

Capital Reporting Company  
In the Matter of: Sunshine Bar & Lounge 10-24-2012

1

DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD  
MEETING

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IN THE MATTER OF: :  
 :  
Sunshine Bar & Lounge, LLC :  
t/a Sunshine Bar & Lounge :  
7331 Georgia Avenue, NW :  
Retailer CR :  
License No. 85239 :  
ANC 4B :  
Case No. 12-CMP-00194 : Show Cause  
Substantial Change Without Board: Hearing  
Approval; Failed to Comply with : (Status)  
Board Order :  
Case No. 12-251-00123 :  
Interfered with an MPD :  
Investigation; Allowed the :  
Establishment to be Used for an :  
Unlawful or Disorderly Purpose; :  
Operating After Board Approved :  
Hours :  
-----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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<p style="text-align: right;">2</p> <p>1           P R O C E E D I N G S</p> <p>2                           9:38 a.m.</p> <p>3           CHAIRPERSON MILLER: Good morning. I'd like</p> <p>4 to welcome you to the regularly scheduled meeting of</p> <p>5 the District of Columbia Alcoholic Beverage Control</p> <p>6 Board. Today is October 24, 2012. My name is Ruthanne</p> <p>7 Miller. I'm the chairperson. Joining me today to my</p> <p>8 far right is Mr. Calvin Nophlin. To his immediately</p> <p>9 left is Mr. Donald Brooks. To my immediate right is</p> <p>10 Mr. Nick Alberti. And to my immediate left is Mr. Mike</p> <p>11 Silverstein.</p> <p>12           The Board has five members in attendance for</p> <p>13 the conduct of business today, with three constituting</p> <p>14 a quorum. Copies of today's hearing calendar and</p> <p>15 agenda are available at the receptionist's desk.</p> <p>16 Please be aware that these proceedings are being</p> <p>17 recorded by a court reporter. Accordingly, we must ask</p> <p>18 you to refrain from any disruptive noises or actions in</p> <p>19 the hearing room.</p> <p>20           If you have any electronic devices, pagers,</p> <p>21 cell phones or such, please make certain that they're</p> <p>22 turned off to avoid any interruption of the</p>	<p style="text-align: right;">4</p> <p>1           CHAIRPERSON MILLER: Okay. I didn't catch</p> <p>2 all of it because -- I don't know if you can speak a</p> <p>3 little louder.</p> <p>4           MR. HAILU: Sure.</p> <p>5           CHAIRPERSON MILLER: Okay. And what is your</p> <p>6 name?</p> <p>7           MR. HAILU: Yeneneh Hailu, Y-E-N-E-N-E-H, H-</p> <p>8 A-I-L-U.</p> <p>9           CHAIRPERSON MILLER: Okay.</p> <p>10           MR. HAILU: I'm the manager of Sunshine</p> <p>11 Lounge &amp; Bar.</p> <p>12           CHAIRPERSON MILLER: You're the manager?</p> <p>13           MR. HAILU: Yes, ma'am.</p> <p>14           CHAIRPERSON MILLER: Do you have some</p> <p>15 authorization to represent the owner?</p> <p>16           MR. HAILU: Yeah, I'm the -- I'm the owner's</p> <p>17 son.</p> <p>18           CHAIRPERSON MILLER: You're her son?</p> <p>19           MR. HAILU: Yeah.</p> <p>20           CHAIRPERSON MILLER: Okay. I think we --</p> <p>21 have we seen you here before?</p> <p>22           MR. HAILU: Yes, ma'am.</p>
<p style="text-align: right;">3</p> <p>1 proceedings. Please note when you come forward to the</p> <p>2 tables in the front, there's a piece of paper on each</p> <p>3 table. Please, sign in. This is to ensure the correct</p> <p>4 spelling of your name for the record.</p> <p>5           The Open Meetings Act requires that the</p> <p>6 public hearing on each case be open to the public. The</p> <p>7 Board may, consistent with Section 405(b) of the Open</p> <p>8 Meetings Act, enter a closed meeting during or after</p> <p>9 the public hearing on a case to consult with an</p> <p>10 attorney, to obtain legal advice, discuss settlement</p> <p>11 agreements or deliberate upon a decision in an</p> <p>12 adjudication proceeding.</p> <p>13           This morning's calendar has show cause status</p> <p>14 hearings and a show cause hearing. I'm going to call</p> <p>15 the first case now and that is Case No. 12-CMP-00194,</p> <p>16 Sunshine Bar &amp; Lounge, located at 7331 Georgia Avenue,</p> <p>17 N.W., License No. 85239 in ANC 4B.</p> <p>18           Good morning and would you introduce yourself</p> <p>19 for the record, please?</p> <p>20           MR. HAILU: My name is Yeneneh Hailu. I am</p> <p>21 the son of Ms. Kidane, Alganesh, the owner of Sunshine</p> <p>22 Lounge and I'm the manager.</p>	<p style="text-align: right;">5</p> <p>1           CHAIRPERSON MILLER: All right. Good, good.</p> <p>2 Mr. Alberti, what? You have a concern about his</p> <p>3 authorization?</p> <p>4           MR. ALBERTI: I'm concerned because are you a</p> <p>5 part owner? Are you on the license as a part owner?</p> <p>6           MR. HAILU: Recently we're in the process to</p> <p>7 do that because she's in -- her health is not in good</p> <p>8 condition. So I'm trying -- we were trying to -- we --</p> <p>9           MR. ALBERTI: But currently, you're not --</p> <p>10 you're not --</p> <p>11           MR. HAILU: I'm not, no.</p> <p>12           MR. ALBERTI: -- listed as an owner?</p> <p>13           MR. HAILU: No, sir.</p> <p>14           MR. ALBERTI: All right. Ms. Miller, I have</p> <p>15 a concern because it's been our policy with every</p> <p>16 licensee that we need either a letter of representation</p> <p>17 or someone who is substantial owner --</p> <p>18           CHAIRPERSON MILLER: Right.</p> <p>19           MR. ALBERTI: -- a share owner of the company.</p> <p>20           CHAIRPERSON MILLER: I think that's true for</p> <p>21 -- if you were to enter into any kind of settlement.</p> <p>22 So I don't think that's going to happen this morning.</p>

