



Capital Reporting Company

In the Matter of: Z Kitchens, LLC t/a Zola Wine and Kitchen 07-25-2012

<p style="text-align: right;">2</p> <p>1 PROCEEDINGS 2 2:12 p.m. 3 CHAIRPERSON MILLER: Okay. Our first case on 4 the afternoon calendar is Case No. 12-AUD-00020, Zola 5 Wine and Kitchen, 505 9th Street, N.W., License No. 6 79757, in ANC 2C. 7 MS. GEPHARDT: All right. Chrissy Gephardt 8 on behalf of the government. 9 MR. KLINE: Good afternoon. Andrew Kline on 10 behalf of the Licensee. 11 CHAIRPERSON MILLER: Good afternoon. So this 12 is a failure to file quarterly statement show cause 13 hearing. Are there any preliminary matters? 14 MS. GEPHARDT: Yes, there are preliminary 15 matters. The parties have agreed on an offer in 16 compromise that we would like to present to the Board 17 to resolve the charge, which is the subject of this 18 notice. We are proposing a \$1000 fine to be payable 19 within 60 days. 20 CHAIRPERSON MILLER: Okay. Mr. Kline, 21 there's been an offer of \$1000 to be paid within 60 22 days. Is your client amenable to this?</p>	<p style="text-align: right;">4</p> <p>1 BOARD MEMBER: Second. 2 CHAIRPERSON MILLER: Any comments or 3 questions? 4 (No audible response.) 5 CHAIRPERSON MILLER: Okay. The motion's been 6 seconded. All those in favor, say aye? 7 (Chorus of ayes.) 8 CHAIRPERSON MILLER: All those opposed? 9 BOARD MEMBER: Opposed. 10 CHAIRPERSON MILLER: All those abstaining? 11 (No audible response.) 12 CHAIRPERSON MILLER: Then a motion passes by 13 a vote of 5-1-0. 14 MR. KLINE: Great. Thank you. 15 CHAIRPERSON MILLER: Thank you. 16 MS. GEPHARDT: Okay. Thank you. 17 (WHEREUPON, at 2:15 p.m., the hearing was 18 concluded.) 19 20 21 22</p>
<p style="text-align: right;">3</p> <p>1 MR. KLINE: Yes. And for the record, I just 2 handed to Ms. Fashbaugh a letter authorizing me to act 3 on behalf of the Licensee with respect to this matter. 4 This was before the Board on a status and represented 5 them at that time and we would be proceeding in that 6 fashion. 7 CHAIRPERSON MILLER: Okay. 8 MR. KLINE: So you have that letter now. And 9 the Licensee would accept that offer in compromise. If 10 it's accepted, it would waive any right for appeal. 11 And I would add that this licensee is getting out of 12 the business so to the extent that that has any bearing 13 on the Board's consideration of this offer in 14 compromise. I wanted to make that representation. 15 CHAIRPERSON MILLER: And your client knows 16 that by accepting this offer in compromise, he waives 17 his right to -- right to a hearing? 18 MR. KLINE: Yes. 19 CHAIRPERSON MILLER: Good, okay. All right. 20 Then I would move that the Board accept this offer in 21 compromise of \$1000 to be paid within 60 days. Do I 22 have a second?</p>	<p style="text-align: right;">5</p> <p>1 CERTIFICATE OF NOTARY PUBLIC 2 3 I, BRADLEY ANGLIN, the officer before whom the 4 foregoing hearing was taken, do hereby certify that the 5 testimony appearing in the foregoing transcript was 6 recorded by me and thereafter reduced to typewriting 7 under my direction; that said transcription is a true 8 record of the testimony given by said parties; that I 9 am neither counsel for, related to, nor employed by any 10 of the parties to the action in which this 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 BRADLEY ANGLIN 20 Notary Public in and for 21 DISTRICT OF COLUMBIA 22</p>

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1 CERTIFICATE OF TRANSCRIPTION

