

Capital Reporting Company
In the Matter of: Trattoria Alberto, Inc. 08-01-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
 :
Trattoria Alberto, Inc. :
t/a Trattoria Alberto :
504 8th Street, SE :
Retailer CR : Show Cause
License No. 8946 : Hearing
ANC 6B : (Status)
Case No. 12-CC-00032 :
Failed to Allow an ABRA :
Investigator to Enter or Inspect:
Without Delay or Otherwise :
Interfered with an Investigation:
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August 1, 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 9:42 a.m.</p> <p>3 CHAIRPERSON MILLER: The next case on our</p> <p>4 calendar is another show cause status hearing, Case No.</p> <p>5 12-CC-00032, Trattoria Alberto, 504 8th Street, S.E.,</p> <p>6 License No. 8946, in ANC 6B.</p> <p>7 Good morning.</p> <p>8 MR. YOUNG: Good morning.</p> <p>9 CHAIRPERSON MILLER: When you're ready,</p> <p>10 introduce yourselves for the record.</p> <p>11 MR. STERN: Michael Stern representing the</p> <p>12 District of Columbia.</p> <p>13 MR. YOUNG: Frank Young representing</p> <p>14 Trattoria Alberto, accompanied by Ramon Buruca, who is</p> <p>15 the owner and licensee.</p> <p>16 CHAIRPERSON MILLER: Okay. Mr. Young, did</p> <p>17 you say you're representing him?</p> <p>18 MR. YOUNG: Yes.</p> <p>19 CHAIRPERSON MILLER: And are you an attorney</p> <p>20 or ...</p> <p>21 MR. YOUNG: Yes.</p> <p>22 CHAIRPERSON MILLER: Okay. Did you file an</p>	<p style="text-align: right;">4</p> <p>1 days will be served on August 13, 14 and 15, and two</p> <p>2 days will be stayed for one year pending no further</p> <p>3 violations and dismissed if there are no further</p> <p>4 violations.</p> <p>5 CHAIRPERSON MILLER: What days of the week</p> <p>6 are August 13, 14, 15?</p> <p>7 MR. STERN: That is a Monday, Tuesday and</p> <p>8 Wednesday, I believe.</p> <p>9 CHAIRPERSON MILLER: Okay. Okay. Mr. Young,</p> <p>10 the offer in compromise that I heard presented by the</p> <p>11 government is a \$2000 penalty to be -- to be paid</p> <p>12 within 30 days, five days suspension of the license,</p> <p>13 three of those days served August 13, 14, 15, two days</p> <p>14 stayed for -- stayed for a year pending no further</p> <p>15 violations.</p> <p>16 Is that your understanding of the offer in --</p> <p>17 MR. YOUNG: That is -- that is our</p> <p>18 understanding, yes.</p> <p>19 CHAIRPERSON MILLER: And you agree to that?</p> <p>20 MR. YOUNG: We do.</p> <p>21 CHAIRPERSON MILLER: And you understand you</p> <p>22 waive your right to a hearing if you accept it?</p>
<p style="text-align: right;">3</p> <p>1 appearance or anything like that? Did you file anything?</p> <p>2 MR. YOUNG: I had previously filed with the</p> <p>3 Board that I represent the establishment but I have the</p> <p>4 Licensee with me as well.</p> <p>5 CHAIRPERSON MILLER: Right, okay. Okay.</p> <p>6 This is a show cause status hearing. I want to ask</p> <p>7 whether the Licensee received notice of the hearing.</p> <p>8 MR. YOUNG: Yes, I did.</p> <p>9 CHAIRPERSON MILLER: And did you read it?</p> <p>10 MR. YOUNG: Yes.</p> <p>11 CHAIRPERSON MILLER: And understand it?</p> <p>12 MR. YOUNG: Yes.</p> <p>13 CHAIRPERSON MILLER: And do you waive the</p> <p>14 Board's reading it into the record?</p> <p>15 MR. YOUNG: Yes.</p> <p>16 CHAIRPERSON MILLER: Okay. Then are there</p> <p>17 any preliminary matters in this case, Mr. Stern?</p> <p>18 MR. STERN: There are. The parties have</p> <p>19 entered into an agreement, which we hope the Board will</p> <p>20 accept as an offer in compromise. The establishment</p> <p>21 will pay a fine of \$2000 within 30 days and they will</p> <p>22 have a five- day suspension of their license. Three</p>	<p style="text-align: right;">5</p> <p>1 MR. YOUNG: Yes.