid within 30 days. If not paid within 30
9 days, the license will be suspended until the
10 fine is paid.

11 MR. RODRIGUEZ: Second.

12 CHAIRPERSON MILLER: And Mr. Rodriguez
13 has seconded the motion. All those in favor, say
14 aye?

15 [Chorus of Ayes.]

16 CHAIRPERSON MILLER: All those opposed?

17 [No audible response.]

18 CHAIRPERSON MILLER: All those
19 abstaining?

20 [No audible response.]

21 CHAIRPERSON MILLER: Motion passes 5-0-0.

22 MS. PHILIPS: Thank you, Madam Chair,

1 board members.

2 CHAIRPERSON MILLER: Thank you very much.

3 Okay. Our next case is not until eleven
4 o'clock. So the board will recess until then.

5 [Whereupon, the above-entitled matter
6 concluded.]

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