

Capital Reporting Company
In the Matter of: Shu Jwan Ng t/a Chinatown Market 08-08-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
 :
Shu Kwan Ng :
t/a Chinatown Market :
52 H Street, NW :
Retailer B : Show Cause
License No. 19616 : Hearing
ANC 6C : (Status)
Case No. 11-CMP-00468 :
Permitted the Sale or Delivery :
of Alcohol to an Intoxicated :
Person :
-----x

August 8, 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

FERNANDO RIVERO, OAG

(866) 448 - DEPO

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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 9:57 a.m.</p> <p>3 CHAIRPERSON MILLER: The next case on the</p> <p>4 calendar is Case Number 11-CMP-00468, Chinatown Market,</p> <p>5 521 H Street NW, License Number 19616, in ANC 6C. This</p> <p>6 is also a show cause status hearing.</p> <p>7 MR. RIVERO: Good morning Board members,</p> <p>8 Fernando Rivero for the District of Columbia standing</p> <p>9 in for Assistant Attorney General Walter Adams.</p> <p>10 CHAIRPERSON MILLER: Good morning. When</p> <p>11 you're ready would you introduce yourselves for the</p> <p>12 record please?</p> <p>13 MR. NG: Good morning, my name is Kevin Ng.</p> <p>14 I'm the owner's son.</p> <p>15 MR. S. K. NG: Good morning, everybody, my</p> <p>16 name is Shu Kwan Ng.</p> <p>17 CHAIRPERSON MILLER: Okay, sorry, Kevin,</p> <p>18 what's your last name?</p> <p>19 MR. NG: N-G.</p> <p>20 CHAIRPERSON MILLER: N-G, okay. Ng, okay.</p> <p>21 Okay, this is a show cause status hearing, so I need to</p> <p>22 ask whether you received notice of this hearing.</p>	<p style="text-align: right;">4</p> <p>1 open.</p> <p>2 CHAIRPERSON MILLER: Do you know what days of</p> <p>3 the week they are?</p> <p>4 MR. NG: Monday, Tuesday, Wednesday.</p> <p>5 CHAIRPERSON MILLER: Okay, thank you. Okay,</p> <p>6 the government's offered -- set forth an offer in</p> <p>7 compromise, and I want to repeat it and make sure that</p> <p>8 the Licensee does agree to that.</p> <p>9 It's a \$3000 penalty to be paid within 60</p> <p>10 days, license suspended for five days. Two of those</p> <p>11 days stayed for a year, pending no further violation.</p> <p>12 Three days served on August 27, 28, and 29.</p> <p>13 MR. NG: Yes.</p> <p>14 CHAIRPERSON MILLER: Okay, and you need to</p> <p>15 say yes, or no, for the record.</p> <p>16 MR. NG: Yes.</p> <p>17 CHAIRPERSON MILLER: Yes?</p> <p>18 MR. S. K. NG: Yes.</p> <p>19 CHAIRPERSON MILLER: Okay, any other</p> <p>20 comments?</p> <p>21 MR. NG: No.</p> <p>22 CHAIRPERSON MILLER: Okay, then, any</p>
<p style="text-align: right;">3</p> <p>1 MR. NG: Yes.</p> <p>2 CHAIRPERSON MILLER: And did you read it?</p> <p>3 MR. NG: Yes.</p> <p>4 CHAIRPERSON MILLER: Understand it?</p> <p>5 MR. NG: Yes.</p> <p>6 CHAIRPERSON MILLER: And do you wave the</p> <p>7 Board's reading of the notice into the record?</p> <p>8 MR. NG: Yes.</p> <p>9 CHAIRPERSON MILLER: Okay, thank you. All</p> <p>10 right, Mr. Rivera, do we have any preliminary matters?</p> <p>11 MR. RIVERO: Yes, the parties do have an</p> <p>12 offer in compromise to present at this time.</p> <p>13 (Whispered conversation.) MR. RIVERO: The</p> <p>14 offer in compromise consists of a fine of \$3,000,</p> <p>15 payable in 60 days. I'm sorry, 30 days, right?</p> <p>16 MR. NG: Can we have 60 days?</p> <p>17 MR. RIVERO: Yes, 60 days. Payable in 60</p> <p>18 days and a suspension of the license for five days,</p> <p>19 with two days stayed for a period of one year pending</p> <p>20 no further violations, and three days to be served this</p> <p>21 month, on the 27th, 28th, and 29th of August. All</p> <p>22 those dates being dates that the Licensee is regularly</p>	<p style="text-align: right;">5</p> <p>1 questions from the Board members?</p> <p>2 I would move that we accept this offer of</p> <p>3 compromise of a fine of \$3000 to be paid within 60</p> <p>4 days, and the license suspended for five days, two days</p> <p>5 stayed for a year, pending no further violations. Three</p> <p>6 days served on August 27, 28, and 29. Is there a</p> <p>7 second?</p> <p>8 BOARD MEMBER: Second.</p> <p>9 CHAIRPERSON MILLER: All those in favor say</p> <p>10 aye.</p> <p>11 (Chorus of ayes.)</p> <p>12 CHAIRPERSON MILLER: All those opposed?</p> <p>13 (No audible response.)</p> <p>14 CHAIRPERSON MILLER: All those abstaining?</p> <p>15 (No audible response.)</p> <p>16 CHAIRPERSON MILLER: The vote is then, six,</p> <p>17 zero, zero, to accept this offer in compromise.</p> <p>18 MR. NG: Thank you.</p> <p>19 CHAIRPERSON MILLER: Thank you.</p> <p>20 MR. S. K. NG: Okay, thank you.</p> <p>21 (WHEREUPON, at 10:01 a.m., the hearing was</p> <p>22 concluded.)</p>