</p> <p>2 CHAIRPERSON MILLER: Okay. Okay. Then I</p> <p>3 would move that the Board accept this offer in</p> <p>4 compromise of a fine of \$2000 to be paid within 30 days</p> <p>5 and five days' suspension of the license, three days</p> <p>6 served August 13, 14, 15, and two days stayed for a</p> <p>7 year pending no further violation.</p> <p>8 Do I have a second?</p> <p>9 MR. NOPHLIN: Second.</p> <p>10 CHAIRPERSON MILLER: Any comments?</p> <p>11 (No audible response.)</p> <p>12 CHAIRPERSON MILLER: All those in favor of</p> <p>13 accepting this offer in compromise, say aye?</p> <p>14 (Chorus of ayes.)</p> <p>15 CHAIRPERSON MILLER: All those opposed?</p> <p>16 (No audible response.)</p> <p>17 CHAIRPERSON MILLER: All those abstaining?</p> <p>18 (No audible response.)</p> <p>19 CHAIRPERSON MILLER: The vote is 6-0-0 then</p> <p>20 to accept the offer in compromise. Thank you.</p> <p>21 (WHEREUPON, at 9:46 a.m., the hearing was</p> <p>22 concluded.)</p>

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<hr/> <p style="text-align: center;">\$</p> <hr/> <p>\$2000 3:21 4:11 5:4</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 1:13 12-CC-00032 1:9 2:5 13 4:1,6,13 5:6 14 4:1,6,13 5:6 14th 1:16 15 4:1,6,13 5:6</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2000 1:16 2012 1:13</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>30 3:21 4:12 5:4</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>504 1:7 2:5</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6-0-0 5:19 6B 1:8 2:6</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>8946 1:8 2:6 8th 1:7 2:5</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9:42 2:2 9:46 5:21</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>a.m 2:2 5:21 ABRA 1:9</p>	<p>abstaining 5:17 accept 3:20 4:22 5:3,20 accepting 5:13 accompanied 2:14 agreement 3:19 ALBERTI 1:19 Alberto 1:6 2:5,14 Alcoholic 1:2,14,15 Allow 1:9 ANC 1:8 2:6 anything 3:1 appearance 3:1 attorney 2:19 audible 5:11,16,18 August 1:13 4:1,6,13 5:6 aye 5:13 ayes 5:14</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>believe 4:8 Beverage 1:2,14,15 Board 1:2,15 3:3,19 5:3 Board's 3:14 BROOKS 1:19 Building 1:16 Buruca 2:14</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>calendar 2:4 CALVIN 1:20</p>	<p>case 1:9 2:3,4 3:17 cause 1:7 2:4 3:6 Chairperson 1:16,18 2:3,9,16,19,22 3:5,9,11,13,16 4:5,9,19,21 5:2,10,12,15,17, 19 Chorus 5:14 Columbia 1:1 2:12 comments 5:10 compromise 3:20 4:10 5:4,13,20 concluded 5:22 Control 1:2,14,15 CR 1:7</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D.C 1:16 day 3:22 days 3:21 4:1,2,5,12,13 5:4,5,6 Delay 1:10 dismissed 4:3 District 1:1 2:12 DONALD 1:19</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>Enter 1:10 entered 3:19 establishment 3:3,20</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>Failed 1:9</p>	<p>favor 5:12 file 2:22 3:1 filed 3:2 fine 3:21 5:4 five 3:22 4:12 5:5 Frank 2:13</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>government 4:11</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>heard 4:10 hearing 1:8,15 2:4 3:6,7 4:22 5:21 HERMAN 1:20 hope 3:19</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>Inc 1:6 Inspect 1:10 Interfered 1:11 introduce 2:10 Investigation 1:11 Investigator 1:10</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>JONES 1:20</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>license 1:8 2:6 3:22 4:12 5:5 licensee 2:15 3:4,7</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>MATTER 1:5 matters 3:17 MEETING 1:3</p>
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