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<p style="text-align: right;">6</p> <p>1 So we'll just -- Mr. Stern, do you want to introduce 2 yourself for the record? 3 MR. STERN: Yes. Michael Stern representing 4 the District of Columbia. 5 CHAIRPERSON MILLER: And with you? 6 MR. STERN: Oh, I'm sorry. With me is Ms. 7 Ann McKenzie (ph). She's a law student in our office. 8 She's here to observe. 9 CHAIRPERSON MILLER: Great. Welcome. So I 10 mean, I'm not even going to ask you, I guess, if you 11 received notice of this hearing because, you know, Mr. 12 Alberti's concerned that you're not even authorized to -- 13 MR. STERN: Sure. 14 CHAIRPERSON MILLER: -- make representations 15 on behalf of the business. So Mr. -- I assume that 16 this one is just going to be -- go forward to hearing, 17 unless -- 18 MR. STERN: Yes, that's correct. 19 CHAIRPERSON MILLER: -- you have any other 20 preliminary statement to make, correct? It's hearing? 21 MR. STERN: Yes, that's correct. 22 CHAIRPERSON MILLER: Okay. So we're just</p>	<p style="text-align: right;">8</p> <p>1 (WHEREUPON, at 9:43 a.m., the hearing was 2 concluded.) 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>
<p style="text-align: right;">7</p> <p>1 going to set this for a show cause hearing January 2 30th, 2013 at 10:00 a.m. 3 MR. STERN: January 30th? 4 CHAIRPERSON MILLER: That's what I have. 5 MR. STERN: The original notice said the 6 23rd. That's why I'm asking. 7 CHAIRPERSON MILLER: No. We have another 8 Sunshine &amp; Bar [sic] case -- Sunshine Bar &amp; Lounge case -- 9 MR. STERN: I -- 10 CHAIRPERSON MILLER: -- set for the 23rd. We 11 might as well call -- I'll call that case right now 12 too. That is Case No. 12-251-00123 and that one is set 13 for January 23rd, 2013 at 4:30 p.m. 14 MR. STERN: Yes. 15 MR. HAILU: January -- 16 MR. STERN: Excuse me, Michael Stern 17 representing the District. 18 CHAIRPERSON MILLER: Okay. There are two 19 cases. One, as of now, the hearing is set for January 20 23rd, 2013 and the other is set for January 30th, 2013, 21 10:00 a.m. Okay. Any questions? All right. Then that 22 -- then that concludes those two cases.</p>	<p style="text-align: right;">9</p> <p>1 CERTIFICATE OF NOTARY PUBLIC 2 3 I, LINDA METCALF, the officer before whom the 4 foregoing hearing was taken, do hereby certify that the 5 testimony appearing in the foregoing pages was recorded 6 by me and thereafter reduced to typewriting under my 7 direction; that said transcription is a true record of 8 the testimony given by said parties; that I am neither 9 counsel for, related to, nor employed by any of the 10 parties to the action in which this hearing 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. 15 16 17 18 _____ 19 LINDA METCALF 20 Notary Public in and for the 21 District of Columbia 22</p>

