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GOVERNMENT OF THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

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IN THE MATTER OF: :

F&A, Inc.  
t/a Anacostia Market Case Number 16-CMP-00090  
1303 Good Hope Road SE  
License Number 86470  
Retailer B  
ANC 8A  
SHOW CAUSE HEARING

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Wednesday, May 18, 2016

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

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3 CHAIRPERSON:

4 DONOVAN W. ANDERSON, Presiding

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6 OTHER PERSONS PRESENT:

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8 RUTHANNE MILLER, BOARD MEMBER

9 JAMES SHORT, BOARD MEMBER

10 MIKE SILVERSTEIN, BOARD MEMBER

11 NICK ALBERTI, BOARD MEMBER

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

2 CHAIRPERSON ANDERSON: Good morning,  
3 everyone. I would like to welcome you to the regularly  
4 scheduled meeting of the District of Columbia Alcohol  
5 Beverage Control Board. Please note that today's  
6 hearings will be conducted in accordance with D.C.  
7 Official Code Section 2574 of the Open Meetings Act.  
8 Today is May 18, 2016.

9 I would like to introduce members of the  
10 board with us today. To my far right is Ms. Ruthanne  
11 Miller. To my immediate right is Mr. Nick Alberti. To  
12 my far left is Mr. Mike Silverstein, and to my immediate  
13 left is Mr. James Short.

14 My name is Donovan Anderson. And I'm the  
15 Chairman of the Board. The Board has five members in  
16 accordance in attendance for the conduct of business  
17 today and that constitutes a quorum.

18 I would like to mention two things before we  
19 get started. First of all, if you have any electronic  
20 devices, pagers, cell phones, or such, please make  
21 certain that they are turned off to avoid any  
22 interruption of the proceedings.

1                   Secondly, there is a piece of paper on the  
2 table. When you come forward as your case is called  
3 please take a seat at the table and please sign in.  
4 This is to ensure the correct spelling of your name for  
5 the record. Additionally when you introduce yourself  
6 for the record please spell your name aloud for the  
7 court reporter.

8                   I would like to note that the approximate  
9 time is 9:47, and I apologize for not starting at 9:30  
10 promptly. So I do apologize for not starting at 9:30  
11 promptly.

12                   Our first order of business today we have a  
13 show cause hearing for Case Number 16-CMP-00090,  
14 Anacostia Market, License Number 86470. Will the  
15 parties please approach.

16                   MR. SHAPIRO: Thank you and good morning.  
17 Zachary Shapiro on behalf of the District of Columbia.

18                   CHAIRPERSON ANDERSON: Good morning,  
19 Mr. Shapiro.

20                   MR. GRIMWAY: Thank you and good morning.  
21 My name is Ephriam on behalf of Anacostia Market.

22                   CHAIRPERSON ANDERSON: Good morning. And I

1 should know your name because you have appeared in front  
2 of me, but I -- Mr. Grimway.

3 MR. GRIMWAY: Yeah. Ephriam Grimway. Yes,  
4 sir.

5 CHAIRPERSON ANDERSON: Good morning, sir.

6 MR. GRIMWAY: Good morning.

7 CHAIRPERSON ANDERSON: All right. Are there  
8 any preliminary matters in -- this morning?

9 MR. SHAPIRO: Yes, there are. There is a  
10 Offer in Compromise.

11 CHAIRPERSON ANDERSON: And --

12 MR. SHAPIRO: That being --

13 CHAIRPERSON ANDERSON: Go ahead, sir.

14 MR. SHAPIRO: Oh, sorry for interrupting.  
15 That being for Charge 1, a \$1,250 fine payable within 60  
16 days. If not paid within 60 days, then the license will  
17 be suspended. And for Charge 2 there will be a written  
18 warning issued.

19 CHAIRPERSON ANDERSON: Okay. All right.  
20 Mr. Grimway, it's my understanding that there's an Offer  
21 in Compromise, and the Offer in Compromise is that you  
22 would agree to pay \$1,250 on Charge -- Charge 1 and that

1 the fine will be paid in 60 days and that Charge 2 you  
2 will be issued a written warning. Is this your  
3 understanding, sir, of the Offer in Compromise?

4 MR. GRIMWAY: Yes, sir.

5 CHAIRPERSON ANDERSON: And are you aware,  
6 sir, that by accepting an Offer in Compromise you're  
7 giving up your right to a hearing?

8 MR. GRIMWAY: Yes, sir.

9 CHAIRPERSON ANDERSON: And also -- are you  
10 also aware that you're also giving up your right to  
11 appeal this matter?

