

Capital Reporting Company  
In the Matter of: Green Island Heaven and Hell, Inc. 09-12-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

----- :  
IN THE MATTER OF: :  
 :  
Green Island Heaven and Hell, :  
Inc. :  
t/a Green Island Cafe/Heaven and :  
Hell :  
2327 18th Street, NW :  
Retailer CT : Show Cause  
License No. 74503 : Hearing  
ANC 1C : (Status)  
Case No. 12-CMP-00051 :  
Violation of Voluntary Agreement: :  
----- :

September 12, 2012

The Alcoholic Beverage Control

Board met in the Alcoholic Beverage Control Hearing  
Room, Reeves Building, 2000 14th Street, N.W.,  
Washington, D.C., Ruthanne Miller, Chairperson,  
presiding.

PRESENT

RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
HERMAN JONES, Member  
CALVIN NOPHLIN, Member  
MIKE SILVERSTEIN, Member

ALSO PRESENT

MICHAEL STERN, OAG

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

2 10:32 a.m.

3 CHAIRPERSON MILLER: The next case on the  
4 Board's morning calendar is another show cause status  
5 hearing. It's Case No. 12-CMP-00051, Green Island  
6 Cafe/Heaven and Hell, 2327 18th Street, N.W., License  
7 No. 74503, in ANC 1C.

8 Are the parties here for this case? If you  
9 are, please step forward.

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

12 CHAIRPERSON MILLER: Okay. Good morning.  
13 Have a seat.

14 MR. WOLDEMARIAM: Good morning.

15 CHAIRPERSON MILLER: There's a piece of paper  
16 for you to sign in so we have your name spelled  
17 correctly on our record. And then when you're ready,  
18 if you could introduce yourselves for the record?

19 MR. WOLDEMARIAM: My name is Muhari  
20 Woldemariam.

21 MS. BERAKAT: My name is Roma Berakat.

22 CHAIRPERSON MILLER: I'm sorry, I missed your

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1 last name. What?

2 MS. BERAKAT: Berakat. Roma Berakat.

3 CHAIRPERSON MILLER: Okay. And Mr. Stern,  
4 you introduced yourself here?

5 MR. STERN: Yes.

6 CHAIRPERSON MILLER: Okay. This is a show  
7 cause status hearing. So Mr. Woldemariam?

8 MR. WOLDEMARIAM: Yes.

9 CHAIRPERSON MILLER: And what's your position  
10 with the company? Are you the owner?

11 MR. WOLDEMARIAM: Yes, uh-huh.

12 CHAIRPERSON MILLER: Okay. Did you receive  
13 notice of this hearing?

14 MR. WOLDEMARIAM: Yes, I did.

15 CHAIRPERSON MILLER: Okay. Did you read it?

16 MR. WOLDEMARIAM: Yes, I did.

17 CHAIRPERSON MILLER: Did you understand it?

18 MR. WOLDEMARIAM: I do.

19 CHAIRPERSON MILLER: And do you waive our  
20 reading the notice into the record?

21 MR. WOLDEMARIAM: Can you repeat that?

22 CHAIRPERSON MILLER: Yeah. Do you waive our

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1 reading the notice into the record? There's a  
2 formality that we read that notice on the record. And  
3 I'm asking you if you would forego that formality.

4 MR. WOLDEMARIAM: Well, I read that but --  
5 well, based on the knowledge that I was (inaudible) for  
6 a compromise here. So

7 CHAIRPERSON MILLER: I just want to ask you,  
8 do you -- do you mind if we don't read that notice that  
9 you got right now -- that we don't read it for the  
10 record?

11 MR. WOLDEMARIAM: Well, you wanted me to read  
12 it or --

13 CHAIRPERSON MILLER: No. I just want you to  
14 -- is that okay if you with we don't read it?

15 MR. WOLDEMARIAM: If you're going to do that,  
16 okay with me.

17 CHAIRPERSON MILLER: Okay, okay. So now, we  
18 get to the question, Mr. Stern, if there are any  
19 preliminary matters?

20 MR. STERN: There are none at this time from  
21 the government.

22 CHAIRPERSON MILLER: Okay. Is there a matter

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1 you want to bring to our attention before I set this  
2 hearing then?

