

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
3 ALCOHOLIC BEVERAGE CONTROL BOARD
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6 IN THE MATTER OF: :

7 Maddy's, LLC, :

8 t/a Maddy's Bar and Grill: Case # 15-CMP-00802

9 1726 Connecticut Ave Northwest

10 License #82036 :

11 Wednesday, March 2, 2016 :

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14 Wednesday, March 2, 2016

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16 Whereupon, the above referenced matter
17 came on for hearing at the Alcoholic Beverage
18 Control Board, Reeves Center, 2000 14th Street,
19 N.W., Suite 400S, Washington, D.C. 20009.

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22 CHAIRPERSON:

1 DONOVAN W. ANDERSON, Presiding

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3 BOARD MEMBERS PRESENT:

4 NICK ALBERTI, BOARD MEMBER

5 RUTHANNE MILLER, BOARD MEMBER

6 JAMES SHORT, BOARD MEMBER

7 MIKE SILVERSTEIN, BOARD MEMBER

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9 OTHER PERSONS PRESENT

10 JAY DAVIS

11 WALTER ADAMS, ANC

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1 P R O C E E D I N G S

2 CHAIRPERSON ANDERSON: The next case on
3 our calendar is Case # 15-CMP-00802, Maddy's Bar
4 and Grill. Would the parties please approach?

5 MR. ADAMS: Good morning, Mr. Chairman.
6 Walter Adams representing the District of
7 Columbia.

8 CHAIRPERSON ANDERSON: Good morning, Mr.
9 Adams, again.

10 MR. DAVIS: Good morning. Jay Davis
11 representing Maddy's.

12 CHAIRPERSON ANDERSON: And can you tell
13 me what your role at Maddy's is, sir?

14 MR. DAVIS: General manager.

15 CHAIRPERSON ANDERSON: All right. Mr.
16 Adams, are there any preliminary matters in this
17 case?

18 MR. ADAMS: There' a couple of
19 preliminary matters on this case. Number one I
20 believe Mr. Davis has authorization to represent
21 the establishment and he has a letter that can be
22 provided to the board.

1 CHAIRPERSON ANDERSON: All right, you can
2 give it to me, Ms. Walker, please.

3 MR. ADAMS: For this case, Mr. Chairman,
4 there is a single charge of operating without the
5 presence of an ABC manager, so resolution of the
6 parties was discussed and we propose an offer in
7 compromise in the amount of \$750 that can be paid
8 today. And this will be the establishment's
9 third secondary tier violation since New Year's
10 Eve.

11 CHAIRPERSON ANDERSON: And if it's not
12 paid?

13 MR. ADAMS: Oh, if it's not paid today,
14 well, if it's not paid today I guess they will
15 agree that their license be in suspension until a
16 time that the fine is paid.

17 CHAIRPERSON ANDERSON: I guess that they
18 have a check in hand that you've seen and that's
19 what you're paying today. I just want to make
20 sure that that's clear to all the parties. All
21 right so, Mr. Davis. I do have a letter from the
22 owner authorizing you to appear today so that's

1 for the record. So, I understand that there's an
2 offer in compromise of a \$750 fine. Is it your
3 understanding of what's payable today?

4 MR. DAVIS. Correct.

5 CHAIRPERSON ANDERSON: And are you aware
6 that by agreeing to this offer in compromise you
7 are giving up your right to a hearing?

8 MR. DAVIS: Yes.

9 CHAIRPERSON ANDERSON: And you're also
10 giving up your right to appeal this matter?

11 MR. DAVIS: Correct.

12 CHAIRPERSON ANDERSON: Thank you. I make
13 a motion that this offer in compromise be
14 accepted. Is there a second?

15 MS. MILLER: Second.

16 CHAIRPERSON ANDERSON: Ms. Miller
17 seconded the motion. Is there any discussion?
18 Hearing none, those in favor say Aye. [chorus of
19 ayes]

20 Those opposed?

21 MR. ALBERTI: Opposed.

22 CHAIRPERSON ANDERSON: The matter passed

1 4 to 1 with Mr. Alberti opposed. Do you wish to
2 make any comment, Mr. Alberti? I don't need to
3 ask you because I know if there's something to
4 say you'd always say it. All right. It's 4 to 1
5 with Mr. Alberti opposed. I'll ask a redundant
6 question .

7 MR. ALBERTI: You're so kind Mr. Chair.

8 CHAIRPERSON ANDERSON: Thank you sir. Go
9 ahead, Mr. Short.

10 MR. SHORT: Again, Mr. Davis, this is the
11 third time no ABC management on duty, is that
12 correct?

13 MR DAVIS: The first of my time with the
14 company, correct.

15 MR. SHORT: So, what has the company done
16 to correct --

17 MR. DAVIS: We corrected it almost
18 immediately. It was a 15 minute -- lack of a
19 hearing doesn't really matter I guess, but our
20 general manager -- the manager on site he moves
21 his car up in the neighborhood by the Irish
22 embassy and all that and he moves it down to the

1 front of the restaurant. Leaving out of the back
2 door, there's an alley right by 22nd Street where
3 people have gotten mugged, so around 12:30, 1:00
4 he usually moves his car around to the front.

5 MR. ALBERTI: I guess the question I'm
6 asking, how many ABC managers do you have now?

7 MR. ADAMS: Oh, eight.

8 MR. ALBERTI: So you corrected the
9 situation of having just one. That's the reason
10 for my [inaudible 17:30] Thank you very much,
11 that's all I have, Mr. Chair.

12 CHAIRPERSON ANDERSON: All right so Ms.
13 Walker will have some documents for you to sign.
14 Thank you.

15 MR. ADAMS: Thank you.