

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
3 ALCOHOLIC BEVERAGE CONTROL BOARD

4 - - - - -X

5 IN THE MATTER OF: :
6 Minnesota Store, LLC., t/a :
7 Minnesota Store, :
8 3728 Minnesota Ave. N.E. : Case #15-CMP-00570
9 License #95245 : Show Cause Hearing
10 Retailer B : (Status)
11 ANC 7F :
12 No ABC Manager on Duty :
13 -- - - - X

14 Wednesday, February 10,
15 2016

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

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1 CHAIRPERSON:

2 DONOVAN ANDERSON, Presiding

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4 BOARD MEMBERS:

5 NICK ALBERTI

6 RUTHANNE MILLER

7 JAMES SHORT

8 MIKE SILVERSTEIN

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10 Office of the Attorney General:

11 MARTHA JENKINS

12 ABRA:

13 DANETTE WALKER

14 LaVERNE FLETCHER

15

16 ALSO PRESENT:

17 ANDREW KLINE,

18 on behalf of the applicant

19 ERIKA GOEDRICH, applicant

20 MARK ECKENWILER, 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 Show Cause Hearing Status Calendar is Case
4 No. 15-CMP-00570, Minnesota Store, License No.
5 95245. Would the parties please approach?

6 MR. RIVERO: Good morning, Board Members.
7 Fernando Rivero for the District of Columbia.

8 MR. DEBESAI: Diniam DeBesai, Minnesota
9 Store owner.

10 CHAIRPERSON ANDERSON: Good morning,
11 everyone. Are there any preliminary matters?

12 MR. RIVERO: Yes. The parties have an
13 offer and compromise to present to the Board at
14 this time. The offer consists of a fine of \$600,
15 payable within 30 days and if payment is not
16 received within 30 days the license will be
17 suspended until payment is received. That is the
18 offer.

19 CHAIRPERSON ANDERSON: Okay. All right.
20 It's my understanding, sir, that there has been
21 an offer and compromise that you would pay a \$600
22 fine and that if this fine is not paid -- and

1 that the fine will be paid in 30 days, and if
2 this fine is not paid in 30 days your license
3 will be suspended. Is this your understanding of
4 the offer and compromise?

5 MR. DEBESAI: Yes, sir.

6 CHAIRPERSON ANDERSON: And are you aware
7 that by accepting this offer that you have given
8 up your right to a hearing?

9 MR. DEBESAI: Yes, sir.

10 CHAIRPERSON ANDERSON: And do you also
11 understand that you also give up your right to
12 appeal this matter?

13 MR. DEBESAI: Yes, sir.

14 CHAIRPERSON ANDERSON: Thank you. Now,
15 does the Board members have any questions or
16 comments regarding this offer and compromise?

17 [Discussion off the record.]

18 CHAIRPERSON ANDERSON: All right.

19 Hearing none I make a motion that this -- I then
20 make a motion that this offer and compromise of a
21 \$600 fine, payable in 30 days, and at the -- if
22 the fine is not payable in 30 days that the

1 license will be suspended; that it be accepted.

2 Is there a second?

3 MR. SHORT: Second.

4 CHAIRPERSON ANDERSON: Mr. Short has
5 seconded the motion.

6 [Vote taken.]

7 CHAIRPERSON ANDERSON: The matter passed,
8 five, zero, zero. Ms. Walker will bring you an
9 order to sign.

10 Can you remain for a couple of minutes,
11 sir? I think Commissioner Alberti has -- wanted
12 to make a statement. But the offer has been
13 accepted.

14 MR. ALBERTI: Mr. Debesai.

15 MR. DEBESAI: Yes, sir.

16 MR. ALBERTI: I've noticed that over the
17 course of this year you've received several
18 citations for not having an ABC manager present.

19 MR. DEBESAI: I do have --

20 MR. ALBERTI: Have you taken any steps
21 to --

22 MR. DEBESAI: I do have two managers in -

1 - I have the two copies of the manager license
2 with me.

3 MR. ALBERTI: Did you have two people?

4 MR. DEBESAI: Yes, sir.

5 MR. ALBERTI: You employ two people who
6 have managers' licenses?

7 MR. DEBESAI: Yes, sir.

8 MR. ALBERTI: Okay. So we'll hope that
9 there isn't an issue in the future then.

10 MR. DEBESAI: We had to mention it early.
11 I have two tickets again. I don't know why this
12 ticket -- I have also the same time for these.

13 MR. ALBERTI: Okay. All right. I don't
14 want to get into that, but all right.

15 MR. DEBESAI: Okay.

16 MR. ALBERTI: So as you've represented,
17 you have a plan to avoid this in the future.
18 Thank you.

19 MR. DEBESAI: Thank you.

20 CHAIRPERSON ANDERSON: Thank you. I know
21 that a hearing is scheduled for 10:00. I just
22 want to find out whether or not the parties are

1 here for Brookland Café. So --

2 MR. ALBERTI: Do you want to wait until
3 10:00 to follow the --

4 CHAIRPERSON ANDERSON: Yeah. Yeah. The
5 Board will be in recess until 10:00. Okay?
6 Thank you.

7 [Whereupon, the above-entitled matter
8 concluded.]

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