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

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15 \_\_\_\_\_  
Date MIRANDA PENNACHI

16 Transcriptionist

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<hr/> <p style="text-align: center;">\$</p> <p><b>\$1000</b> 2:18,21 3:21</p> <hr/> <p style="text-align: center;">1</p> <p><b>12-AUD-00020</b> 1:8 2:4</p> <p><b>14th</b> 1:13</p> <hr/> <p style="text-align: center;">2</p> <p><b>2:12</b> 2:2</p> <p><b>2:15</b> 4:17</p> <p><b>2000</b> 1:13</p> <p><b>2012</b> 1:11</p> <p><b>25</b> 1:11</p> <p><b>2C</b> 1:8 2:6</p> <hr/> <p style="text-align: center;">5</p> <p><b>505</b> 1:6 2:5</p> <p><b>5-1-0</b> 4:13</p> <hr/> <p style="text-align: center;">6</p> <p><b>60</b> 2:19,21 3:21</p> <hr/> <p style="text-align: center;">7</p> <p><b>79757</b> 1:7 2:6</p> <hr/> <p style="text-align: center;">9</p> <p><b>9th</b> 1:6 2:5</p> <hr/> <p style="text-align: center;">A</p> <p><b>abstaining</b> 4:10</p> <p><b>accept</b> 3:9,20</p> <p><b>accepted</b> 3:10</p> <p><b>accepting</b> 3:16</p> <p><b>act</b> 3:2</p> <p><b>action</b> 5:10,14</p> <p><b>add</b> 3:11</p>	<p><b>afternoon</b> 2:4,9,11</p> <p><b>agreed</b> 2:15</p> <p><b>ALBERTI</b> 1:16</p> <p><b>Alcoholic</b> 1:2,12,13</p> <p><b>am</b> 5:9,11 6:3</p> <p><b>amenable</b> 2:22</p> <p><b>ANC</b> 1:8 2:6</p> <p><b>Andrew</b> 2:9</p> <p><b>ANGLIN</b> 5:3,19</p> <p><b>appeal</b> 3:10</p> <p><b>appearing</b> 5:5</p> <p><b>attorney</b> 5:12</p> <p><b>audible</b> 4:4,11</p> <p><b>authorizing</b> 3:2</p> <p><b>aye</b> 4:6</p> <p><b>eyes</b> 4:7</p> <hr/> <p style="text-align: center;">B</p> <p><b>bearing</b> 3:12</p> <p><b>behalf</b> 2:8,10 3:3</p> <p><b>Beverage</b> 1:2,12,13</p> <p><b>Board</b> 1:2,13 2:16 3:4,20 4:1,9</p> <p><b>Board's</b> 3:13</p> <p><b>BRADLEY</b> 5:3,19</p> <p><b>BROOKS</b> 1:17</p> <p><b>Building</b> 1:13</p> <p><b>business</b> 3:12</p> <hr/> <p style="text-align: center;">C</p> <p><b>calendar</b> 2:4</p> <p><b>CALVIN</b> 1:18</p> <p><b>case</b> 1:8 2:3,4</p>	<p><b>cause</b> 1:7 2:12</p> <p><b>CERTIFICATE</b> 5:1 6:1</p> <p><b>certify</b> 5:4 6:3</p> <p><b>Chairperson</b> 1:14,16 2:3,11,20 3:7,15,19 4:2,5,8,10,12,15</p> <p><b>charge</b> 2:17</p> <p><b>Chorus</b> 4:7</p> <p><b>Chrissy</b> 1:19 2:7</p> <p><b>client</b> 2:22 3:15</p> <p><b>COLUMBIA</b> 1:1 5:21</p> <p><b>comments</b> 4:2</p> <p><b>complete</b> 6:8</p> <p><b>compromise</b> 2:16 3:9,14,16,21</p> <p><b>concluded</b> 4:18</p> <p><b>consideration</b> 