

Capital Reporting Company
In the Matter of: Mariamawit, LLC t/a Fasika 09-19-2012

1

DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
: :
Mariamawit, LLC :
t/a Fasika :
4422 Georgia Avenue, NW :
Retailer DR : Show Cause
License No. 83216 : Hearing
ANC 4C : (Status)
Case No. 12-CMP-00111 :
Failed to Obtain Importation :
Permits; Failed to Maintain :
Books and Records :
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September 19, 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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<p style="text-align: right;">2</p> <p>1 P R O C E E D I N G S</p> <p>2 10:09 a.m.</p> <p>3 CHAIRPERSON MILLER: Next case on our</p> <p>4 calendar is Case No. 12-CMP-00111, Fasika, located at</p> <p>5 4422 Georgia Avenue, N.W., License No. 83216 in ANC 4C.</p> <p>6 Okay. You can come forward. Okay. When you're ready,</p> <p>7 if you could identify yourself for the record, please,</p> <p>8 and then -- and sign in also?</p> <p>9 MS. ABUBAW: Okay. Senait Abebaw.</p> <p>10 CHAIRPERSON MILLER: Just be sure to sign in</p> <p>11 before you go.</p> <p>12 MS. ABUBAW: Okay.</p> <p>13 MR. STERN: Michael Stern representing the</p> <p>14 District of Columbia.</p> <p>15 CHAIRPERSON MILLER: Okay. Good morning, Mr.</p> <p>16 Stern. So if you could identify yourself for the</p> <p>17 record?</p> <p>18 MS. ABUBAW: Senait Abebaw.</p> <p>19 CHAIRPERSON MILLER: Okay. And I want to ask</p> <p>20 you, did you receive notice of this hearing?</p> <p>21 MS. ABUBAW: Yes.</p> <p>22 CHAIRPERSON MILLER: And did you read it?</p>	<p style="text-align: right;">4</p> <p>1 Tuesday, September 25th.</p> <p>2 MS. ABEBAW: Yes, ma'am.</p> <p>3 CHAIRPERSON MILLER: You agree to that?</p> <p>4 MS. ABEBAW: Yes, ma'am.</p> <p>5 CHAIRPERSON MILLER: And do you know that</p> <p>6 your right to hearing will be waived?</p> <p>7 MS. ABEBAW: Yes. Yes, ma'am.</p> <p>8 CHAIRPERSON MILLER: Okay. Okay. Any</p> <p>9 questions by Board members? Yes, Mr. Nophlin?</p> <p>10 MR. NOPHLIN: I couldn't quite hear you.</p> <p>11 MS. ABEBAW: Yes.</p> <p>12 MR. NOPHLIN: What was -- what was your</p> <p>13 response? What did you say, "Yes?"</p> <p>14 MS. ABEBAW: My -- yes. Yes, I did.</p> <p>15 MR. NOPHLIN: Okay. Thank you. I didn't</p> <p>16 hear you, I'm sorry.</p> <p>17 MS. ABEBAW: Okay.</p> <p>18 MR. NOPHLIN: Thank you.</p> <p>19 CHAIRPERSON MILLER: That's important. Okay.</p> <p>20 Anything else? Okay. Then I would move that we accept</p> <p>21 this offer in compromise for a fine of \$2500, \$1000 for</p> <p>22 the first offense, \$1500 for the second, to be paid</p>
<p style="text-align: right;">3</p> <p>1 MS. ABUBAW: Yes.</p> <p>2 CHAIRPERSON MILLER: Did you understand it?</p> <p>3 MS. ABUBAW: Yes.</p> <p>4 CHAIRPERSON MILLER: And do you waive our</p> <p>5 reading it into the record?</p> <p>6 MS. ABUBAW: Yes, ma'am.</p> <p>7 CHAIRPERSON MILLER: Okay. Mr. Stern, do we</p> <p>8 have any preliminary matters in this?</p> <p>9 MR. STERN: Yes, there are. The parties have</p> <p>10 reached an agreement, which we hope the Board will</p> <p>11 accept as an offer in compromise. The Respondent would</p> <p>12 pay a fine of \$2500 within 60 days. That would be</p> <p>13 \$1500 for Count 2 actually, \$1000 for Count 1. And the</p> <p>14 Respondent would have her license suspended for five</p> <p>15 days, all five days being served, beginning Tuesday,</p> <p>16 September 25th.</p> <p>17 CHAIRPERSON MILLER: Okay. I want to repeat</p> <p>18 this back to you. And you tell me whether you agree to</p> <p>19 that offer in compromise, that being -- it's for a</p> <p>20 total a \$2500 fine, \$1000 for the first charge, \$1500</p> <p>21 for the second charge, to be paid within 60 days. Your</p> <p>22 license will be suspended for five days beginning</p>	<p style="text-align: right;">5</p> <p>1 within 60 days. And the license will be suspended for</p> <p>2 five days beginning Tuesday, September 25th.</p> <p>3 Do I have a second?</p> <p>4 MR. NOPHLIN: Second.</p> <p>5 CHAIRPERSON MILLER: Okay. Mr. Nophlin has</p> <p>6 seconded the motion. Any comments?</p> <p>7 (No audible response.)</p> <p>8 CHAIRPERSON MILLER: All those in favor of</p> <p>9 the motion to accept the offer in compromise, say aye?</p> <p>10 (Chorus of ayes.)</p> <p>11 CHAIRPERSON MILLER: All those opposed?</p> <p>12 (No audible response.)</p> <p>13 CHAIRPERSON MILLER: All those abstaining?</p> <p>14 (No audible response.)</p> <p>15 CHAIRPERSON MILLER: Then the vote is 5-0-0</p> <p>16 to accept the offer in compromise. Thank you very</p> <p>17 much.</p> <p>18 (WHEREUPON, at 10:09 a.m., the hearing was</p> <p>19 concluded.)</p> <p>20</p> <p>21</p> <p>22</p>