<p>_____</p> <p style="text-align: center;">\$</p> <hr/> <p>\$3,000 3:14</p> <p>\$3000 4:9 5:3</p> <p>_____</p> <p style="text-align: center;">1</p> <hr/> <p>10:01 5:21</p> <p>11-CMP-00468 1:9 2:4</p> <p>14th 1:15</p> <p>19616 1:8 2:5</p> <p>_____</p> <p style="text-align: center;">2</p> <hr/> <p>2000 1:15</p> <p>2012 1:12</p> <p>27 4:12 5:6</p> <p>27th 3:21</p> <p>28 4:12 5:6</p> <p>28th 3:21</p> <p>29 4:12 5:6</p> <p>29th 3:21</p> <p>_____</p> <p style="text-align: center;">3</p> <hr/> <p>30 3:15</p> <p>_____</p> <p style="text-align: center;">5</p> <hr/> <p>52 1:7</p> <p>521 2:5</p> <p>_____</p> <p style="text-align: center;">6</p> <hr/> <p>60 3:15,16,17 4:9 5:3</p> <p>6C 1:8 2:5</p> <p>_____</p> <p style="text-align: center;">8</p> <hr/> <p>8 1:12</p> <p>_____</p> <p style="text-align: center;">9</p> <hr/>	<p>9:57 2:2</p> <p>_____</p> <p style="text-align: center;">A</p> <hr/> <p>a.m 2:2 5:21</p> <p>abstaining 5:14</p> <p>accept 5:2,17</p> <p>Adams 2:9</p> <p>ALBERTI 1:19</p> <p>Alcohol 1:10</p> <p>Alcoholic 1:2,13,15</p> <p>ANC 1:8 2:5</p> <p>Assistant 2:9</p> <p>Attorney 2:9</p> <p>audible 5:13,15</p> <p>August 1:12 3:21 4:12 5:6</p> <p>aye 5:10</p> <p>ayes 5:11</p> <p>_____</p> <p style="text-align: center;">B</p> <hr/> <p>Beverage 1:2,13,15</p> <p>Board 1:2,15 2:7 5:1,8</p> <p>Board's 3:7</p> <p>BROOKS 1:19</p> <p>Building 1:15</p> <p>_____</p> <p style="text-align: center;">C</p> <hr/> <p>calendar 2:4</p> <p>CALVIN 1:20</p> <p>case 1:9 2:3,4</p> <p>cause 1:7 2:6,21</p> <p>Chairperson 1:16,18</p>	<p>2:3,10,17,20 3:2,4,6,9 4:2,5,14,17,19,2 2 5:9,12,14,16,19</p> <p>Chinatown 1:6 2:4</p> <p>Chorus 5:11</p> <p>Columbia 1:1 2:8</p> <p>comments 4:20</p> <p>compromise 3:12,14 4:7 5:3,17</p> <p>concluded 5:22</p> <p>consists 3:14</p> <p>Control 1:2,13,15</p> <p>conversation 3:13</p> <p>_____</p> <p style="text-align: center;">D</p> <hr/> <p>D.C 1:16</p> <p>dates 3:22</p> <p>days 3:15,16,17,18,19 ,20 4:2,10,11,12 5:4,6</p> <p>Delivery 1:9</p> <p>District 1:1 2:8</p> <p>DONALD 1:19</p> <p>_____</p> <p style="text-align: center;">E</p> <hr/> <p>everybody 2:15</p> <p>_____</p> <p style="text-align: center;">F</p> <hr/> <p>favor 5:9</p> <p>Fernando 1:22 2:8</p> <p>fine 3:14 5:3</p> <p>five 3:18 4:10 5:4</p> <p>forth 4:6</p>	<p>_____</p> <p style="text-align: center;">G</p> <hr/> <p>General 2:9</p> <p>government's 4:6</p> <p>_____</p> <p style="text-align: center;">H</p> <hr/> <p>hearing 1:8,15 2:6,21,22 5:21</p> <p>HERMAN 1:20</p> <p>_____</p> <p style="text-align: center;">I</p> <hr/> <p>I'm 2:14 