

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA  
 2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
 3 ALCOHOLIC BEVERAGE CONTROL BOARD  
 4

5 - - - - -X  
 6 IN THE MATTER OF: :  
 7 Makambo Corp t/a Awash :  
 8 2218 18th Street NW : Case #15-251-00053  
 9 License #20102, Retailer CR : Show Cause Hearing  
 10 ANC-1C :  
 11 Operating After Hours, :  
 12 No ABC Manager on Duty :  
 13 - - - - -X

14 Wednesday, November 18, 2015  
 15

16 Whereupon, the above-referenced matter  
 17 came on for hearing at the Alcoholic Beverage  
 18 Control Board, Reeves Center, 2000 14th Street,  
 19 N.W., Suite 400S, Washington, D.C. 20009.  
 20  
 21  
 22

1 CHAIRPERSON:

2 DONOVAN W. ANDERSON, Presiding

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4 BOARD MEMBERS:

5 RUTHANNE MILLER

6 NICK ALBERTI

7 MICHAEL SILVERSTEIN

8 JAMES SHORT

9

10 ALSO PRESENT:

11 FERNANDO RIVERA, ESQ.,

12 on Behalf of the District of Columbia

13 PHILLIP CHENEY, Ruff Fellow,

14 Office of Attorney General

15 FELECIA DANTZLER, Investigator, ABRA

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

[10:57 a.m.]

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2  
3 CHAIRMAN ANDERSON: The next case on our  
4 calendar is another show cause hearing, Case No.  
5 15-251-00053, Makambo Corporation t/a Awash,  
6 2218 18th Street, Northwest; License No. 20102,  
7 Retailer CR License.

8 Will the parties please approach and  
9 identify yourself after you sign in the sign-in.

10 MR. RIVERO: Good morning, Board members,  
11 Fernando Rivero for the District of Columbia.  
12 With me also is Phillip Cheney who is a Ruff  
13 Fellow in the Office of the Attorney General.

14 CHAIRMAN ANDERSON: Now, there is no one  
15 here yet. I know that we're -- we have scheduled  
16 -- I would move -- since the parties are not here  
17 and it's not quite eleven o'clock --

18 MS. MILLER: Yeah. Let's recess and come  
19 back. Yeah.

20 CHAIRMAN ANDERSON: So we will recess for  
21 a reasonable period of time waiting for the  
22 Licensee to show up.

1 [Recess taken at 10:57 a.m.]

2 [Whereupon, at 11:12 a.m., the above-  
3 entitled matter reconvened.]

4 CHAIRMAN ANDERSON: The Board is in  
5 session. The next case on our -- we will recall  
6 -- the next case on our agenda is Case No. 15-  
7 251-00053, Makambo Corporation, 2218 18th  
8 Street, Northwest, License No. 20102, Retailer  
9 CR.

10 Will the parties please approach.

11 MR. RIVERO: Good morning, Board members.  
12 Fernando Rivero for the District of Columbia.  
13 With me is also Phillip Cheney, a Ruff Fellow in  
14 the Office of Attorney General, authorized to  
15 appear under Rule 49 of the District of Columbia  
16 Court of Appeals.

17 CHAIRMAN ANDERSON: And I see that there  
18 is no one here from Corporation. Mr. Rivero, do  
19 you know whether or not they have been served?

20 MR. RIVERO: We believe that service has  
21 been effected, and --

22 [Pause.]

1           MR. SILVERSTEIN: Mr. Chairman, as a  
2 point of clarification, this is Makambo  
3 Corporation trading as, better known as Awash?