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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 proceeding and that  
5 I have typed the transcript of the proceeding using the  
6 Court Reporter's notes and recordings. The  
7 foregoing/attached transcript is a true, correct and  
8 complete transcription of the proceedings.

9

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12

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14 \_\_\_\_\_

14 Date MIRANDA PENNACHI

15 Transcriptionist

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17

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19

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21

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<hr/> <p style="text-align: center;">1</p> <hr/> <p><b>10:00</b> 7:2,21 <b>12-251-00123</b> 1:9 7:12 <b>12-CMP-00194</b> 1:7 3:15 <b>14th</b> 1:16</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p><b>2000</b> 1:16 <b>2012</b> 1:14 2:6 <b>2013</b> 7:2,13,20 <b>23rd</b> 7:6,10,13,20 <b>24</b> 1:14 2:6</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p><b>30th</b> 7:2,3,20</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p><b>4:30</b> 7:13 <b>405(b)</b> 3:7 <b>4B</b> 1:7 3:17</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p><b>7331</b> 1:5 3:16</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p><b>85239</b> 1:6 3:17</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p><b>9:38</b> 2:2 <b>9:43</b> 8:1</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p><b>a.m</b> 2:2 7:2,21 8:1 <b>Accordingly</b> 2:17 <b>Act</b> 3:5,8</p>	<p><b>action</b> 9:10,14 <b>actions</b> 2:18 <b>adjudication</b> 3:12 <b>advice</b> 3:10 <b>agenda</b> 2:15 <b>agreements</b> 3:11 <b>A-I-L-U</b> 4:8 <b>Alberti</b> 1:19 2:10 5:2,4,9,12,14,19 <b>Alberti's</b> 6:12 <b>Alcoholic</b> 1:1,14,15 2:5 <b>Alganesh</b> 3:21 <b>Allowed</b> 1:10 <b>am</b> 3:20 9:8,11 10:3 <b>ANC</b> 1:7 3:17 <b>Ann</b> 6:7 <b>appearing</b> 9:5 <b>Approval</b> 1:8 <b>Approved</b> 1:12 <b>assume</b> 6:15 <b>attendance</b> 2:12 <b>attorney</b> 3:10 9:12 <b>authorization</b> 4:15 5:3 <b>authorized</b> 6:12 <b>available</b> 2:15 <b>Avenue</b> 1:5 3:16 <b>avoid</b> 2:22 <b>aware</b> 2:16</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p><b>Bar</b> 1:4,5 3:16 4:11 7:8</p>	<p><b>behalf</b> 6:15 <b>Beverage</b> 1:1,14,15 2:5 <b>Board</b> 1:1,8,9,12,15 2:6,12 3:7 <b>Brooks</b> 1:19 2:9 <b>Building</b> 1:16 <b>business</b> 2:13 6:15</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p><b>calendar</b> 2:14 3:13 <b>Calvin</b> 1:20 2:8 <b>case</b> 1:7,9 3:6,9,15 7:8,11,12 <b>cases</b> 7:19,22 <b>catch</b> 4:1 <b>cause</b> 1:7 3:13,14 7:1 <b>cell</b> 2:21 <b>certain</b> 2:21 <b>CERTIFICATE</b> 9:1 10:1 <b>certify</b> 9:4 10:3 <b>chairperson</b> 1:16,18 2:3,7 4:1,5,9,12,14,18, 20 5:1,18,20 6:5,9,14,19,22 7:4,7,10,18 <b>Change</b> 1:8 <b>closed</b> 3:8 <b>Columbia</b> 1:1 2:5 6:4 9:20 <b>company</b> 5:19 <b>complete</b> 10:8 <b>Comply</b> 1:8</p>	<p><b>concern</b> 5:2,15 <b>concerned</b> 5:4 6:12 <b>concluded</b> 8:2 <b>concludes</b> 7:22 <b>condition</b> 5:8 <b>conduct</b> 2:13 <b>consistent</b> 3:7 <b>constituting</b> 2:13 <b>consult</b> 3:9 <b>Control</b> 1:1,14,15 2:5 <b>Copies</b> 2:14 <b>correct</b> 3:3 6:18,20,21 10:7 <b>counsel</b> 9:9,12 <b>court</b> 2:17 10:4,6 <b>CR</b> 1:6 <b>currently</b> 5:9</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p><b>D.C</b> 1:16 <b>Date</b> 10:14 <b>decision</b> 3:11 <b>deliberate</b> 3:11 <b>desk</b> 2:15 <b>devices</b> 2:20 <b>direction</b> 9:7 <b>discuss</b> 3:10 <b>Disorderly</b> 1:11 <b>disruptive</b> 2:18 <b>District</b> 1:1 2:5 6:4 7:17 9:20 <b>Donald</b> 1:19 2:9</p>
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<p><b>during</b> 3:8</p> <hr/> <p style="text-align: center;"><b>E</b></p> <hr/> <p><b>either</b> 5:16</p> <p><b>electronic</b> 2:20</p> <p><b>employed</b> 9:9,12</p> <p><b>employee</b> 9:11</p> <p><b>ensure</b> 3:3</p> <p><b>enter</b> 3:8 5:21</p> <p><b>Establishment</b> 1:11</p> <p><b>Excuse</b> 7:16</p> <hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>Failed</b> 1:8</p> <p><b>financially</b> 9:13</p> <p><b>first</b> 3:15</p> <p><b>five</b> 2:12</p> <p><b>foregoing</b> 9:4,5</p> <p><b>foregoing/ attached</b> 10:7</p> <p><b>forward</b> 3:1 6:16</p> <p><b>front</b> 3:2</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>Georgia</b> 1:5 3:16</p> <p><b>given</b> 9:8</p> <p><b>Great</b> 6:9</p> <p><b>guess</b> 6:10</p> <hr/> <p style="text-align: center;"><b>H</b></p> <hr/> <p><b>Hailu</b> 3:20 4:4,7,10,13,16,1 9,22 5:6,11,13 7:15</p> <p><b>happen</b> 5:22</p>	<p><b>health</b> 5:7</p> <p><b>hearing</b> 1:8,15 2:14,19 3:6,9,14 6:11,16,20 7:1,19 8:1 9:4,10</p> <p><b>hearings</b> 3:14</p> <p><b>hereby</b> 9:4 10:3</p> <p><b>hereto</b> 9:12</p> <p><b>HERMAN</b> 1:20</p> <p><b>Hours</b> 