

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

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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

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

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

2 10:09 a.m.

3 CHAIRPERSON MILLER: Next case on our
4 calendar is Case No. 12-CMP-00111, Fasika, located at
5 4422 Georgia Avenue, N.W., License No. 83216 in ANC 4C.
6 Okay. You can come forward. Okay. When you're ready,
7 if you could identify yourself for the record, please,
8 and then -- and sign in also?

9 MS. ABUBAW: Okay. Senait Abebaw.

10 CHAIRPERSON MILLER: Just be sure to sign in
11 before you go.

12 MS. ABUBAW: Okay.

13 MR. STERN: Michael Stern representing the
14 District of Columbia.

15 CHAIRPERSON MILLER: Okay. Good morning, Mr.
16 Stern. So if you could identify yourself for the
17 record?

18 MS. ABUBAW: Senait Abebaw.

19 CHAIRPERSON MILLER: Okay. And I want to ask
20 you, did you receive notice of this hearing?

21 MS. ABUBAW: Yes.

22 CHAIRPERSON MILLER: And did you read it?

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

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1 MS. ABUBAW: Yes.

2 CHAIRPERSON MILLER: Did you understand it?

3 MS. ABUBAW: Yes.

4 CHAIRPERSON MILLER: And do you waive our
5 reading it into the record?

6 MS. ABUBAW: Yes, ma'am.

7 CHAIRPERSON MILLER: Okay. Mr. Stern, do we
8 have any preliminary matters in this?

9 MR. STERN: Yes, there are. The parties have
10 reached an agreement, which we hope the Board will
11 accept as an offer in compromise. The Respondent would
12 pay a fine of \$2500 within 60 days. That would be
13 \$1500 for Count 2 actually, \$1000 for Count 1. And the
14 Respondent would have her license suspended for five
15 days, all five days being served, beginning Tuesday,
16 September 25th.

17 CHAIRPERSON MILLER: Okay. I want to repeat
18 this back to you. And you tell me whether you agree to
19 that offer in compromise, that being -- it's for a
20 total a \$2500 fine, \$1000 for the first charge, \$1500
21 for the second charge, to be paid within 60 days. Your
22 license will be suspended for five days beginning

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

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1 Tuesday, September 25th.

2 MS. ABEBAW: Yes, ma'am.

3 CHAIRPERSON MILLER: You agree to that?

4 MS. ABEBAW: Yes, ma'am.

5 CHAIRPERSON MILLER: And do you know that
6 your right to hearing will be waived?

7 MS. ABEBAW: Yes. Yes, ma'am.

8 CHAIRPERSON MILLER: Okay. Okay. Any
9 questions by Board members? Yes, Mr. Nophlin?

10 MR. NOPHLIN: I couldn't quite hear you.

11 MS. ABEBAW: Yes.

12 MR. NOPHLIN: What was -- what was your
13 response? What did you say, "Yes?"

14 MS. ABEBAW: My -- yes. Yes, I did.

15 MR. NOPHLIN: Okay. Thank you. I didn't
16 hear you, I'm sorry.

17 MS. ABEBAW: Okay.

18 MR. NOPHLIN: Thank you.

19 CHAIRPERSON MILLER: That's important. Okay.
20 Anything else? Okay. Then I would move that we accept
21 this offer in compromise for a fine of \$2500, \$1000 for
22 the first offense, \$1500 for the second, to be paid

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

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1 within 60 days. And the license will be suspended for
2 five days beginning Tuesday, September 25th.

3 Do I have a second?

4 MR. NOPHLIN: Second.

5 CHAIRPERSON MILLER: Okay. Mr. Nophlin has
6 seconded the motion. Any comments?

7 (No audible response.)

8 CHAIRPERSON MILLER: All those in favor of
9 the motion to accept the offer in compromise, say aye?

10 (Chorus of ayes.)

11 CHAIRPERSON MILLER: All those opposed?

12 (No audible response.)