4           CHAIRMAN ANDERSON: Okay, thank you.

5           MR. SILVERSTEIN: Thank you, sir.

6           CHAIRMAN ANDERSON: I do have notice in  
7 front of me, but I was asking the Government  
8 where -- whether or not the party was served, but  
9 I do have -- I do have an order in front of me  
10 stating that they were given notice. But I'm  
11 just trying to ask the Government whether or not  
12 --

13           MR. RIVERO: Well, yeah. Sometimes if  
14 the hearing date changes, ABRA provides changes -  
15 - provides notice to the Licensee of particular  
16 hearings, and I have asked for that document to  
17 appear. If that's the document that is being  
18 referenced right now, as far as the Government is  
19 aware, there are no service issues. We are ready  
20 to move forward. The Agency's regulations permit  
21 the Government to move forward in the show cause  
22 hearing in the absence of the Licensee.

1           CHAIRMAN ANDERSON: And just for the  
2 record, have you had any conversation with the  
3 Licensee in any period of time?

4           MR. RIVERO: None whatsoever.

5           CHAIRMAN ANDERSON: All right. I have in  
6 front of me a letter dated October 19th, 2015,  
7 that was sent to Azeb, A-z-e-b, Tadesse, T-a-d-e-  
8 s-s-e, Makambo Corporation, trade name Awash,  
9 2218 18th Street, Northwest, Washington, D.C.  
10 20020. It is a letter stating "Dear Licensee,  
11 Please be advised that the Alcoholic Beverage  
12 Control Board, ABC Board, has scheduled the  
13 above-referenced matter for show cause hearing to  
14 be held November 18th, 2015, at 11 a.m., 2000  
15 14th Northwest Street, Board 400, Washington,  
16 D.C. 20029," and ask that your attendance is  
17 required, and it provided a phone number.

18           Today is November 18th. It is  
19 approximately 11:16 -- 11:16 a.m. I believe that  
20 we have provided the Licensee reasonable timeline  
21 to appear, and so, therefore, since they are not  
22 here, I am asking the Government, are they -- are

1 they ready and able to present their case for  
2 [inaudible] case? Is the Government ready and  
3 able to move forward?

4 MR. RIVERO: Yes.

5 CHAIRMAN ANDERSON: So I guess now that  
6 we are formally on the record, can you again  
7 introduce yourself for the record? So we'll  
8 start there.

9 MR. RIVERO: Oh, okay. Fernando Rivero  
10 for the District of Columbia. With me is also  
11 Phillip Cheney, a Ruff Fellow in the Office of  
12 the Attorney General, authorized to appear under  
13 Court of Appeals Rule 49.

14 CHAIRMAN ANDERSON: And --

15 MR. CHENEY: Good morning, Board members.  
16 We are here today in the show cause matter of  
17 Awash located at 2218 18th Street, Northwest.

18 This show cause notice issued in this  
19 matter concerns charges that the Licensee first  
20 operated beyond its permitted hours in violation  
21 of D.C. Code Section 25-723, subsection (a); and  
22 second, operated without the presence of a Board-

1 approved manager in violation of D.C. Code  
2 Section 25-701, subsection (a).

3 In light of D.C. Code Section 25-723,  
4 subsection (f), paragraph 1, the District will  
5 move to dismiss the first charge that Awash  
6 operated beyond its permitted hours in violation  
7 of subsection (a).

8 The District moves to dismiss because  
9 subsection (f), paragraph 1 permits licensees to  
10 sell or serve alcoholic beverages between 3 and 4  
11 a.m. on the second Sunday of March of each year.  
12 The incident in question took place between 3 and  
13 3:30 a.m. on March 8th, 2015, which was the  
14 second Sunday of March. The Licensee, therefore,  
15 did not violate Section 25-723, subsection (a).

16 Although Awash was permitted to be open  
17 until 4 a.m. in the early morning of March 8th,  
18 it was still required to have the Licensee or  
19 Board-approved manager present at that time,  
20 which it did not have. It is our belief that a  
21 preponderance of the evidence the Government will  
22 present, including the testimony of Investigator

1 Felicia Dantzler, will show that the Licensee  
2 permitted the consumption of alcohol on its  
3 premises without the presence of the Licensee or  
4 Board-approved manager on March 8th, 2015.