3:15</p> <p>Intoxicated 1:10</p> <p>introduce 2:11</p> <p>It's 4:9</p> <p>_____</p> <p style="text-align: center;">J</p> <hr/> <p>JONES 1:20</p> <p>_____</p> <p style="text-align: center;">K</p> <hr/> <p>Kevin 2:13,17</p> <p>Kwan 1:6 2:16</p> <p>_____</p> <p style="text-align: center;">L</p> <hr/> <p>last 2:18</p> <p>license 1:8 2:5 3:18 4:10 5:4</p> <p>Licensee 3:22 4:8</p> <p>_____</p> <p style="text-align: center;">M</p> <hr/> <p>Market 1:6 2:4</p> <p>MATTER 1:5</p> <p>matters 3:10</p> <p>MEETING 1:3</p> <p>Member 1:19,20,21 5:8</p> <p>members 2:7 5:1</p>
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<p>met 1:15 MIKE 1:21 Miller 1:16,18 2:3,10,17,20 3:2,4,6,9 4:2,5,14,17,19,2 2 5:9,12,14,16,19 Monday 4:4 month 3:21 morning 2:7,10,13,15 move 5:2</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N.W 1:15 Ng 1:6 2:13,15,16,19,20 3:1,3,5,8,16 4:4,13,16,18,21 5:18,20 N-G 2:19,20 NICK 1:19 NOPHLIN 1:20 notice 2:22 3:7 NW 1:7 2:5</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>OAG 1:22 offer 3:12,14 4:6 5:2,17 offered 4:6 open 4:1 opposed 5:12 owner's 2:14</p> <hr/> <p style="text-align: center;">P</p> <hr/>	<p>paid 4:9 5:3 parties 3:11 payable 3:15,17 penalty 4:9 pending 3:19 4:11 5:5 period 3:19 Permitted 1:9 Person 1:10 please 2:12 preliminary 3:10 present 1:18,21 3:12 presiding 1:16</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>questions 5:1</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>reading 3:7 ready 2:11 received 2:22 record 2:12 3:7 4:15 Reeves 1:15 regularly 3:22 repeat 4:7 response 5:13,15 Retailer 1:7 Rivera 3:10 Rivero 1:22 2:7,8 3:11,13,17 Room 1:15 Ruthanne 1:16,18</p> <hr/> <p style="text-align: center;">S</p> <hr/>	<p>Sale 1:9 second 5:7,8 served 3:20 4:12 5:6 Shu 1:6 2:16 SILVERSTEIN 1:21 six 5:16 son 2:14 sorry 2:17 3:15 standing 2:8 status 1:8 2:6,21 stayed 3:19 4:11 5:5 Street 1:7,15 2:5 sure 4:7 suspended 4:10 5:4 suspension 3:18</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>t/a 1:6 thank 3:9 4:5 5:18,19,20 Tuesday 4:4</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>Understand 3:4</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>violation 4:11 violations 3:20 5:5 vote 5:16</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>Walter 2:9</p>	<p>Washington 1:16 wave 3:6 Wednesday 4:4 week 4:3 WHEREUPON 5:21 whether 2:22 Whispered 3:13</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>yourselves 2:11</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p>zero 5:17</p>
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