

Capital Reporting Company
In the Matter of: Mimi & D, LLC t/a Mood 10-24-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
: :
Mimi & D, LLC :
t/a Mood :
1318 9th Street, NW : Show Cause
Retailer CT : Hearing
License No. 86037 : (Status)
ANC 2F :
Case No. 12-CMP-00187 :
Failed to Comply with Board :
Order :
-----x

October 24, 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 9:43 a.m.

3 CHAIRPERSON MILLER: Next case is 12-CMP-
4 00187, Mood, located at 1318 9th Street, N.W., License
5 No. 86037, in ANC 2F. Good morning.

6 MS. BEYANE: Good morning.

7 CHAIRPERSON MILLER: And would you introduce
8 yourself for the record, please?

9 MS. BEYANE: My name is Abeba Beyane. I'm
10 the owner of Mood Lounge.

11 CHAIRPERSON MILLER: Okay.

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

14 CHAIRPERSON MILLER: Okay. Ms. Beyane, this
15 is a show cause status hearing. So I need to ask you,
16 since you're the owner, did you receive notice of this
17 hearing?

18 MS. BEYANE: Yes, ma'am.

19 CHAIRPERSON MILLER: Okay. Did you read it?

20 MS. BEYANE: Yes, ma'am.

21 CHAIRPERSON MILLER: Did you understand it?

22 (No audible response.)

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1 CHAIRPERSON MILLER: And do you waive the
2 Board's reading the notice into the record? Do you
3 waive the Board's reading the notice into the record?

4 MS. BEYANE: (Indicates yes)

5 CHAIRPERSON MILLER: Okay. Mr. Stern, are
6 there any preliminary matters in this case?

7 MR. STERN: Yes, there are. In this case the
8 parties have reached an agreement, which we hope the
9 Board will accept as an offer in compromise. The
10 respondent will pay a fine of \$3000 within 90 days.
11 And there will be a one-day suspension, which will be
12 served. We had -- the suspension will be served on
13 November 7th.

14 CHAIRPERSON MILLER: Ms. Beyane, I just want
15 to ask you if that's your understanding of an offer in
16 compromise that you agreed to, that being a fine of
17 \$3000 to be paid within 90 days and the license
18 suspended for one day on November 2nd.

19 MS. BEYANE: Uh-huh.

20 CHAIRPERSON MILLER: Okay. And you
21 understand that you waive your right to a hearing by
22 accepting an offer in compromise?

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1 MS. BEYANE: Uh-huh.

2 CHAIRPERSON MILLER: Okay. Do Board members
3 have any questions on this offer in compromise? Okay.
4 Then I would move that we accept this offer in
5 compromise of a fine of \$3000 to be paid within 90
6 days, license suspended for one day on November 2nd,
7 2012.

8 Do I have a second?

9 MR. NOPHLIN: Second.

10 CHAIRPERSON MILLER: Mr. Nophlin has seconded
11 the motion. Any comments?

12 (No audible response.)

13 CHAIRPERSON MILLER: Okay. Then all those in
14 favor of the motion, say aye?

15 MR. ALBERTI: Ms. Miller, I believe Ms.
16 Beyane --

17 MS. BEYANE: Yeah.

18 CHAIRPERSON MILLER: Oh, I'm sorry.

19 MR. ALBERTI: That's okay.

20 MS. BEYANE: November 7.

21 CHAIRPERSON MILLER: Seven?

22 MS. BEYANE: Yeah.

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1 CHAIRPERSON MILLER: Okay.

2 MR. STERN: Yes, November 7th is the day we
3 were --

4 CHAIRPERSON MILLER: Sorry. November 7th.
5 So the motion's amended to reflect that it's November
6 7th that the day -- is the day that the license will be
7 suspended. Okay. The motion's been seconded. All
8 those in favor, say aye?

9 (Chorus of ayes.)

10 CHAIRPERSON MILLER: All those opposed?

11 (No audible response.)

12 CHAIRPERSON MILLER: All those abstaining?

13 (No audible response.)

14 CHAIRPERSON MILLER: Then the motion passes
15 by a vote of 5-0-0. Okay. Thank you very much.

16 MS. BEYANE: Thank you.

17 (WHEREUPON, at 9:47 a.m., the hearing was
18 concluded.)

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CERTIFICATE OF NOTARY PUBLIC

I, LINDA METCALF, the officer before whom the foregoing hearing was taken, do hereby certify that the testimony appearing in the foregoing pages 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 hearing 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.

LINDA METCALF

Notary Public in and for the

District of Columbia

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CERTIFICATE OF TRANSCRIPTION

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

Date

MIRANDA PENNACHI

Transcriptionist

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