5 The District would not like to call our  
6 witness, Investigator Felecia Dantzler.

7 CHAIRMAN ANDERSON: All right. Could you  
8 please state -- can you --

9 MR. ALBERTI: Before we proceed -- I am  
10 sorry, Chairman. Before we proceed, I just want  
11 to do sort of a preliminary matter here because  
12 the opening statement from the Government was  
13 that the license is the license to operate until  
14 4 a.m.?

15 MR. RIVERO: There is a statute --

16 MR. ALBERTI: Oh, this was the holiday?

17 MR. RIVERO: There is a statute entitled  
18 25 that allows a licensee to serve and sell  
19 alcoholic beverages between 3 a.m. and 4 a.m. on  
20 the second Sunday in March. The incident in  
21 question took place on March 8th, 2015, which is  
22 the second Sunday in March.

1 MR. ALBERTI: Okay. I apologize to  
2 everyone. My apologies to everyone. I was not  
3 following that. Thank you.

4 MR. RIVERO: And, therefore, the  
5 Government would dismiss that charge as the  
6 Licensee was lawfully allowed to sell and serve  
7 alcoholic beverages during the 1 hour, extra hour  
8 in question.

9 MR. ALBERTI: My apologies, Mr. Rivero.  
10 Thank you for that explanation.

11 CHAIRMAN ANDERSON: All right. Can you  
12 raise your right hand, please.

13 MS. DANTZLER: Sure.

14 CHAIRMAN ANDERSON: Do you swear or  
15 affirm to tell the truth, the whole truth, and  
16 nothing but the truth?

17 MS. DANTZLER: I affirm.

18 [Witness affirmed.]

19 CHAIRMAN ANDERSON: Your witness.

20 MR. CHENEY: All right. Can you state  
21 your name?

22 MS. DANTZLER: Felicia Dantzler.

1 MR. CHENEY: And what is your occupation?

2 MS. DANTZLER: I am an investigator.

3 MR. CHENEY: Who is your employer?

4 MS. DANTZLER: The Alcoholic Beverage  
5 Regulation Administration.

6 MR. CHENEY: And how long have you been  
7 employed there?

8 MS. DANTZLER: Approximately 8 years.

9 MR. CHENEY: What are [inaudible]?

10 MS. DANTZLER: I investigate complaints  
11 as it relates to alcoholic establishments as well  
12 as conduct inspections.

13 MR. CHENEY: Are you familiar with the  
14 establishment Awash?

15 MS. DANTZLER: Yes.

16 MR. CHENEY: And how are you familiar  
17 with Awash?

18 MS. DANTZLER: I'm familiar with them  
19 through a police report, an incident that  
20 occurred there.

21 MR. CHENEY: And did you conduct an  
22 investigation into this incident?

1 MS. DANTZLER: I did.

2 MR. CHENEY: Did you speak to anyone in  
3 the Metropolitan Police Department during your  
4 investigation of the incident?

5 MS. DANTZLER: I did.

6 MR. CHENEY: And who did you speak to?

7 MS. DANTZLER: Sergeant Shawn Rooney.

8 MR. CHENEY: When did you contact  
9 Sergeant Rooney?

10 MS. DANTZLER: On Saturday, March 14th of  
11 2015.

12 MR. CHENEY: And what was the date of the  
13 incident?

14 MS. DANTZLER: March the 8th of 2015.

15 MR. CHENEY: At what time did Sergeant  
16 Rooney report receiving the call for the incident  
17 on March 8th?

18 MS. DANTZLER: According to the PD-251,  
19 at approximately 3:09 to 3:15 in the morning.

20 MR. CHENEY: Okay. And according to the  
21 report, when did Sergeant Rooney arrive at Awash?

22 MS. DANTZLER: Shortly after, on 3:09

1 a.m.

