

1 and you'll have to help me, Greenbaum, is that
2 right?

3 MS. GREENBAUM: Yes.

4 MR. STRONG: Okay.

5 CHAIRPERSON MILLER: What's her
6 last name?

7 MR. STRONG: Greenbaum.

8 CHAIRPERSON MILLER: Greenbaum.
9 And, what's her position?

10 MS. GREENBAUM: I'm the HR
11 Administrator for Vapiano.

12 CHAIRPERSON MILLER: Okay, thank
13 you.

14 Okay. Are there any preliminary
15 matters in this case?

16 MS. ZANIEL: Yes. We've reach an
17 offer in compromise that we would recommend
18 the Board approve, and the compromise is this.
19 First, I would indicate that the Government
20 moves to dismiss Charge 2, upon gathering
21 additional factual information we've
22 determined is not the factual basis to support

1 that charge.

2 And, as --

3 CHAIRPERSON MILLER: Would you
4 articulate which charge that is, just to make
5 sure we have them in the same order?

6 MS. ZANIEL: Certainly. That you
7 failed to obtain the required importation
8 permits.

9 CHAIRPERSON MILLER: Okay.

10 MS. ZANIEL: With respect to the
11 other two charges, the compromise is this.
12 That there be imposed a \$1,500 fine for Charge
13 1, and a \$1,500 fine for Charge 3, and that
14 total of \$3,000 fine be payable today.

15 CHAIRPERSON MILLER: Okay. Mr.
16 Strong, I want to ask you if that is agreeable
17 to you, dismissal of Charge 2, and \$1,500 for
18 Charges 1 and 3 each, totalling \$3,000, to be
19 paid today.

20 MR. STRONG: Those terms are
21 agreeable.

22 CHAIRPERSON MILLER: Okay. And,

1 does your client also know that by accepting
2 an OIC that they waive their right to a
3 hearing?

4 MR. STRONG: That's correct.

5 CHAIRPERSON MILLER: Okay. Are
6 there questions by Board Members?

7 Okay. Then at this point I would
8 move that the Board accept the offer in
9 compromise, in which Charge 2 was dismissed,
10 and a fine of \$1,500 is to be paid for Charges
11 1 and 3 each, totalling \$3,000, to be paid
12 today.

13 Do I have a second?

14 MEMBER BROOKS: Second.

15 CHAIRPERSON MILLER: Mr. Brooks
16 has seconded the motion.

17 Any comments?

18 All those in favor say aye.

19 (Ayes.)

20 CHAIRPERSON MILLER: All those
21 opposed?

22 MEMBER JONES: Opposed.

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CHAIRPERSON MILLER: All those
abstaining?

Then the vote is 4:1:0 to accept
the offer in compromise.

Okay, thank you very much. That
concludes the hearing.

MR. STRONG: Thank you.

MS. ZANIEL: Thank you.

(Whereupon, the above-entitled
matter was concluded at 1:34 p.m.)