3 MR. WOLDEMARIAM: (Inaudible) is there is an  
4 outside complaint. There's outside (inaudible) from  
5 the city. From the city was 24 inch wide --

6 CHAIRPERSON MILLER: Oh, wait now. Okay.  
7 We're not going to -- today isn't the hearing. Today  
8 is not the hearing to hear your argument.

9 MR. WOLDEMARIAM: Yeah, but I'm trying to  
10 bring the issue up.

11 CHAIRPERSON MILLER: Today we don't -- today  
12 isn't the hearing. I'm going to set a hearing date.  
13 Only if there was some procedural matter that you  
14 needed us to be aware of, you know, if you needed to  
15 continue the case.

16 MR. WOLDEMARIAM: My argument is -- there is  
17 no case here.

18 CHAIRPERSON MILLER: Okay. That -- all  
19 right. That'll be, you know, heard at the hearing.

20 MR. WOLDEMARIAM: Okay. We'll continue this.

21 CHAIRPERSON MILLER: Yeah, this is just a  
22 status to check in and see if there's any reason, you

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1 know, we wouldn't have a hearing or something. So --  
2 okay. At this point then it does appear that this will  
3 to go to hearing on November 14th at 10:00. November  
4 14th will be your hearing date.

5 MR. WOLDEMARIAM: Yeah, Your Honor, I cannot  
6 prepare (inaudible).

7 CHAIRPERSON MILLER: You --

8 MR. WOLDEMARIAM: It comes in very short  
9 time.

10 CHAIRPERSON MILLER: You want more time than  
11 November 14th --

12 MR. WOLDEMARIAM: Yeah, I do.

13 CHAIRPERSON MILLER: -- to prepare your case?

14 MR. WOLDEMARIAM: (Inaudible).

15 CHAIRPERSON MILLER: Mr. Stern, do you have -  
16 - well, let me ask you, how much more time do you want?

17 MR. WOLDEMARIAM: At least I want over a  
18 month - - a month or two weeks.

19 CHAIRPERSON MILLER: Yeah, well I --

20 MR. WOLDEMARIAM: (Inaudible).

21 CHAIRPERSON MILLER: I'm sorry, why?

22 MR. WOLDEMARIAM: Unfortunately I have other

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1 plans to go overseas.

2 CHAIRPERSON MILLER: Oh, you're going  
3 overseas?

4 MR. WOLDEMARIAM: Yes. So if I can have more  
5 time at least in the November area, you know, November.  
6 In other words I have to be -- by the time I get back.

7 CHAIRPERSON MILLER: And when will you be  
8 away?

9 MR. WOLDEMARIAM: I will be away next week.

10 CHAIRPERSON MILLER: Okay.

11 MR. WOLDEMARIAM: So I don't have enough time  
12 to prepare.

13 CHAIRPERSON MILLER: Mr. Stern, do you have a  
14 position?

15 MR. STERN: Actually I already spoke to the  
16 Respondent about this. This is not my assigned case  
17 and I requested that if he'd like a continuance, he can  
18 put something even informally to the Board in writing.  
19 And the person who's assigned will have an opportunity  
20 then to either consent or --

21 CHAIRPERSON MILLER: Oh, I see. It's not  
22 your case.

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1 MR. STERN: What's that?

2 CHAIRPERSON MILLER: This isn't your case?

3 MR. STERN: This is not my case.

4 CHAIRPERSON MILLER: Okay. Do you understand  
5 that?

6 MR. WOLDEMARIAM: Yes, I do.

7 MS. BERAKAT: Yes.

8 CHAIRPERSON MILLER: Okay. So if you put it  
9 in writing and --

10 MR. WOLDEMARIAM: I will definitely do it.

11 CHAIRPERSON MILLER: -- and share it with the  
12 attorney whose case this is -- whose case is it?

13 MR. STERN: Mr. Adams.

14 CHAIRPERSON MILLER: Mr. Adams. Okay. And  
15 then submit it to the Board and then the Board will get  
16 back to you.

17 MR. WOLDEMARIAM: I'll be happy.

18 CHAIRPERSON MILLER: Okay.

19 MR. WOLDEMARIAM: Thank you.

20 CHAIRPERSON MILLER: Thank you very much.

21 (WHEREUPON, at 10:38 a.m., the hearing was  
22 concluded.)