2 MR. CHENEY: What did Sergeant Rooney see  
3 when he arrived?

4 MS. DANTZLER: According to Sergeant  
5 Rooney, he stated there were approximately 100 to  
6 200 patrons outside of Awash.

7 MR. CHENEY: And what did Sergeant Rooney  
8 do after seeing these patrons?

9 MS. DANTZLER: Sergeant Rooney stated  
10 that he and other officers responded inside of  
11 Awash because they were told that a fight had  
12 started inside of Awash.

13 MR. CHENEY: So what did Sergeant Rooney  
14 observe when he entered the establishment?

15 MS. DANTZLER: Once inside, Sergeant  
16 Rooney stated that he saw overturned chairs, and  
17 that he saw individuals consuming alcoholic  
18 beverages, and he also made an attempt to locate  
19 the owner.

20 MR. CHENEY: Was Sergeant Rooney able to  
21 locate the owner?

22 MS. DANTZLER: He was not, but Sergeant

1 Rooney advised that someone made contact with the  
2 owner, and she responded back to the  
3 establishment.

4 MR. CHENEY: Did Sergeant Rooney speak to  
5 anyone aside from the owner, besides -- excuse  
6 me. Did Sergeant Rooney speak to anyone at the  
7 establishment before the owner returned?

8 MS. DANTZLER: Yes. Sergeant Rooney  
9 spoke with the security guard, who was there.

10 MR. CHENEY: Okay. And was the security  
11 guard a Board-approved manager?

12 MS. DANTZLER: No.

13 MR. CHENEY: Did Sergeant Rooney identify  
14 any other Awash employees present at that time?

15 MS. DANTZLER: No.

16 MR. CHENEY: After speaking with Sergeant  
17 Rooney, what else did you do on March 14th, 2015?

18 MS. DANTZLER: I met with Mrs. Azeb  
19 Tadesse, who identified herself as the owner of  
20 the establishment.

21 MR. CHENEY: Did you meet with her at  
22 Awash?

1 MS. DANTZLER: I did on Saturday, March  
2 14th, 2015.

3 MR. CHENEY: And what did the owner tell  
4 you about what occurred on the morning of March  
5 8th, 2015?

6 MS. DANTZLER: She stated on the morning  
7 of March 8th, 2015, she left the establishment  
8 approximately 15 to 20 minutes prior to the  
9 incident, and when she left, there were  
10 approximately 70-plus patrons still inside the  
11 establishment.

12 MR. CHENEY: Did you speak to anyone else  
13 at the establishment?

14 MS. DANTZLER: I did.

15 MR. CHENEY: Who did you speak to?

16 MS. DANTZLER: Mrs. Tadesse instructed me  
17 to speak with the security, head of security, and  
18 I did that. Mr. Delonte -- I believe his last  
19 name is Williams, but I don't know for certain.  
20 But I spoke with Mr. Delonte as it relates to  
21 what occurred that night.

22 MR. CHENEY: Okay. And was this the same

1 security guard that Sergeant Rooney spoke to?

2 MS. DANTZLER: Yes.

3 MR. CHENEY: Did the owner identify any  
4 other employees who had been present on the night  
5 of March 8th?

6 MS. DANTZLER: No.

7 MR. CHENEY: I'm sorry. Excuse me. The  
8 morning of March 8th?

9 MS. DANTZLER: No.

10 MR. CHENEY: Did you speak with anyone  
11 else at Awash?

12 MS. DANTZLER: No.

13 MR. CHENEY: And did you ever identify  
14 any other ABC-licensed manager who was present at  
15 Awash between approximately 2:49 a.m. and 3:15  
16 a.m. on the morning of March 8th, 2015?

17 MS. DANTZLER: No.

18 MR. CHENEY: If I may approach the  
19 witness?

20 [No audible response.]