3:13</p> <p><b>Control</b> 1:2,12,13</p> <p><b>correct</b> 6:8</p> <p><b>counsel</b> 5:9,12</p> <p><b>Court</b> 6:4,6</p> <p><b>CR</b> 1:7</p> <hr/> <p style="text-align: center;">D</p> <p><b>D.C</b> 1:14</p> <p><b>Date</b> 6:15</p> <p><b>days</b> 2:19,22 3:21</p> <p><b>direction</b> 5:7</p> <p><b>DISTRICT</b> 1:1 5:21</p> <p><b>DONALD</b> 1:17</p>	<hr/> <p style="text-align: center;">E</p> <p><b>employed</b> 5:9,12</p> <p><b>employee</b> 5:11</p> <p><b>extent</b> 3:12</p> <hr/> <p style="text-align: center;">F</p> <p><b>Failed</b> 1:9</p> <p><b>failure</b> 2:12</p> <p><b>Fashbaugh</b> 3:2</p> <p><b>fashion</b> 3:6</p> <p><b>favor</b> 4:6</p> <p><b>file</b> 1:9 2:12</p> <p><b>financially</b> 5:13</p> <p><b>fine</b> 2:18</p> <p><b>first</b> 2:3</p> <p><b>foregoing</b> 5:4,5</p> <p><b>foregoing/ attached</b> 6:7</p> <hr/> <p style="text-align: center;">G</p> <p><b>Gephardt</b> 1:19 2:7,14 4:16</p> <p><b>getting</b> 3:11</p> <p><b>given</b> 5:8</p> <p><b>government</b> 2:8</p> <p><b>Great</b> 4:14</p> <hr/> <p style="text-align: center;">H</p> <p><b>handed</b> 3:2</p> <p><b>hearing</b> 1:7,13 2:13 3:17 4:17 5:4</p> <p><b>hereby</b> 5:4 6:3</p> <p><b>hereto</b> 5:12</p> <p><b>HERMAN</b> 1:17</p>
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<p>_____</p> <p style="text-align: center;"><u>I</u></p> <p><b>interested</b> 5:13</p> <p><b>it's</b> 3:10</p> <p>_____</p> <p style="text-align: center;"><u>J</u></p> <p><b>JONES</b> 1:17</p> <p><b>July</b> 1:11</p> <p>_____</p> <p style="text-align: center;"><u>K</u></p> <p><b>Kitchen</b> 1:6 2:5</p> <p><b>Kitchens</b> 1:5</p> <p><b>Kline</b> 2:9,20 3:1,8,18 4:14</p> <p>_____</p> <p style="text-align: center;"><u>L</u></p> <p><b>letter</b> 3:2,8</p> <p><b>License</b> 1:7 2:5</p> <p><b>licensee</b> 2:10 3:3,9,11</p> <p><b>LLC</b> 1:5</p> <p>_____</p> <p style="text-align: center;"><u>M</u></p> <p><b>matter</b> 1:4 3:3</p> <p><b>matters</b> 2:13,15</p> <p><b>MEETING</b> 1:3</p> <p><b>Member</b> 1:16,17,18 4:1,9</p> <p><b>met</b> 1:13</p> <p><b>MIKE</b> 1:18</p> <p><b>Miller</b> 1:14,16 2:3,11,20 3:7,15,19 4:2,5,8,10,12,15</p> <p><b>MIRANDA</b> 6:3,15</p> <p><b>motion</b> 4:12</p> <p><b>motion's</b> 4:5</p>	<p><b>move</b> 3:20</p> <p>_____</p> <p style="text-align: center;"><u>N</u></p> <p><b>N.W</b> 1:13 2:5</p> <p><b>neither</b> 5:9</p> <p><b>NICK</b> 1:16</p> <p><b>NOPHLIN</b> 1:18</p> <p><b>nor</b> 5:9,13</p> <p><b>Notary</b> 5:1,20</p> <p><b>notes</b> 6:6</p> <p><b>notice</b> 