<p style="text-align: center;">A</p> <p>above-entitled 6:9 abstaining 6:2 accept 5:8 6:3 accepting 5:1 additional 3:21 Administrator 3:11 afternoon 2:4,5,13 agreeable 4:16,21 ALBERTI 1:17 Alcoholic 1:2,12,12 ANC 1:9 2:8 Anthony 1:22 2:18 approve 3:18 articulate 4:4 aye 5:18 Ayes 5:19 A-F-T-E-R-N-O-... 2:1</p> <hr/> <p style="text-align: center;">B</p> <p>back 2:3 basis 3:22 behalf 2:14,17 Beverage 1:2,12,12 Board 1:2,12 3:18 5:6,8 Brooks 1:17 5:14 5:15 Building 1:13</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 2:4,6 case 1:8 2:5,6 3:15 Cause 1:6 2:6 Certainly 4:6 Chairperson 1:14 1:16 2:3 3:5,8,12 4:3,9,15,22 5:5,15 5:20 6:1 chance 2:9 charge 3:20 4:1,4 4:12,13,17 5:9 charges 4:11,18 5:10 client 5:1</p>	<p>CMP-00110 2:7 Columbia 1:1 2:15 comments 5:17 compromise 3:17 3:18 4:11 5:9 6:4 concluded 6:10 concludes 6:6 Control 1:2,12,12 correct 5:4 CR 1:8</p> <hr/> <p style="text-align: center;">D</p> <p>December 1:10 determined 3:22 dismiss 3:20 dismissal 4:17 dismissed 5:9 District 1:1 2:14 DONALD 1:17 D.C 1:13</p> <hr/> <p style="text-align: center;">E</p> <p>Elaine 2:20 Emily 1:22 2:21,22 2:22</p> <hr/> <p style="text-align: center;">F</p> <p>factual 3:21,22 failed 4:7 favor 5:18 Felli 1:22 2:18 fine 4:12,13,14 5:10 first 2:5 3:19</p> <hr/> <p style="text-align: center;">G</p> <p>gathering 3:20 Good 2:13 Government 3:19 Greenbaum 1:22 2:21 3:1,3,7,8,10</p> <hr/> <p style="text-align: center;">H</p> <p>H 1:6,7 2:7,17 hearing 1:7,13 2:6 5:3 6:6 help 3:1 HERMAN 1:18</p>	<p>holder 2:19 HR 3:10</p> <hr/> <p style="text-align: center;">I</p> <p>importation 4:7 imposed 4:12 indicate 3:19 information 3:21 introduce 2:10</p> <hr/> <p style="text-align: center;">J</p> <p>JONES 1:18 5:22</p> <hr/> <p style="text-align: center;">K</p> <p>know 5:1</p> <hr/> <p style="text-align: center;">L</p> <p>left 2:17 License 1:8 2:8,19 LLC 1:6 2:17 located 2:7</p> <hr/> <p style="text-align: center;">M</p> <p>Managing 2:18 matter 1:5 6:10 matters 3:15 Maureen 1:21 2:14 MEETING 1:3 Member 1:17,17 1:18,18 5:14,22 Members 5:6 met 1:12 Michael 1:21 2:16 MIKE 1:18 Miller 1:14,16 2:3 3:5,8,12 4:3,9,15 4:22 5:5,15,20 6:1 motion 5:16 move 5:8 moves 3:20</p> <hr/> <p style="text-align: center;">N</p> <p>name 3:6 NICK 1:17 NW 1:7 2:8 N.W 1:13</p> <hr/> <p style="text-align: center;">O</p>	<p>obtain 4:7 offer 3:17 5:8 6:4 Officer 2:18 OIC 5:2 Okay 3:4,12,14 4:9 4:15,22 5:5,7 6:5 opposed 5:21,22 order 4:5</p> <hr/> <p style="text-align: center;">P</p> <p>paid 4:19 5:10,11 paper 2:11 payable 4:14 permits 4:8 piece 2:11 point 5:7 position 3:9 preliminary 3:14 PRESENT 1:15,19 presiding 1:14 p.m 2:2 6:10</p> <hr/> <p style="text-align: center;">Q</p> <p>questions 5:6</p> <hr/> <p style="text-align: center;">R</p> <p>reach 3:16 recommend 3:17 record 2:4,10 Reeves 1:13 representative 2:20 required 4:7 respect 4:10 Retailer 1:8 right 2:20 3:2 5:2 Room 1:13 Ruthanne 1:13,16</p> <hr/> <p style="text-align: center;">S</p> <p>second 5:13,14 seconded 5:16 Show 1:6 2:6 sign 2:11 SILVERSTEIN 1:18 sorry 2:22 Street 1:6,7,13 2:7 2:17</p>	<p>Strong 1:21 2:16 2:16,22 3:4,7 4:16 4:20 5:4 6:7 support 3:22 sure 4:5 S-E-S-S-I-O-N 2:1</p> <hr/> <p style="text-align: center;">T</p> <p>table 2:12 terms 4:20 thank 3:12 6:5,7,8 today 4:14,19 5:12 total 4:14 totalling 4:18 5:11 two 4:11 t/a 1:6</p> <hr/> <p style="text-align: center;">V</p> <p>Vap 1:6 2:17 Vapiano 1:6 2:7 3:11 vote 6:3</p> <hr/> <p style="text-align: center;">W</p> <p>waive 5:2 want 4:16 Washington 1:13 we've 3:16,21</p> <hr/> <p style="text-align: center;">Z</p> <p>Zaniel 1:21 2:13,14 3:16 4:6,10 6:8</p> <hr/> <p style="text-align: center;">P</p> <p>p 1:5,9</p> <hr/> <p style="text-align: center;">\$</p> <p>\$1,500 4:12,13,17 5:10 \$3,000 4:14,18 5:11</p> <hr/> <p style="text-align: center;">#</p> <p>#76727 1:8</p> <hr/> <p style="text-align: center;">1</p> <p>1 4:13,18 5:11 1:30 2:2 1:34 6:10 12 1:10 2:6</p>
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