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1 CERTIFICATE OF NOTARY PUBLIC

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3 I, BRADLEY ANGLIN, 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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BRADLEY ANGLIN
Notary Public in and for the
District of Columbia

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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.

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Date MIRANDA PENNACHI
 Transcriptionist

Capital Reporting Company
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<p><u> </u> \$</p> <p>\$1000 3:13,20 4:21</p> <p>\$1500 3:13,20 4:22</p> <p>\$2500 3:12,20 4:21</p> <p><u> </u> 1</p> <p>1 3:13</p> <p>10:09 2:2 5:18</p> <p>12-CMP-00111 1:8 2:4</p> <p>14th 1:14</p> <p>19 1:11</p> <p><u> </u> 2</p> <p>2 3:13</p> <p>2000 1:14</p> <p>2012 1:11</p> <p>25th 3:16 4:1 5:2</p> <p><u> </u> 4</p> <p>4422 1:6 2:5</p> <p>4C 1:8 2:5</p> <p><u> </u> 5</p> <p>5-0-0 5:15</p> <p><u> </u> 6</p> <p>60 3:12,21 5:1</p> <p><u> </u> 8</p> <p>83216 1:7 2:5</p> <p><u> </u> A</p> <p>a.m 2:2 5:18</p> <p>Abebaw 2:9,18 4:2,4,7,11,14,17</p> <p>abstaining 5:13</p> <p>ABUBAW</p>	<p>2:9,12,18,21 3:1,3,6</p> <p>accept 3:11 4:20 5:9,16</p> <p>action 6:10,14</p> <p>actually 3:13</p> <p>agreement 3:10</p> <p>ALBERTI 1:18</p> <p>Alcoholic 1:2,12,14</p> <p>am 6:9,11 7:3</p> <p>ANC 1:8 2:5</p> <p>ANGLIN 6:3,19</p> <p>Anything 4:20</p> <p>appearing 6:5</p> <p>attorney 6:12</p> <p>audible 5:7,12,14</p> <p>Avenue 1:6 2:5</p> <p>aye 5:9</p> <p>ayes 5:10</p> <p><u> </u> B</p> <p>beginning 3:15,22 5:2</p> <p>Beverage 1:2,12,14</p> <p>Board 1:2,14 3:10 4:9</p> <p>Books 1:10</p> <p>BRADLEY 6:3,19</p> <p>BROOKS 1:18</p> <p>Building 1:14</p> <p><u> </u> C</p> <p>calendar 2:4</p> <p>CALVIN 1:19</p>	<p>case 1:8 2:3,4</p> <p>Cause 1:7</p> <p>CERTIFICATE 6:1 7:1</p> <p>certify 6:4 7:3</p> <p>Chairperson 1:15,17 2:3,10,15,19,22 3:2,4,7,17 4:3,5,8,19 5:5,8,11,13,15</p> <p>charge 3:20,21</p> <p>Chorus 5:10</p> <p>Columbia 1:1 2:14 6:21</p> <p>comments 5:6</p> <p>complete 7:8</p> <p>compromise 3:11,19 4:21 5:9,16</p> <p>concluded 5:19</p> <p>Control 1:2,12,14</p> <p>correct 7:8</p> <p>counsel 6:9,12</p> <p>Count 3:13</p> <p>Court 7:4,6</p> <p><u> </u> D</p> <p>D.C 1:15</p> <p>Date 7:14</p> <p>days 3:12,15,21,22 5:1,2</p> <p>direction 6:7</p> <p>District 1:1 2:14 6:21</p> <p>DONALD 1:18</p>	<p>DR 1:7</p> <p><u> </u> E</p> <p>else 4:20</p> <p>employed 6:9,12</p> <p>employee 6:11</p> <p><u> </u> F</p> <p>Failed 1:9</p> <p>Fasika 1:6 2:4</p> <p>favor 5:8</p> <p>financially 6:13</p> <p>fine 3:12,20 4:21</p> <p>first 3:20 4:22</p> <p>five 3:14,15,22 5:2</p> <p>foregoing 6:4,5</p> <p>foregoing/ attached 7:7</p> <p>forward 2:6</p> <p><u> </u> G</p> <p>Georgia 1:6 2:5</p> <p>given 6:8</p> <p><u> </u> H</p> <p>hear 4:10,16</p> <p>hearing 1:7,14 2:20 4:6 5:18 6:4</p> <p>hereby 6:4 7:3</p> <p>hereto 6:12</p> <p>HERMAN 1:19</p> <p>hope 3:10</p> <p><u> </u> I</p> <p>identify 2:7,16</p> <p>I'm 4:16</p>
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Capital Reporting Company
In the Matter of: Mariamawit, LLC t/a Fasika 09-19-2012