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1 CERTIFICATE OF NOTARY PUBLIC

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3 I, ERICK McNAIR, the officer before whom the  
4 foregoing hearing was taken, do hereby certify that the  
5 testimony appearing in the foregoing transcript was  
6 recorded by me and thereafter reduced to typewriting  
7 under my direction; that said transcription is a true  
8 record of the testimony given by said parties; that I  
9 am neither counsel for, related to, nor employed by any  
10 of the parties to the action in which this was taken;  
11 and, further, that I am not a relative or employee of  
12 any counsel or attorney employed by the parties hereto,  
13 nor financially or otherwise interested in the outcome  
14 of this action.

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ERICK McNAIR

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Notary Public in and for the

21

District of Columbia

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My Commission Expires: July 14, 2016

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1 CERTIFICATE OF TRANSCRIPTION

2

3 I, MIRANDA PENNACHI, hereby certify that I am not  
4 the Court Reporter who reported the following  
5 proceeding and that I have typed the transcript of this  
6 proceeding using the Court Reporter's notes and  
7 recordings. The foregoing/attached transcript is a  
8 true, correct and complete transcription of said  
9 proceeding.

10

11

12

13 \_\_\_\_\_  
Date

\_\_\_\_\_

14

MIRANDA PENNACHI  
Transcriptionist

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22

<p><u>1</u>  <b>10:00</b> 6:3  <b>10:32</b> 2:2  <b>10:38</b> 8:21  <b>12</b> 1:12  <b>12-CMP-00051</b>                  1:9 2:5  <b>14</b> 10:22  <b>14th</b> 1:14 6:3,4,11  <b>18th</b> 1:7 2:6  <b>1C</b> 1:9 2:7</p>	<p><b>appearing</b> 10:5  <b>area</b> 7:5  <b>argument</b> 5:8,16  <b>assigned</b> 7:16,19  <b>attention</b> 5:1  <b>attorney</b> 8:12                  10:12  <b>aware</b> 5:14  <b>away</b> 7:8,9</p>	<p>2:3,12,15,22                  3:3,6,9,12,15,17,                  19,22                  4:7,13,17,22                  5:6,11,18,21                  6:7,10,13,15,19,                  21                  7:2,7,10,13,21                  8:2,4,8,11,14,18,                  20  <b>check</b> 5:22  <b>city</b> 5:5  <b>Columbia</b> 1:1 2:11                  10:21  <b>comes</b> 6:8  <b>Commission</b> 10:22  <b>company</b> 3:10  <b>complaint</b> 5:4  <b>complete</b> 11:8  <b>compromise</b> 4:6  <b>concluded</b> 8:22  <b>consent</b> 7:20  <b>continuance</b> 7:17  <b>continue</b> 5:15,20  <b>Control</b> 1:2,13,14  <b>correct</b> 11:8  <b>correctly</b> 2:17  <b>counsel</b> 10:9,12  <b>Court</b> 11:4,6  <b>CT</b> 1:8</p>	<p><b>direction</b> 10:7  <b>District</b> 1:1 2:11                  10:21  <b>DONALD</b> 1:18</p>
