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

- - - - -X

IN THE MATTER OF: :

Addis Ethiopian Restaurant, LLC:

t/a Addis Ethiopian Restaurant:Case#15-CMP-00978

707 H Street, NE :

License #97534 :

Retailer Class CR

ANC 6C

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Wednesday, June 8, 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.

1 BOARD MEMBERS PRESENT

2 NICK ALBERTI, BOARD MEMBER

3 RUTHANNE MILLER, BOARD MEMBER

4 JAMES SHORT, BOARD MEMBER

5 MIKE SILVERSTEIN, BOARD MEMBER

6

7 ALSO PRESENT:

8 ZACHARY SHAPIRO

9 DAVID FOX

10 MR. HAILE

11

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

2 All right, we now move
3 on to our show cause hearing calendar case #15-
4 CMP-00978, Addis Ethiopian Restaurant license
5 #97534. Will the parties please identify
6 themselves for the record.

7 MR. SHAPIRO: Zachary Shapiro on behalf
8 of the District of Columbia.

9 CHAIRPERSON ANDERSON: Good afternoon,
10 Mr. Shapiro.

11 MR. FOX: David Fox on behalf of the
12 Addis Restaurant.

13 CHAIRPERSON ANDERSON: Good afternoon,
14 Mr. Fox.

15 MR. HAILE: -- Haile, representing Addis
16 Ethiopian Restaurant.

17 CHAIRPERSON ANDERSON: Good afternoon,
18 Mr. Haile.

19 MR. HAILE: Good afternoon.

20 CHAIRPERSON ANDERSON: Welcome. All
21 right, are there any preliminary matters in this
22 case?

1 MR. SHAPIRO: Yes, there is an offer in
2 compromise.

3 CHAIRPERSON ANDERSON: And what is the
4 offer in compromise, sir?

5 MR. FOX: It has several parts to it, so
6 I'll explain it to the best of my abilities.
7 There will be a fine for charge 1 of \$1250 --

8 CHAIRPERSON ANDERSON: Hold on, charge 1,
9 \$1250, okay.

10 MR. SHAPIRO: Charge 2 will likewise have
11 a fine of \$1250. Charge 3 will also have a fine
12 of \$1250. Charge 4 will merge into charge 3.
13 Charge 5 and 6 will be dismissed and charge 7
14 will have a mandatory written warning. That's
15 the offer in compromise.

16 CHAIRPERSON ANDERSON: And when will the
17 fine be paid?

18 MR. SHAPIRO: Sorry, Mr. Chairman, it
19 will be payable within 60 days or the license
20 will be suspended.

21 CHAIRPERSON ANDERSON: Mr. Fox, prior to
22 asking you whether or not this is your

1 understanding of the offer in compromise, do you
2 have any statements that you want to make for the
3 record?

4 MR. FOX: We do not have a statement
5 about the past, your Honor, when it's appropriate
6 I'd like to say one thing about the future.

7 CHAIRPERSON ANDERSON: All right. Then,
8 I make a motion that the offer in compromise of
9 \$1250 on charge 1, for charge #2 a fine of \$1250
10 and charge 3 a fine of \$1250, for charge 4 --
11 charge 4 will be merged into charge 3, that
12 charge 5 and 6 be dismissed and that for charge 7
13 a mandatory written warning be issued and so,
14 therefore, I make a motion -- and that the fine
15 will be paid within 60 days. If it's not paid
16 within 60 days the license will be suspended
17 until the fine is paid. Therefore, Mr. Fox, is
18 this your understanding of the offer in
19 compromise?

20 MR. FOX: It is, indeed.

21 CHAIRPERSON ANDERSON: And does your
22 client understand that by accepting an offer in

1 compromise that he's giving up his right to a
2 hearing?

3 MR. SHAPIRO: Yes.

4 CHAIRPERSON ANDERSON: And does your
5 client also understand that he's also giving up
6 his right to appeal this matter?

