

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

MST Enterprises, Inc.
t/a Churreria Madrid
Restaurant
2505 Champlain Street, NW
Retailer CR
License No. 60806
Case No. 14-CMP-00224
Operating after hours

Show Cause
Hearing
(Status)

October 29, 2014

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

PRESENT

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
MICHAEL SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

WALTER ADAMS, Assistant Attorney General, OAG

BRIAN AMY, OAG

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

(10:47 a.m.)

CHAIR MILLER: Okay, now we're up to our Show Cause Hearing. First case is Case Number 14-CMP-00224, Churreria Madrid Restaurant located at 2505 Champlain Street, Northwest. License Number 60806 in ANC 1C.

And I also want to welcome Mr. Short to the dais.

MR. SHORT: Good morning.

CHAIR MILLER: Good morning.

MR. AMY: Good morning.

CHAIR MILLER: Good morning.

MR. AMY: Sorry about that, Members of the Board. I'm Brian Amy, pro bono Attorney with the Office of Attorney General.

MR. GIRON: Ernesto Giron, owner of Jubilee Market.

MR. AMY: If it's okay to wait just two minutes until Walter Adams comes back in?

CHAIR MILLER: Oh, okay, fine.

1 Yes.

2 MR. AMY: General protocol is that
3 he's supposed to be with me.

4 CHAIR MILLER: Right, I was
5 wondering. Okay. Your name, sir, is Helm?

6 MR. GIRON: Ernesto Giron.

7 CHAIR MILLER: How do you spell
8 your last name?

9 MR. GIRON: G-I-R-O-N.

10 CHAIR MILLER: Okay.

11 MR. ADAMS: Pardon me, Madam
12 Chairman. Walter Adams representing, well
13 assisting Mr. Adams.

14 CHAIR MILLER: Okay. All right,
15 so this is a show cause hearing, are there any
16 preliminary matters?

17 MR. AMY: Yes, Madam Chair. The
18 Government had a chance to speak with the
19 owner of Churreria and we reached a Offer-In-
20 Compromise that the Government's ready to
21 present to the Board.

22 CHAIR MILLER: Okay.

1 MR. AMY: The OIC would be in the
2 amount of \$3,000 as a fine because this is a
3 second primary tier violation and he would
4 have 30 days to pay such fine. And if he does
5 not pay it within the 30 days then his license
6 would be suspended until the fine is paid.

7 CHAIR MILLER: Okay. So the
8 Government has represented that there is an
9 Offer-In-Compromise for a \$3,000 penalty to be
10 paid within 30 days. If it's not paid within
11 30 days your license would be suspended until
12 it is paid. Are you agreeable to that Offer-
13 In-Compromise?

14 MR. GIRON: Yes.

15 CHAIR MILLER: Okay, you
16 understand that you waive your right to a
17 hearing or to appeal that?

18 MR. GIRON: Yes.

19 CHAIR MILLER: Okay. Any
20 questions by Board Members? Okay, then I move
21 that we approve this Offer-In-Compromise of a
22 \$3,000 penalty payable within 30 days and the

1 license will be suspended if not paid within
2 the 30 days until it is paid. Do I have a
3 second?

4 MEMBER RODRIGUEZ: Second.

5 CHAIR MILLER: Mr. Rodriguez
6 seconded the motion. All those in favor say
7 aye?

8 (Chorus of ayes.)

9 CHAIR MILLER: All those opposed?
10 All those abstaining? Motion passes 5-0-0.

11 (Whereupon, the above-entitled
12 matter went off the record at 10:51 a.m.)

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|---|--|--|--|---|
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