<p><u>2</u>  <b>2000</b> 1:14  <b>2012</b> 1:12  <b>2016</b> 10:22  <b>2327</b> 1:7 2:6  <b>24</b> 5:5</p>	<p><u>B</u>  <b>based</b> 4:5  <b>Berakat</b> 2:21 3:2                  8:7  <b>Beverage</b>                  1:2,13,14  <b>Board</b> 1:2,14 7:18                  8:15  <b>Board's</b> 2:4  <b>bring</b> 5:1,10  <b>BROOKS</b> 1:18  <b>Building</b> 1:14</p>	<p><u>C</u>  <b>Cafe/Heaven</b> 1:6                  2:6  <b>calendar</b> 2:4  <b>CALVIN</b> 1:19  <b>case</b> 1:9 2:3,5,8                  5:15,17 6:13                  7:16,22 8:2,3,12  <b>cause</b> 1:8 2:4 3:7  <b>CERTIFICATE</b>                  10:1 11:1  <b>certify</b> 10:4 11:3  <b>Chairperson</b>                  1:15,17</p>	<p><u>E</u>  <b>either</b> 7:20  <b>employed</b> 10:9,12  <b>employee</b> 10:11  <b>ERICK</b> 10:3,19  <b>Expires</b> 10:22</p>
<p><u>7</u>  <b>74503</b> 1:8 2:7</p>	<p><u>A</u>  <b>a.m</b> 2:2 8:21  <b>action</b> 10:10,14  <b>Actually</b> 7:15  <b>Adams</b> 8:13,14  <b>Agreement</b> 1:10  <b>ALBERTI</b> 1:18  <b>Alcoholic</b>                  1:2,13,14  <b>already</b> 7:15  <b>am</b> 10:9,11 11:3  <b>ANC</b> 1:9 2:7  <b>appear</b> 6:2</p>	<p><u>D</u>  <b>D.C</b> 1:15  <b>date</b> 5:12 6:4                  11:13  <b>definitely</b> 8:10</p>	<p><u>F</u>  <b>financially</b> 10:13  <b>forego</b> 4:3  <b>foregoing</b> 10:4,5  <b>foregoing/                  attached</b> 11:7  <b>formality</b> 4:2,3  <b>forward</b> 2:9</p>
<p><u>A</u>  <b>a.m</b> 2:2 8:21  <b>action</b> 10:10,14  <b>Actually</b> 7:15  <b>Adams</b> 8:13,14  <b>Agreement</b> 1:10  <b>ALBERTI</b> 1:18  <b>Alcoholic</b>                  1:2,13,14  <b>already</b> 7:15  <b>am</b> 10:9,11 11:3  <b>ANC</b> 1:9 2:7  <b>appear</b> 6:2</p>	<p><u>G</u>  <b>given</b> 10:8  <b>government</b> 4:21  <b>Green</b> 1:5,6 2:5</p>	<p><u>H</u>  <b>happy</b> 8:17  <b>hear</b> 5:8  <b>heard</b> 5:19  <b>hearing</b> 1:8,14 2:5                  3:7,13                  5:2,7,8,12,19                  6:1,3,4 8:21 10:4  <b>Heaven</b> 1:5  <b>he'd</b> 7:17</p>	<p><u>H</u>  <b>happy</b> 8:17  <b>hear</b> 5:8  <b>heard</b> 5:19  <b>hearing</b> 1:8,14 2:5                  3:7,13                  5:2,7,8,12,19                  6:1,3,4 8:21 10:4  <b>Heaven</b> 1:5  <b>he'd</b> 7:17</p>