Page 2

<p>important 4:19 Importation 1:9 interested 6:13 it's 3:19</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>JONES 1:19</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>license 1:7 2:5 3:14,22 5:1 LLC 1:5 located 2:4</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>ma'am 3:6 4:2,4,7 Maintain 1:9 Mariamawit 1:5 MATTER 1:4 matters 3:8 MEETING 1:3 Member 1:18,19,20 members 4:9 met 1:14 Michael 1:21 2:13 MIKE 1:20 Miller 1:15,17 2:3,10,15,19,22 3:2,4,7,17 4:3,5,8,19 5:5,8,11,13,15 MIRANDA 7:3,14 morning 2:15 motion 5:6,9 move 4:20</p>	<hr/> <p style="text-align: center;">N</p> <hr/> <p>N.W 1:14 2:5 neither 6:9 NICK 1:18 Nophlin 1:19 4:9,10,12,15,18 5:4,5 nor 6:9,13 Notary 6:1,20 notes 7:6 notice 2:20 NW 1:6</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>OAG 1:21 Obtain 1:9 offense 4:22 offer 3:11,19 4:21 5:9,16 officer 6:3 opposed 5:11 otherwise 6:13 outcome 6:13</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>paid 3:21 4:22 parties 3:9 6:8,10,12 pay 3:12 PENNACHI 7:3,14 Permits 1:9 please 2:7 preliminary 3:8 PRESENT</p>	<p>1:17,21 presiding 1:15 proceeding 7:5,6,9 Public 6:1,20</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>questions 4:9 quite 4:10</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>reached 3:10 reading 3:5 ready 2:6 receive 2:20 record 2:7,17 3:5 6:8 recorded 6:6 recordings 7:7 Records 1:10 reduced 6:6 Reeves 1:14 related 6:9 relative 6:11 repeat 3:17 reported 7:4 Reporter 7:4 Reporter's 7:6 representing 2:13 Respondent 3:11,14 response 4:13 5:7,12,14 Retailer 1:7 Room 1:14 Ruthanne 1:15,17</p>	<hr/> <p style="text-align: center;">S</p> <hr/> <p>second 3:21 4:22 5:3,4 seconded 5:6 Senait 2:9,18 September 1:11 3:16 4:1 5:2 served 3:15 sign 2:8,10 SILVERSTEIN 1:20 sorry 4:16 Status 1:8 Stern 1:21 2:13,16 3:7,9 Street 1:14 sure 2:10 suspended 3:14,22 5:1</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>t/a 1:6 testimony 6:5,8 Thank 4:15,18 5:16 That's 4:19 thereafter 6:6 total 3:20 transcript 6:5 7:5,7 transcription 6:7 7:1,8 Transcriptionist 7:15 true 6:7 7:8 Tuesday 3:15 4:1</p>
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In the Matter of: Mariamawit, LLC t/a Fasika 09-19-2012

Page 3

<p>5:2</p> <p>typed 7:5</p> <p>typewriting 6:6</p> <hr/> <p>U</p> <hr/> <p>understand 3:2</p> <hr/> <p>V</p> <hr/> <p>vote 5:15</p> <hr/> <p>W</p> <hr/> <p>waive 3:4</p> <p>waived 4:6</p> <p>Washington 1:15</p> <p>WHEREUPON 5:18</p> <p>whether 3:18</p> <p>whom 6:3</p> <hr/> <p>Y</p> <hr/> <p>yourself 2:7,16</p>			
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