21 MR. CHENEY: Do you recognize this  
22 document?

1 MS. DANTZLER: I do.

2 MR. CHENEY: Can you explain what the  
3 document is?

4 MS. DANTZLER: This is a case report  
5 authored by myself.

6 MR. CHENEY: And is this an accurate  
7 report you completed?

8 MS. DANTZLER: Just a brief indulgence.  
9 Look through the pages. It is.

10 MR. CHENEY: The District would like to  
11 enter this report as Exhibit 1.

12 CHAIRMAN ANDERSON: And I have no idea  
13 what document that you are referring to, so, I  
14 mean, the future would ask you to identify the  
15 document for the Board, so at least I can follow  
16 what's going on, and so, therefore, one is to say  
17 that I don't know what -- I have no idea. So  
18 start from the beginning and tell us what the  
19 document is.

20 MR. CHENEY: All right. Apologies.

21 This is an Alcoholic Beverage Regulation  
22 Administration case report completed by the

1 investigator relating to the Awash matter with an  
2 attached police report completed by Sergeant  
3 Rooney.

4 CHAIRMAN ANDERSON: And so you would like  
5 this document now to be moved into evidence?

6 MR. CHENEY: Yes.

7 CHAIRMAN ANDERSON: So moved.

8 MR. CHENEY: We have no further questions  
9 for the witness.

10 CHAIRMAN ANDERSON: Normally, you would  
11 have the Licensee ask questions, but since  
12 they're not there, the next process is to have  
13 Board members, ask if the Board members have any  
14 questions.

15 MS. MILLER: I'm just not sure -- I'm  
16 just not sure I heard on the last one. Did you  
17 admit the document into evidence?

18 CHAIRMAN ANDERSON: Yes.

19 MS. MILLER: Okay. So that is Exhibit  
20 No. 1. Okay. Government's Exhibit No. 1.

21 I don't have a specific question on this.

22 MR. ALBERTI: I do.

1 CHAIRMAN ANDERSON: Yes, sir.

2 MR. ALBERTI: Investigator Dantzler, than  
3 you for your report.

4 MS. DANTZLER: You're welcome.

5 MR. ALBERTI: Do you know if this  
6 establishment had cameras and what the status of  
7 the cameras was on that evening?

8 MS. DANTZLER: I do not.

9 MR. ALBERTI: You were present for a  
10 fact-finding on June 17th, 2015; is that correct?

11 MS. DANTZLER: Yes, sir.

12 MR. ALBERTI: All right. And Sergeant  
13 Rooney was present for that fact-finding?

14 MS. DANTZLER: Yes, sir.

15 MR. ALBERTI: And that was a fact-finding  
16 involving an investigation into this, that  
17 evening, the events of that evening; is that  
18 correct?

19 MS. DANTZLER: That's correct.

20 MR. ALBERTI: Okay. Chairman Anderson,  
21 I'd like the Board to take administrative notice  
22 of the transcript in that hearing.

1 CHAIRMAN ANDERSON: The Board will take -  
2 -

3 MR. ALBERTI: I don't know if the  
4 Government has any objections.

5 MR. RIVERO: We actually don't have a  
6 sufficient foundation to object or not object  
7 because we don't know the reason for having this  
8 transcript being the subject of administrative  
9 notice.

10 MR. ALBERTI: There are -- there was in  
11 that fact-finding more detailed description of  
12 what Sergeant Rooney observed that evening.  
13 There was also information regarding the number  
14 of cameras and the status of cameras that were  
15 present and -- at the establishment that evening.

16 MR. RIVERO: After having heard the  
17 proffer, the Government will object on the basis  
18 that anything having to do with the cameras, it's  
19 not clear to the Government that has to do with  
20 the presence or absence of an ABC-approved  
21 manager.

22 This case is about not having ABC

1 managers on duty. The witness, the Government  
2 believes has proffered sufficient evidence for  
3 that, Government's sole charge, and as far as  
4 we're concerned, we don't see the connection  
5 between security cameras and the presence and  
6 absence of an ABC Board manager.