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<p><b>Hell</b> 1:5,7 2:6  <b>hereby</b> 10:4 11:3  <b>hereto</b> 10:12  <b>HERMAN</b> 1:19  <b>Honor</b> 6:5</p> <hr/> <p style="text-align: center;"><b>I</b></p> <hr/> <p><b>I'll</b> 8:17  <b>I'm</b> 2:22 4:3 5:9,12          6:21  <b>inaudible</b> 4:5 5:3,4          6:6,14,20  <b>Inc</b> 1:6  <b>inch</b> 5:5  <b>informally</b> 7:18  <b>interested</b> 10:13  <b>introduce</b> 2:18  <b>introduced</b> 3:4  <b>Island</b> 1:5,6 2:5  <b>isn't</b> 5:7,12 8:2  <b>issue</b> 5:10  <b>It's</b> 2:5 7:21</p> <hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <p><b>JONES</b> 1:19  <b>July</b> 10:22</p> <hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p><b>knowledge</b> 4:5</p> <hr/> <p style="text-align: center;"><b>L</b></p> <hr/> <p><b>last</b> 3:1  <b>least</b> 6:17 7:5  <b>License</b> 1:8 2:6</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/>	<p><b>matter</b> 1:4 4:22          5:13  <b>matters</b> 4:19  <b>McNAIR</b> 10:3,19  <b>MEETING</b> 1:3  <b>Member</b>          1:18,19,20  <b>met</b> 1:14  <b>Michael</b> 1:21 2:10  <b>MIKE</b> 1:20  <b>Miller</b> 1:15,17          2:3,12,15,22          3:3,6,9,12,15,17,          19,22          4:7,13,17,22          5:6,11,18,21          6:7,10,13,15,19,          21          7:2,7,10,13,21          8:2,4,8,11,14,18,          20  <b>mind</b> 4:8  <b>MIRANDA</b>          11:3,13  <b>missed</b> 2:22  <b>month</b> 6:18  <b>morning</b> 2:4,12,14  <b>Muhari</b> 2:19</p> <hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>N.W</b> 1:14 2:6  <b>neither</b> 10:9  <b>NICK</b> 1:18  <b>none</b> 4:20  <b>NOPHLIN</b> 1:19  <b>nor</b> 10:9,13  <b>Notary</b> 10:1,20</p>	<p><b>notes</b> 11:6  <b>notice</b> 3:13,20          4:1,2,8  <b>November</b> 6:3,11          7:5  <b>NW</b> 1:7</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>OAG</b> 1:21  <b>officer</b> 10:3  <b>Oh</b> 5:6 7:2,21  <b>opportunity</b> 7:19  <b>otherwise</b> 10:13  <b>outcome</b> 10:13  <b>outside</b> 5:4  <b>overseas</b> 7:1,3  <b>owner</b> 3:10</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>paper</b> 2:15  <b>parties</b> 2:8          10:8,10,12  <b>PENNACHI</b>          11:3,13  <b>person</b> 7:19  <b>piece</b> 2:15  <b>plans</b> 7:1  <b>please</b> 2:9  <b>point</b> 6:2  <b>position</b> 3:9 7:14  <b>preliminary</b> 4:19  <b>prepare</b> 6:6,13          7:12  <b>PRESENT</b>          1:17,21  <b>presiding</b> 1:15</p>	<p><b>procedural</b> 5:13  <b>proceeding</b>          11:5,6,9  <b>Public</b> 10:1,20</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <hr/> <p><b>question</b> 4:18</p> <hr/> <p style="text-align: center;"><b>R</b></p> <hr/> <p><b>reading</b> 3:20 4:1  <b>ready</b> 2:17  <b>reason</b> 5:22  <b>receive</b> 3:12  <b>record</b> 2:17,18          3:20 4:1,2,10          10:8  <b>recorded</b> 10:6  <b>recordings</b> 11:7  <b>reduced</b> 10:6  <b>Reeves</b> 1:14  <b>related</b> 10:9  <b>relative</b> 10:11  <b>repeat</b> 3:21  <b>reported</b> 11:4  <b>Reporter</b> 11:4  <b>Reporter's</b> 11:6  <b>representing</b> 2:10  <b>requested</b> 7:17  <b>Respondent</b> 7:16  <b>Retailer</b> 1:8  <b>Roma</b> 2:21 3:2  <b>Room</b> 1:14  <b>Ruthanne</b> 1:15,17</p> <hr/> <p style="text-align: center;"><b>S</b></p> <hr/>
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<p>seat 2:13  <b>September</b> 1:12                  share 8:11                  short 6:8                  sign 2:16  <b>SILVERSTEIN</b>                  1:20                  sorry 2:22 6:21                  spelled 2:16                  spoke 7:15                  status 1:9 2:4 3:7                  5:22                  step 2:9  <b>Stern</b> 1:21 2:10                  3:3,5 4:18,20                  6:15 7:13,15                  8:1,3,13  <b>Street</b> 1:7,14 2:6                  submit 8:15</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>t/a 1:6                  testimony 10:5,8                  Thank 8:19,20                  That'll 5:19                  thereafter 10:6                  there's 2:15 4:1                  5:4,22                  today 5:7,11                  transcript 10:5                  11:5,7                  transcription 10:7                  11:1,8                  Transcriptionist                  11:14                  true 10:7 11:8</p>	<p>trying 5:9                  typed 11:5                  typewriting 10:6</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>uh-huh 3:11                  understand 3:17                  8:4                  Unfortunately                  6:22</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>Violation 1:10                  Voluntary 1:10</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>wait 5:6                  waive 3:19,22                  Washington 1:15                  week 7:9                  weeks 6:18                  We'll 5:20                  We're 5:7  <b>WHEREUPON</b>                  8:21                  whom 10:3                  who's 7:19                  whose 8:12                  wide 5:5  <b>Woldemariam</b>                  2:14,19,20                  3:7,8,11,14,16,1                  8,21 4:4,11,15                  5:3,9,16,20                  6:5,8,12,14,17,2                  0,22 7:4,9,11                  8:6,10,17,19</p>	<p>writing 7:18 8:9</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>yourself 3:4                  yourselves 2:18</p>	
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