

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

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IN THE MATTER OF: :
 :
F Street Restaurant, LLC :
t/a Finemondo Restaurant : Show Cause
1319 F Street, NW : Hearing
Retailer CR - ANC-2C : (Status)
License No. 60527 :
Case #13-CMP-00313 :
 :
(No ABC Manager on Duty, :
Failed to Post Legal :
Drinking Age) :
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December 4, 2013

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C.

20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member
DONALD BROOKS, Member

ALSO PRESENT:

AMY SCHMIDT, OAG

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

(9:35 a.m.)

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CHAIRPERSON MILLER: Good morning, everyone. I would like to welcome you to the regularly scheduled meeting of the District of Columbia Alcoholic Beverage Control Board. Today is December 4, 2013.

My name is Ruthanne Miller. I'm the Chairperson. Joining me today to my far right is Mr. Donald Brooks. To my immediate right is Mr. Nick Alberti. And Mr. Mike Silverstein will be joining us very shortly and he will be sitting to my left.

The Board has four Members in attendance for the conduct of business today with three constituting a quorum.

Copies of today's hearing calendar and agenda are available at the receptionist desk. Please be aware that these proceedings are being recorded by a court reporter. Accordingly, we must ask you to refrain from any disruptive noises or actions in the

1 hearing room.

2 If you have any electronic
3 devices, pagers, cell phones or such, please,
4 make certain that they are turned off to avoid
5 any interruption of the proceedings.

6 When I call your case, please,
7 come forward and take a seat at the table.
8 You will note that there is a piece of paper
9 on each table for you to sign-in. This is to
10 ensure the correct spelling of your name for
11 the record, so please be sure to sign-in when
12 you get to the table.

13 The Open Meetings Act requires
14 that the public hearing on each case be open
15 to the public. The Board may, consistent with
16 Section 405(b) of the Open Meetings Act, enter
17 a closed meeting during or after the public
18 hearing on a case to consult with an attorney
19 to obtain legal advice, discuss settlement
20 agreements or deliberate upon a decision in an
21 adjudication proceeding.

22 So I will now turn to our morning

1 calendar. The first case on the calendar is
2 Case No. 13-CMP-00313, Finemondo Restaurant
3 located at 1319 F Street, N.W., License No.
4 60527, in ANC-2C.

5 MR. RECINE: Good morning.

6 CHAIRPERSON MILLER: Good morning.

7 MS. SCHMIDT: Good morning. Amy
8 Schmidt, Assistant Attorney General on behalf
9 of the District of Columbia.

10 Oh, I'm sorry. Good morning. Amy
11 Schmidt, Assistant Attorney General on behalf
12 of the District of Columbia.

13 CHAIRPERSON MILLER: And you may
14 turn on your microphone as well. Press it
15 down and you'll get a green light. There you
16 go. Okay.

17 MR. RECINE: Yes, thank you.

18 CHAIRPERSON MILLER: And if you
19 could introduce yourself for the record,
20 please?

21 MR. RECINE: Savino Recine.

22 CHAIRPERSON MILLER: Okay.

1 MR. RECINE: From Finemondo
2 Restaurant.

3 CHAIRPERSON MILLER: You're the
4 owner?

5 MR. RECINE: Yes, I am.

6 CHAIRPERSON MILLER: Okay. Did
7 you receive notice of this hearing?

8 MR. RECINE: Yes, ma'am.

9 CHAIRPERSON MILLER: All right.
10 And did you read it and understand it?

11 MR. RECINE: Yes, ma'am.

12 CHAIRPERSON MILLER: Okay. Then
13 that notice will become part of this record,
14 unless there is any objection.

15 (Whereupon, the document was
16 marked as Exhibit 1 for
17 identification.)

18 MR. RECINE: There is a lot to
19 say, but it's okay.

20 CHAIRPERSON MILLER: Okay. I just
21 wanted to get on the record that you did
22 receive notice.

1 MR. RECINE: Okay. Yes, I did.

2 CHAIRPERSON MILLER: Okay. This
3 is just a Status Hearing. It's not the
4 hearing on the merits. Are there any issues?

5 MS. SCHMIDT: Yes, there is an
6 offer in compromise which the Government and
7 the licensee would like to present to the
8 Board. It is an offer to pay \$350 per charge
9 for a total sum of \$700 and that will be paid
10 within 30 days.

11 MEMBER ALBERTI: How much did she
12 say?

13 CHAIRPERSON MILLER: \$350 per
14 charge within how many days?

15 MS. SCHMIDT: 30 days.

16 CHAIRPERSON MILLER: 30 days.
17 Okay. Let me ask Mr. Recine, are you
18 agreeable to that offer in compromise that was
19 just presented to pay \$350 for each charge
20 totalling \$700 within 30 days?

21 MR. RECINE: Yes, ma'am.

22 CHAIRPERSON MILLER: All right.

1 And do you understand that you waive your
2 right to a hearing by entering into this offer
3 in compromise?

4 MR. RECINE: Yes, I do, ma'am.

5 CHAIRPERSON MILLER: Okay. Are
6 there questions by Board Members? Okay. Then
7 I would move that we accept this offer in
8 compromise of \$700 to be paid within 30 days.
9 And it reflects \$350 per violation. Do I have
10 a second?

11 MEMBER BROOKS: Second.

12 CHAIRPERSON MILLER: Mr. Brooks
13 has seconded the motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON MILLER: All those
17 opposed? All those abstaining? I believe --
18 the motion passes, I believe, 3-0?

19 MEMBER ALBERTI: 3-0.

20 CHAIRPERSON MILLER: Okay. I
21 wasn't sure. Okay. All right. Then that's
22 3-0-0. Yes, if you wait a moment, I'll be

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signing that. Okay. Thank you.

(Whereupon, the Show Cause
(Status) Hearing in the above-entitled matter
was concluded at 9:40 a.m.)

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