13 CHAIRPERSON MILLER: All those abstaining?

14 (No audible response.)

15 CHAIRPERSON MILLER: Then the vote is 5-0-0
16 to accept the offer in compromise. Thank you very
17 much.

18 (WHEREUPON, at 10:09 a.m., the hearing was
19 concluded.)

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

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CERTIFICATE OF NOTARY PUBLIC

I, BRADLEY ANGLIN, the officer before whom the foregoing hearing was taken, do hereby certify that the testimony appearing in the foregoing transcript was recorded by me and thereafter reduced to typewriting under my direction; that said transcription is a true record of the testimony given by said parties; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

BRADLEY ANGLIN

Notary Public in and for the
District of Columbia

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

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CERTIFICATE OF TRANSCRIPTION

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

Date

MIRANDA PENNACHI

Transcriptionist

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

<p><u> </u> \$ \$1000 3:13,20 4:21 \$1500 3:13,20 4:22 \$2500 3:12,20 4:21</p> <p><u> </u> 1 1 3:13 10:09 2:2 5:18 12-CMP-00111 1:8 2:4 14th 1:14 19 1:11</p> <p><u> </u> 2 2 3:13 2000 1:14 2012 1:11 25th 3:16 4:1 5:2</p> <p><u> </u> 4 4422 1:6 2:5 4C 1:8 2:5</p> <p><u> </u> 5 5-0-0 5:15</p> <p><u> </u> 6 60 3:12,21 5:1</p> <p><u> </u> 8 83216 1:7 2:5</p> <p><u> </u> A a.m 2:2 5:18 Abebaw 2:9,18 4:2,4,7,11,14,17 abstaining 5:13 ABUBAW</p>	<p>2:9,12,18,21 3:1,3,6 accept 3:11 4:20 5:9,16 action 6:10,14 actually 3:13 agreement 3:10 ALBERTI 1:18 Alcoholic 1:2,12,14 am 6:9,11 7:3 ANC 1:8 2:5 ANGLIN 6:3,19 Anything 4:20 appearing 6:5 attorney 6:12 audible 5:7,12,14 Avenue 1:6 2:5 aye 5:9 ayes 5:10</p> <p><u> </u> B beginning 3:15,22 5:2 Beverage 1:2,12,14 Board 1:2,14 3:10 4:9 Books 1:10 BRADLEY 6:3,19 BROOKS 1:18 Building 1:14</p> <p><u> </u> C calendar 2:4 CALVIN 1:19</p>	<p>case 1:8 2:3,4 Cause 1:7 CERTIFICATE 6:1 7:1 certify 6:4 7:3 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 charge 3:20,21 Chorus 5:10 Columbia 1:1 2:14 6:21 comments 5:6 complete 7:8 compromise 3:11,19 4:21 5:9,16 concluded 5:19 Control 1:2,12,14 correct 7:8 counsel 6:9,12 Count 3:13 Court 7:4,6</p> <p><u> </u> D D.C 1:15 Date 7:14 days 3:12,15,21,22 5:1,2 direction 6:7 District 1:1 2:14 6:21 DONALD 1:18</p>	<p>DR 1:7</p> <p><u> </u> E else 4:20 employed 6:9,12 employee 6:11</p> <p><u> </u> F Failed 1:9 Fasika 1:6 2:4 favor 5:8 financially 6:13 fine 3:12,20 4:21 first 3:20 4:22 five 3:14,15,22 5:2 foregoing 6:4,5 foregoing/ attached 7:7 forward 2:6</p> <p><u> </u> G Georgia 1:6 2:5 given 6:8</p> <p><u> </u> H hear 4:10,16 hearing 1:7,14 2:20 4:6 5:18 6:4 hereby 6:4 7:3 hereto 6:12 HERMAN 1:19 hope 3:10</p> <p><u> </u> I identify 2:7,16 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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Capital Reporting Company
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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