1:12</p> <hr/> <p style="text-align: center;"><b>I</b></p> <hr/> <p><b>I'd</b> 2:3</p> <p><b>I'll</b> 7:11</p> <p><b>I'm</b> 2:7 3:14,22 4:10,16 5:4,8,11 6:6,10 7:6</p> <p><b>immediate</b> 2:9,10</p> <p><b>immediately</b> 2:8</p> <p><b>interested</b> 9:13</p> <p><b>Interfered</b> 1:10</p> <p><b>interruption</b> 2:22</p> <p><b>introduce</b> 3:18 6:1</p> <p><b>Investigation</b> 1:10</p> <p><b>it's</b> 5:15 6:20</p> <hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <p><b>January</b> 7:1,3,13,15,19,2 0</p> <p><b>Joining</b> 2:7</p> <p><b>JONES</b> 1:20</p> <hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p><b>Kidane</b> 3:21</p> <hr/> <p style="text-align: center;"><b>L</b></p> <hr/>	<p><b>law</b> 6:7</p> <p><b>legal</b> 3:10</p> <p><b>letter</b> 5:16</p> <p><b>license</b> 1:6 3:17 5:5</p> <p><b>licensee</b> 5:16</p> <p><b>LINDA</b> 9:3,18</p> <p><b>listed</b> 5:12</p> <p><b>little</b> 4:3</p> <p><b>LLC</b> 1:4</p> <p><b>located</b> 3:16</p> <p><b>louder</b> 4:3</p> <p><b>Lounge</b> 1:4,5 3:16,22 4:11 7:8</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p><b>ma'am</b> 4:13,22</p> <p><b>manager</b> 3:22 4:10,12</p> <p><b>MATTER</b> 1:3</p> <p><b>may</b> 3:7</p> <p><b>McKenzie</b> 6:7</p> <p><b>mean</b> 6:10</p> <p><b>meeting</b> 1:2 2:4 3:8</p> <p><b>Meetings</b> 3:5,8</p> <p><b>Member</b> 1:19,20,21</p> <p><b>members</b> 2:12</p> <p><b>met</b> 1:15</p> <p><b>METCALF</b> 9:3,18</p> <p><b>Michael</b> 1:22 6:3 7:16</p> <p><b>Mike</b> 1:21 2:10</p> <p><b>Miller</b> 1:16,18 2:3,7</p>	<p>4:1,5,9,12,14,18, 20 5:1,14,18,20 6:5,9,14,19,22 7:4,7,10,18</p> <p><b>MIRANDA</b> 10:3,14</p> <p><b>morning</b> 2:3 3:18 5:22</p> <p><b>morning's</b> 3:13</p> <p><b>MPD</b> 1:10</p> <hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>N.W</b> 1:16 3:17</p> <p><b>neither</b> 9:8</p> <p><b>Nick</b> 1:19 2:10</p> <p><b>noises</b> 2:18</p> <p><b>Nophlin</b> 1:20 2:8</p> <p><b>nor</b> 9:9,13</p> <p><b>Notary</b> 9:1,19</p> <p><b>note</b> 3:1</p> <p><b>notes</b> 10:6</p> <p><b>notice</b> 6:11 7:5</p> <p><b>NW</b> 1:5</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>OAG</b> 1:22</p> <p><b>obtain</b> 3:10</p> <p><b>October</b> 1:14 2:6</p> <p><b>office</b> 6:7</p> <p><b>officer</b> 9:3</p> <p><b>Oh</b> 6:6</p> <p><b>Okay</b> 4:1,5,9,20 6:22 7:18,21</p> <p><b>open</b> 3:5,6,7</p> <p><b>Operating</b> 1:12</p> <p><b>Order</b> 1:9</p>
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