12 MR. GRIMWAY: Yes, sir.

13 CHAIRPERSON ANDERSON: Okay. Thank you.  
14 Are there any discussions by any board members? I make  
15 a motion then that this Offer in Compromise of a fine  
16 for -- a fine of \$1,250 fine for Charge 1 be payable in  
17 60 days. If the fine is not payable within 60 days, the  
18 license will be suspended and that for Charge 2 a  
19 written warning will be provided. Is there a second?

20 MR. SILVERSTEIN: Second.

21 CHAIRPERSON ANDERSON: Mr. Silverstein has  
22 seconded the motion. All in favor say aye. [Chorus of

1 ayes]. All opposed. [No audible response]. The matter  
2 passed 5-zero-zero. Thank you very much, sir, and I  
3 hope that I don't see you -- yes, you have something?

4 MR. SHAPIRO: Just one more point I'd like  
5 to put on the record.

6 CHAIRPERSON ANDERSON: Yes, sir.

7 MR. SHAPIRO: Can The Board just advise the  
8 licensee that this only closes this matter and that any  
9 other matters remain active or in their --

10 CHAIRPERSON ANDERSON: I -- I -- all right.  
11 This -- I need -- I need some -- because remember, I've  
12 only been on The Board for -- I think now for six months  
13 and I know that the first time that I saw you -- right,  
14 the first time -- yeah, I know. Yeah. So the first  
15 time I saw you I know there was some misunderstanding  
16 regarding payment of tickets. I think you were here in  
17 front of me I think maybe a couple of weeks ago.

18 MR. GRIMWAY: Yeah.

19 CHAIRPERSON ANDERSON: And so that was a  
20 show cause hearing, a show cause hearing status.

21 MR. GRIMWAY: Yes, sir.

22 CHAIRPERSON ANDERSON: And I know that there

1 were no preliminary matters, and you said you wanted to  
2 go to a hearing.

3 MR. GRIMWAY: Yes, sir.

4 CHAIRPERSON ANDERSON: So I just want you to  
5 know that that case still is pending.

6 MR. GRIMWAY: Understood.

7 CHAIRPERSON ANDERSON: So this -- so this  
8 matter is just for this matter. So you still have  
9 another pending case that you need to make a decision  
10 what you're going to do regarding that one.

11 MR. ALBERTI: Mr. Chair, may I also note  
12 that I think the case that -- for which he appeared was  
13 the sale so minor case. And there is another case which  
14 I don't even know has -- if its been papered yet.

15 MR. SHAPIRO: Okay.

16 MR. ALBERTI: So there is -- there's two  
17 pending cases that I know of. So I just want to put  
18 that out there.

19 CHAIRPERSON ANDERSON: Right. So I just --  
20 I just want you -- so maybe you can -- maybe you can  
21 talk to the Government to see what cases are outstanding  
22 to make sure that when -- when you're agreeing that you

1 know that it's just for this case and there may be some  
2 other cases pending.

3 MR. GRIMWAY: The only case pending as far  
4 as my knowledge I was up here in front of you last week.

5 CHAIRPERSON ANDERSON: Right.

6 MR. GRIMWAY: That's the only case.

7 CHAIRPERSON ANDERSON: All Right. And I  
8 said I don't know, but I just want to make sure that  
9 you're also aware of that. And -- and one --

10 MR. ALBERTI: Sir, you may have -- have you  
11 received an investigative report on the -- on another  
12 case recently?

13 MR. GRIMWAY: Not really.

14 MR. ALBERTI: You -- okay. All right.  
15 We'll -- we'll talk.

16 CHAIRPERSON ANDERSON: All right. So --

17 MR. ALBERTI: You should probably talk to  
18 the Government about that.

19 CHAIRPERSON ANDERSON: All right. So --  
20 and -- and for whatever it's worth, sir, I -- there is a  
21 training coming up. I think ABRA is giving a training  
22 in a couple of months or maybe in a month or so that I

1 would strongly advise you that you attend that training  
2 to make sure that you are on top of best practices. And  
3 so therefore you're not -- you don't appear in front of  
4 us this often --

5 MR. GRIMWAY: Okay.

6 CHAIRPERSON ANDERSON: -- because of either  
7 unintentionally or intentionally you're -- you're not  
8 necessarily complying with the law. So I just -- I  
9 just -- just want to say to you that there's a training  
10 coming up --

11 MR. GRIMWAY: Thank you. Thank you so much.

12 CHAIRPERSON ANDERSON: -- that I would  
13 suggest that you make sure that you attend so you are on  
14 top of best policies on what to do. Okay?

15 MR. GRIMWAY: Thank you. Thank you so much.

16 CHAIRPERSON ANDERSON: All right.

17 MR. GRIMWAY: All right. I will.

18 CHAIRPERSON ANDERSON: All right. Okay.

19 Thank you.

20 MR. GRIMWAY: Thank you.

21 (Whereupon the above-entitled matter was  
22 concluded.)