

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
3 ALCOHOLIC BEVERAGE CONTROL BOARD
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6 IN THE MATTER OF: :
7 HRH Services, LLC, t/a : Show Cause Hearing
8 Chao Charles Zhou, t/a :
9 Eye Bar/Garden of Eden :
10 1716 I Street NW : Case#15-251-00125
11 License #ABRA-83133 :
12 Retailer Class CN :
13 ANC-2B :
14 Failed to Follow Security :
15 Plans :

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17 Wednesday, December 2, 2015

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

1 CHAIRPERSON:

2 DONOVAN 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:

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12 FERNANDO RIVERO, ESQ.

13 On behalf of District of Columbia

14 CHARLES ZHOU,

15 On behalf of Eye Bar/Garden of Eden

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

2 [10:19 a.m.]

3 CHAIRMAN ANDERSON: The next case on the
4 agenda -- we're back to the show cause hearing
5 (status), Case No. 15-251-00125, The Eye
6 Bar/Garden of Eden, License No. 83133.

7 Will the parties approach, please?

8 MR. RIVERO: Good morning, board members.
9 Fernando Rivero for the District of Columbia.

10 MR. RIVERO: Charles Zhou, owner of the
11 space -- of the business.

12 CHAIRMAN ANDERSON: Can you please spell
13 your name for us, Charles?

14 MR. RIVERO: Yes.

15 MR. ZHOU: Yes, Charles. Last name is Z-
16 H-O-U, owner of the business.

17 CHAIRMAN ANDERSON: All right. Good
18 morning. The parties -- are there any
19 preliminary matters?

20 MR. RIVERO: There seems to be a little
21 confusion about what exactly the licensee was
22 served with respect to notice. I understand that

1 he was under the impression this might have been
2 a fact-finding hearing.

3 I don't believe that that affects the
4 date -- the scheduled date of the show cause
5 hearing. So, I just wanted to let the board
6 know, after this hearing, the licensee will --
7 I'll ensure that he gets the documents that he
8 needs, meaning the show cause notice and the
9 report on which the notice was based.

10 Apart from that, the parties do not have
11 an offer in compromise to present at this time,
12 and they will move to -- and it's unlikely that
13 an offer in compromise will be produced, and the
14 parties will move to the scheduled show case
15 hearing date.

16 CHAIRMAN ANDERSON: Now, the hearing is
17 scheduled for January 20th, 2016 at 10:00.

18 MR. RIVERO: Okay.

19 CHAIRMAN ANDERSON: Okay? If there are
20 no further matters -- yes, are you --

21 MR. ZHOU: Yes, I was served at the -- I
22 would serve (sic) as a fact-finding hearing, and

1 then show cause hearing, so I don't know how you
2 would go straight with the show cause.

3 CHAIRMAN ANDERSON: Just to further --

4 MR. RIVERO: I don't know. We actually -
5 - that's the question. We don't know what the
6 licensee was served with. I asked him for a
7 piece -- for the document --

8 (Simultaneous discussion)

9 CHAIRMAN ANDERSON: And then what --

10 MR. RIVERO: -- but he doesn't have it in
11 his possession right now.

12 MR. ZHOU: When the investigator came to
13 my space (Inaudible) --

14 MALE SPEAKER: Please speak up, Mr. Zhou.

15 MR. ZHOU: Yeah. When the investigator
16 came to the space and served me the paperwork, it
17 was a fact-finding hearing following a show cause
18 hearing further date.

19 And I was asking the investigator for a
20 copy of the investigation report, and you know, I
21 didn't get a copy. And the copy was never even
22 sent to me for what I was charged with, so --

1 MR. ALBERTI: Mr. Zhou?

2 MR. ZHOU: Mm-hmm?

3 MR. ALBERTI: It would be helpful to both
4 Mr. Rivero and to us if you would --

5 (Discussion off the record)

6 MR. ALBERTI: Mr. Zhou, it would be
7 helpful to us and to Mr. Rivero if you would
8 provide both parties with a copy of what you
9 received.

10 Is that possible?

11 MR. ZHOU: Sure.

12 MR. ALBERTI: Okay. You can submit that
13 to our general counsel --

14 MR. ZHOU: Okay.

15 MR. ALBERTI: -- Ms. Jenkins.

16 I'm sure Mr. Rivero would love to see a
17 copy of what you received.

18 MR. RIVERO: Certainly.

19 MR. ALBERTI: Yes.

20 MR. RIVERO: But the point the government
21 made was that according to the regulations, a
22 licensee is entitled to 30 days' notice for a

1 show cause hearing.

2 MR. ALBERTI: Mm-hmm.

3 MR. RIVERO: And so, we are now at more
4 than that. And so, by today, ensuring that the
5 licensee receives the notice to show cause and
6 the report, any service defect is cured under the
7 regulations.

8 MR. ALBERTI: Absolutely. I understand
9 that.

10 MR. RIVERO: Okay.

11 MR. ALBERTI: It's just --

12 MR. RIVERO: If necessary --

13 (Simultaneous discussion)

14 MR. ALBERTI: Just if it's necessary
15 (Inaudible) --

16 MR. RIVERO: If necessary, we could
17 reschedule the hearing, if the licensee provides
18 a proffer or evidence to justify that. At this
19 time, there is insufficient evidence to change
20 the date of the show cause hearing.

21 MR. ALBERTI: Yeah. And from our point
22 of view, if an error was made, we'd just like to

1 know about it. So, we'll wait to see what you
2 were served with.

3 MR. RIVERO: That date was January 20th?

4 CHAIRMAN ANDERSON: January 20th at
5 10:00.

6 MR. RIVERO: Thank you.

7 CHAIRMAN ANDERSON: Okay?

8 MR. ZHOU: Thank you.

9 CHAIRMAN ANDERSON: All right, thank you.

10 [Whereupon, at 10:23 a.m. the
11 above-entitled matter concluded.]

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