

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

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| Hundal, Inc. | |
| t/a Petworth Liquors | Show |
| 3210 Georgia Ave., NW | Cause |
| Retailer A - ANC-1A | Hearing |
| License No. 72626 | (Status) |
| Case #13-CMP-00217 | |

(Operating After Hours,
Failed to Follow Settlement
Agreement)

December 10, 2014

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
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

MICHAEL STERN, OAG

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

(10:16 a.m.)

CHAIRPERSON MILLER: The next case is 13-CMP-00217, Petworth Liquors located at 3210 Georgia Avenue, N.W., License No. 72626, in ANC-1A.

MR. SINGH: Good morning.

CHAIRPERSON MILLER: Good morning.

MR. STERN: Michael Stern representing the District of Columbia.

CHAIRPERSON MILLER: If you would introduce yourself for the record and sign-in? What's your name? Your name?

MR. SINGH: Balbir Singh.

CHAIRPERSON MILLER: Okay. You're the owner?

MR. SINGH: Yes, the owner.

CHAIRPERSON MILLER: Okay. Did you sign-in also? All right. Mr. Singh, did you receive notice of this hearing?

MR. SINGH: Yes, I did.

CHAIRPERSON MILLER: Okay. Did

1 you read it and understand it?

2 MR. SINGH: Correct.

3 CHAIRPERSON MILLER: Okay. So you
4 don't have any issues with notice. All right.
5 Mr. Stern, are there any preliminary matters?

6 MR. STERN: Yes, there are. In
7 this case, the parties have reached an
8 agreement which we hope the Board will accept
9 as an Offer in Compromise. The respondent
10 will pay a fine of \$1,500 and resolve Count 1
11 of the notice. Count 2 of the notice will be
12 dismissed.

13 I do want to make clear, however,
14 the Government is dismissing this in our
15 discretion. We believe these are not
16 duplicate charges. There are separate
17 elements to each charge and, therefore, could
18 both be charged and the respondent could both
19 be found responsible for each charge, but we,
20 again in our discretion, are deciding to
21 proceed in this manner.

22 CHAIRPERSON MILLER: Okay. Is

1 there a time frame on which the payment needs
2 to be made?

3 MR. STERN: Yes, within 30 days.
4 I thought I had mentioned that.

5 CHAIRPERSON MILLER: Within 30
6 days?

7 MR. STERN: Yes. And if it is not
8 paid within 30 days, the license will be
9 suspended.

10 CHAIRPERSON MILLER: Okay. Mr.
11 Singh, do you agree to that Offer in
12 Compromise of a fine of \$1,500 for Charge 1.
13 Charge 2 dismissed. And the \$1,500 must be
14 paid within 30 days or else the license will
15 be suspended until it's paid.

16 MR. SINGH: Yes, I do.

17 CHAIRPERSON MILLER: Okay. Any
18 questions by Board Members?

19 MEMBER ALBERTI: Not at this time.

20 CHAIRPERSON MILLER: Okay. Then I
21 move that we approve this Offer in Compromise
22 of \$1,500 to be paid within 30 days. If not

1 paid within 30 days, the license will be
2 suspended. Do I have a second?

3 MEMBER BROOKS: Second.

4 CHAIRPERSON MILLER: Mr. Brooks
5 seconded the motion.

6 All those in favor say aye.

7 ALL: Aye.

8 CHAIRPERSON MILLER: All those
9 opposed? All those abstaining? The motion
10 passes 6-0-0.

11 MEMBER ALBERTI: Madam Chair, may
12 I just --

13 CHAIRPERSON MILLER: Yes.

14 MEMBER ALBERTI: -- make a
15 comment?

16 CHAIRPERSON MILLER: Sure.

17 MEMBER ALBERTI: Mr. Stern?

18 MR. STERN: Yes?

19 MEMBER ALBERTI: I'm curious as to
20 your earlier comment about the rationale for
21 the --

22 MR. STERN: Sure.

1 MEMBER ALBERTI: -- Government.

2 Now, you don't need to do it here, but if you
3 could maybe speak to our General Counsel and
4 kind of relay to us more detail as to about
5 your rationale, I would appreciate that, so I
6 could understand.

7 MR. STERN: Sure. I would be
8 happy to.

9 MEMBER ALBERTI: I didn't want to
10 talk about it here, because this really is not
11 a matter to be discussed here.

12 MR. STERN: Right.

13 CHAIRPERSON MILLER: Thank you.

14 MEMBER ALBERTI: I would
15 appreciate that.

16 MR. STERN: Yes, certainly.

17 MEMBER ALBERTI: Thank you so
18 much. Thanks.

19 CHAIRPERSON MILLER: All right.
20 Thank you very much.

21 MR. STERN: Thank you.

22 (Whereupon, the Show Cause

1 (Status) Hearing in the above-entitled matter
2 was concluded at 10:20 a.m.)
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