2:18</p> <p><b>NW</b> 1:6</p> <p>_____</p> <p style="text-align: center;"><u>O</u></p> <p><b>OAG</b> 1:19</p> <p><b>offer</b> 2:15,21 3:9,13,16,20</p> <p><b>officer</b> 5:3</p> <p><b>opposed</b> 4:8,9</p> <p><b>otherwise</b> 5:13</p> <p><b>outcome</b> 5:13</p> <p>_____</p> <p style="text-align: center;"><u>P</u></p> <p><b>p.m</b> 2:2 4:17</p> <p><b>paid</b> 2:21 3:21</p> <p><b>parties</b> 2:15 5:8,10,12</p> <p><b>passes</b> 4:12</p> <p><b>payable</b> 2:18</p> <p><b>PENNACHI</b> 6:3,15</p> <p><b>preliminary</b> 2:13,14</p> <p><b>present</b> 1:15,19 2:16</p> <p><b>presiding</b> 1:14</p>	<p><b>proceeding</b> 3:5 6:5,6,9</p> <p><b>proposing</b> 2:18</p> <p><b>Public</b> 5:1,20</p> <p>_____</p> <p style="text-align: center;"><u>Q</u></p> <p><b>quarterly</b> 1:9 2:12</p> <p><b>questions</b> 4:3</p> <p>_____</p> <p style="text-align: center;"><u>R</u></p> <p><b>record</b> 3:1 5:8</p> <p><b>recorded</b> 5:6</p> <p><b>recordings</b> 6:7</p> <p><b>reduced</b> 5:6</p> <p><b>Reeves</b> 1:13</p> <p><b>related</b> 5:9</p> <p><b>relative</b> 5:11</p> <p><b>reported</b> 6:4</p> <p><b>Reporter</b> 6:4</p> <p><b>Reporter's</b> 6:6</p> <p><b>representation</b> 3:14</p> <p><b>represented</b> 3:4</p> <p><b>resolve</b> 2:17</p> <p><b>respect</b> 3:3</p> <p><b>response</b> 4:4,11</p> <p><b>Retailer</b> 1:7</p> <p><b>Room</b> 1:13</p> <p><b>Ruthanne</b> 1:14,16</p> <p>_____</p> <p style="text-align: center;"><u>S</u></p> <p><b>second</b> 3:22 4:1</p> <p><b>seconded</b> 4:6</p> <p><b>SILVERSTEIN</b> 1:18</p>	<p><b>statement</b> 2:12</p> <p><b>Statements</b> 1:9</p> <p><b>status</b> 3:4</p> <p><b>Street</b> 1:6,13 2:5</p> <p><b>subject</b> 2:17</p> <p>_____</p> <p style="text-align: center;"><u>T</u></p> <p><b>t/a</b> 1:6</p> <p><b>testimony</b> 5:5,8</p> <p><b>Thank</b> 4:14,15,16</p> <p><b>thereafter</b> 5:6</p> <p><b>there's</b> 2:21</p> <p><b>transcript</b> 5:5 6:5,7</p> <p><b>transcription</b> 5:7 6:1,8</p> <p><b>Transcriptionist</b> 6:16</p> <p><b>true</b> 5:7 6:8</p> <p><b>typed</b> 6:5</p> <p><b>typewriting</b> 5:6</p> <p>_____</p> <p style="text-align: center;"><u>V</u></p> <p><b>vote</b> 4:13</p> <p>_____</p> <p style="text-align: center;"><u>W</u></p> <p><b>waive</b> 3:10</p> <p><b>waives</b> 3:16</p> <p><b>Washington</b> 1:14</p> <p><b>WHEREUPON</b> 4:17</p> <p><b>whom</b> 5:3</p> <p><b>Wine</b> 1:6 2:5</p> <p>_____</p> <p style="text-align: center;"><u>Z</u></p> <p><b>Zola</b> 1:6 2:4</p>
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