7 MR. ALBERTI: And what about the  
8 presence? Would you -- the observation is that  
9 Officer Rooney saw that evening in terms of the  
10 state of the establishment. Is that relevant?  
11 Do you think that that is relevant to the absence  
12 or presence of an ABC manager?

13 MR. RIVERO: Any statements that anyone  
14 at that particular fact-finding hearing made that  
15 relate to the presence or absence of the Licensee  
16 or an ABC-approved manager are relevant, and the  
17 Government would not object to the review of  
18 those statements only.

19 MR. ALBERTI: All right. Thank you, Mr.  
20 Rivero.

21 I still would like to take administrative  
22 notice, but I understand and note Mr. Rivero's

1 comments. They were very thoughtful. Thank you.

2 MR. RIVERO: Obviously, the Board is free  
3 to do what it wishes, but the Government has to  
4 make a very specific objection on the record, so  
5 that the Government's concerns are laid out  
6 clear.

7 MR. ALBERTI: So noted. Thank you.

8 MS. MILLER: Mr. Chairman, I would like  
9 to join in Mr. Rivero's concerns. We have one  
10 charge before us today, and it's no ABC Board  
11 manager on duty, and I believe that we should be  
12 basing that decision on the evidence that's being  
13 presented by the Government who has suggested to  
14 us that, certainly, he's presenting adequate  
15 evidence to make that determination.

16 So I don't feel comfortable going off  
17 into some fact-finding hearing transcript that's  
18 not before the Board or the Government to address  
19 in this hearing.

20 MR. ALBERTI: I would just say, Mr.  
21 Chairman, that the fact-finding transcript does  
22 speak to the presence or absence of the manager.

1 So, with respect to that, I think I'd like the  
2 Board to take administrative notice.

3 CHAIRMAN ANDERSON: I have not seen the  
4 transcript, and the Government has some concerns  
5 regarding the admission of the document, and the  
6 Licensee is not here. So I will agree with the  
7 Government in this particular case that we should  
8 not -- especially since the Licensee is not here,  
9 so I would agree with the Government not to make  
10 that transcript a part of the record.

11 Any other Board members have any  
12 questions?

13 [No audible response.]

14 CHAIRMAN ANDERSON: Do you have any --  
15 any other witnesses? Does the Government have  
16 any other witnesses?

17 MR. RIVERO: No.

18 CHAIRMAN ANDERSON: Does the Government  
19 rest?

20 MR. RIVERO: Yes.

21 CHAIRMAN ANDERSON: Do you -- do you care  
22 to provide us with an overview?

1 MR. RIVERO: We would --

2 CHAIRMAN ANDERSON: Oh, I'm sorry. Well,  
3 that's -- the witness is free to go.

4 MS. DANTZLER: Thank you.

5 CHAIRMAN ANDERSON: Thank you for your  
6 testimony.

7 [Laughter.]

8 CHAIRMAN ANDERSON: All right. I'll  
9 start. Does the Government have any other  
10 witnesses?

11 MR. RIVERO: No.

12 CHAIRMAN ANDERSON: Does the Government  
13 rest its case?

14 MR. RIVERO: Yes.

15 CHAIRMAN ANDERSON: Would the Government  
16 care to provide a closing statement?

17 MR. CHENEY: Yes.

18 CHAIRMAN ANDERSON: Proceed.

19 MR. CHENEY: According to the admission  
20 made by the owner, Ms. Tadesse, to Investigator  
21 Dantzler on March 14th, she left approximately 15  
22 or 20 minutes before the incident. The calls to

1 police were placed around 3:09. Therefore, Ms.  
2 Tadesse probably left somewhere around 2:49 on  
3 the morning of March 8th. From 2:49 a.m. to 3:15  
4 a.m. on that morning, there was no Licensee or  
5 Board-approved manager present at Awash. The  
6 Government's witness has testified to that  
7 effect. The admission of the owner corroborates  
8 that, and the defendant has put forward no  
9 contradictory evidence.