7 MR. FOX: He does understand.

8 CHAIRPERSON ANDERSON: Then, with that
9 said, then I make a motion that the
10 aforementioned charges included within the offer
11 in compromise, that it be accepted: Charge 1
12 \$1250, charge 2 \$1250, charge 3 \$1250, charge 4
13 will be merged with charge 3, charge 5 and 6 will
14 be dismissed, charge 7 a mandatory written
15 warning and that the fine will be paid within 60
16 days. If it's not paid within 60 days the
17 license will be suspended until they are in
18 compliance. I, therefore, make a motion that
19 this offer in compromise be accepted. Is there a
20 second?

21 MR. ALBERTI: Second.

22 CHAIRPERSON ANDERSON: Mr. Alberti has

1 seconded the motion. Is there any discussion?
2 Hearing none, all those in favor say Aye.
3 [Chorus of Ayes.] All those opposed? [No
4 audible response.] The matter passed 5-zero-
5 zero. Thank you very much. We'll have an
6 official Board order for him to sign.

7 We have a Board order that the Board will
8 issue that encompasses the official offer in
9 compromise. Thank you for. I'm sorry, do you
10 wish to make a statement, Mr. Fox? You don't
11 have to.

12 MR. FOX: I think not, it's quite late, I
13 think I'll spare everyone.

14 CHAIRPERSON ANDERSON: It's very early,
15 Mr. Fox.

16 MR. FOX: You're --

17 CHAIRPERSON ANDERSON: Trust me, it is
18 very early for the Board, but I appreciate the
19 fact that you've looked at the time to say it's
20 quite late, that you're trying to spare us of
21 being here longer.

22 MR. ALBERTI: The guard at the front door

1 alerts everybody at 4:00 and he won't let anybody
2 in.

3 CHAIRPERSON ANDERSON: I wish the guard
4 at the front door would alert the Board because
5 the Board does not have that schedule. The Board
6 shows up at 9:00 in the morning every morning and
7 we leave here whenever the work is done and
8 whether or not it's 9:00 the next morning we stay
9 until it's done, so I appreciate that, sir. All
10 right. Thank you. You're free to go. I'm going
11 to close the record, but if you -- you're free to
12 go but if you want to sit around for me to
13 entertain myself before you leave then I usually
14 do not have an audience when I do this so it may
15 be nice if I have this audience to do this. I
16 need to get in my calendar.

17 So, as chairperson of the Alcoholic
18 Beverage Control Board for the District of
19 Columbia and in accordance with D.C. section
20 2574-B closed Meetings and 2574 notice of
21 meetings of the Open Meetings Act, I move that
22 the ABC Board hold a closed meeting on June 15th,

1 2016, for the purpose of discussing and hearing
2 reports concerning ongoing or planned
3 investigations of alleged criminal or civil
4 misconduct or violations of law or regulations
5 and seeking legal advice from our counsel on the
6 Board's investigative, legal and licensing agenda
7 for June 15, 2016 as published in the D.C.
8 Register on June 10th, 2016. Is there a second?

9 MR. ALBERTI: Second.

10 CHAIRPERSON ANDERSON: Mr. Alberti has
11 seconded the motion. I will now take a roll call
12 vote on the motion before us now that it has been
13 seconded, Mr. Silverstein?

14 CHAIRPERSON ANDERSON: Ms. Miller?

15 MS. MILLER: I agree.

16 CHAIRPERSON ANDERSON: Mr. Alberti?

17 MR. ALBERTI: I agree.

18 CHAIRPERSON ANDERSON: Mr. Short?

19 MR. SHORT: I agree.

20 CHAIRPERSON ANDERSON: Mr. Silverstein?

21 MR. SILVERSTEIN: I agree.

22 CHAIRPERSON ANDERSON: Mr. Anderson? I

1 agree. It appears that the motion has passed I
2 hereby give notice that the ABC Board will hold
3 the aforementioned closed meetings pursuant to
4 the Open Meetings Amendment Act of 2010 and
5 notice will also be posted on the ABC Board
6 hearing room bulletin Board, posted on the
7 electronic calendar on ABRA's website and
8 published in the D.C. Register in as timely a
9 manner as practical. We have now adjourned for
10 the day. Thank you.

11 (Whereupon, the above-entitled matter was
12 concluded.)

13