10 Therefore, the evidence is clear that  
11 there was no Board-approved manager, Board  
12 Licensee present at Awash between 2:49 a.m. and  
13 3:15 a.m. on the morning of March 8th, 2015,  
14 which is a violation of D.C. Code Section 25-701,  
15 subsection (a).

16 This is the fourth second-tier violation  
17 in 4 years, and the Government would request a  
18 fine of \$1,000.

19 Thank you.

20 CHAIRMAN ANDERSON: Thank you.

21 MS. MILLER: Could I just ask? And you  
22 don't have to answer this question, but sometimes

1 you do provide insight as to -- you know, there's  
2 a range for the panel to -- I believe it's one to  
3 two -- and why the Government is recommending  
4 one, if for any reason. If you don't want to  
5 answer it, that's fine, but do you have a  
6 specific reason that you think would be useful?  
7 I'd be interested.

8 MR. RIVERO: We're following what the  
9 statute says, and the statute says that the  
10 fourth -- or rather the regulations that I'm  
11 citing now. The fourth secondary tier violation  
12 can be treated as a first primary tier violation,  
13 the range between \$1,000 and \$2,000. And the --  
14 if the Board looks at the investigative record,  
15 the prior violations are not the same kind.

16 MS. MILLER: Mm-hmm.

17 MR. RIVERO: We don't have necessarily  
18 any compelling evidence with respect to the facts  
19 as to the nature of this violation to go to the  
20 far range, so we're just settling with the  
21 \$1,000.

22 MS. MILLER: Thank you. Okay.

1           CHAIRMAN ANDERSON: The record is now  
2 closed.

3           Does the Government wish to propose  
4 findings of fact and conclusions of law or waive  
5 their right to do so?

6           MR. RIVERO: The Government waives.

7           CHAIRMAN ANDERSON: All right. All  
8 right. The Board will issue a decision within 90  
9 days. Therefore, as Chairperson of the Alcoholic  
10 Beverage Control Board for the District of  
11 Columbia and in accordance with D.C. Official  
12 Code 2-574(b) of the Open Meetings Act, I move  
13 that the ABC Board hold a closed meeting on  
14 November 19th -- November 18th, 2015, for the  
15 purpose of seeking legal advice from our counsel  
16 on the matters identified on the Board agenda for  
17 Case No. 15-251-00053, Makambo Corporation,  
18 trade name as Awash.

19           Is there a second?

20           MR. ALBERTI: Seconded.

21           CHAIRMAN ANDERSON: Mr. Alberti seconded  
22 the motion.

1           I will now take a roll call vote on the  
2 motion before us now. It has been seconded.  
3 Those in favor, say aye.

4           MS. MILLER: We're going to take a roll  
5 call with names.

6           CHAIRMAN ANDERSON: Okay. Ms. Miller?

7           MS. MILLER: Approve.

8           CHAIRMAN ANDERSON: Mr. Alberti?

9           MR. ALBERTI: Approve.

10          CHAIRMAN ANDERSON: Mr. Short?

11          MR. SHORT: I approve.

12          CHAIRMAN ANDERSON: Mr. Silverstein?

13          MR. SILVERSTEIN: I approve.

14          CHAIRMAN ANDERSON: I approve as the  
15 Chair.

16          As it appears that the motion has passed,  
17 I hereby give notice that the ABC Board will hold  
18 this aforementioned close hearing pursuant to the  
19 Open Meetings Act. Notice will be provided on  
20 the ABC Board hearing room bulletin board, placed  
21 on the electronic calendar, on ABRA's website,  
22 and published in the D.C. Register in a timely

1 manner, as practicable.

2 The Board is now in recess.

3 [Whereupon, at 11:37 a.m., the above-  
4 entitled matter concluded.]

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