



1 CHAIRPERSON:

2 DONOVAN W. ANDERSON, Presiding

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4 BOARD MEMBERS:

5 RUTHANNE MILLER

6 NICK ALBERTI

7 MIKE SILVERSTEIN

8 JAMES SHORT

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

2 CHAIRPERSON ANDERSON: We'd like to call  
3 our first case on our show cause hearing  
4 calendar. It's Case No. 15-CMP-00399 Nile Mark  
5 and Kitchen, License No. 60432. Will the parties  
6 please approach and identify yourself for the  
7 record, please.

8 MS. GEPHARDT: Good afternoon, board  
9 members. Chrissy Gephardt here on behalf of the  
10 Office of the Attorney General.

11 MR. AMDE: Hi. My name is (inaudible).

12 CHAIRMAN ANDERSON: I'm sorry. I didn't  
13 hear who you are, sir.

14 MR. AMDE: A-M-D-E, the restaurant  
15 manager.

16 CHAIRMAN ANDERSON: Can you sign your  
17 name? You said you're the restaurant manager?

18 MR. AMDE: Yeah.

19 CHAIRMAN ANDERSON: Are you the owner?

20 MR. AMDE: No. I'm not (inaudible). X

21 MS. GEPHARDT: We actually had a  
22 discussion out here earlier, and you contacted

1 the owner. And she was going to fax something  
2 over saying that you have the authority to bind  
3 the restaurant.

4 MR. AMDE: Yeah.

5 MS. GEPHARDT: So I don't know whether  
6 she sent it yet or not. It was sent to Sean  
7 Gordy.

8 CHAIRMAN ANDERSON: While we're waiting,  
9 I see that we have some audience members. Who is  
10 in the audience? I see a group of students. So  
11 who are they?

12 MR. ALBERTI: Where are you guys from?

13 AUDIENCE: From the Kuumba Learning  
14 Center in (inaudible).

15 CHAIRMAN ANDERSON: Are you part of the  
16 protest, or are you just here just to observe to  
17 see what's going on?

18 AUDIENCE: Part of the protest.

19 (Inaudible)

20 CHAIRMAN ANDERSON: Well, that's at 2  
21 o'clock. I was just wondering.

1 All right. Well, I would like to have  
2 some --

3 MS. GEPHARDT: Let's hear what the  
4 Chairman has to say.

5 CHAIRMAN ANDERSON: No. You two can talk  
6 first. He needs to talk to you.

7 MS. GEPHARDT: Would you mind if he tries  
8 to call her again? She said she was doing it  
9 right away.

10 CHAIRMAN ANDERSON: We have some time  
11 since -- that's about what I was going to ask  
12 them to.

13 MS. GEPHARDT: Okay.

14 CHAIRMAN ANDERSON: Are there any  
15 preliminary matters?

16 MS. GEPHARDT: Yes. There is a  
17 preliminary matter. The parties have agreed to  
18 an offer in compromise in this case to include a  
19 fine of \$850 to be paid within 90 days.

20 CHAIRMAN ANDERSON: And if not paid  
21 within 90 days?

1                   MS. GEPHARDT: Thank you. The license  
2 would be immediately suspended until payment is  
3 made.

4                   CHAIRMAN ANDERSON: All right. So it's  
5 my understanding that there is an offer in  
6 compromise, and the offer in compromise is that  
7 there is a fine of \$850 that will be paid in 90  
8 days; and if the fine is not paid within 90 days,  
9 the license will be suspended. Is this your  
10 understanding of the offer in compromise? You  
11 have to say yes or no, sir.

12                   MR. AMDE: Yes.

13                   CHAIRMAN ANDERSON: Now, you, again,  
14 introduce yourself for the record, and let me  
15 know what your role is at this establishment.

16                   MR. AMDE: I'm the manager at the  
17 restaurant.

18                   CHAIRMAN ANDERSON: And why are you here  
19 speaking on behalf of the restaurant?

20                   MR. MADE: I was the one who was supposed  
21 to be there, so I just stepped out and --

1                   CHAIRMAN ANDERSON: No. That's not the  
2 question I'm asking. Why are you the person here  
3 representing the restaurant today?

4                   MR. AMDE: (Inaudible) not around, so --

5                   CHAIRMAN ANDERSON: And so did she give  
6 you permission to be here today?

7                   MR. AMDE: Yeah.

8                   CHAIRMAN ANDERSON: And how did she give  
9 you permission for you to be here today, sir?

10                  MR. AMDE: Well, she was going to fax it  
11 now.

12                  CHAIRMAN ANDERSON: I want you to tell --  
13 it's being recorded.

14                  MR. AMDE: Right.

15                  CHAIRMAN ANDERSON: So I want you to tell  
16 us what it is that -- why is it that you're here,  
17 and who gave you permission; and how was that --  
18 how did that come about?

19                  MR. AMDE: As the manager (inaudible).

20                  CHAIRMAN ANDERSON: No. That's not --  
21 all right. Who is the owner of the restaurant?

22                  MR. AMDE: O'Connor (inaudible).

1                   CHAIRMAN ANDERSON: Why is that person  
2 not here today?

3                   MR. AMDE: He's not around. He's  
4 (inaudible).

5                   CHAIRMAN ANDERSON: I'm sorry?

6                   MR. AMDE: He's not around in the city.  
7 He's not in the city.

8                   CHAIRMAN ANDERSON: All right. So why  
9 are you here? Who told you to be here today?

10                  MR. AMDE: I'm the one who got the -- who  
11 even ask for (inaudible), you know, for -- I  
12 applied to appear in the court. I was the one  
13 who did that and got the (inaudible).

14                  CHAIRMAN ANDERSON: So did the owner  
15 authorize you to come here today?

16                  MR. AMDE: Yes, they do. She -- he knows  
17 that I was going to come.

18                  CHAIRMAN ANDERSON: And did you state  
19 that the owner was sending an email -- a fax  
20 authorizing you to be here today?

1           MR. AMDE: He was -- she was going to --  
2 to the owner she was going to send that right  
3 away.

4           CHAIRMAN ANDERSON: So I want you to tell  
5 me that. That's what I'm trying to ask you.

6           MR. MADE: The owner to fax me. I just  
7 told her to fax me, and she was going to fax it.

8           CHAIRMAN ANDERSON: All right. What I'm  
9 asking to do is that we will -- all right. Let  
10 me -- I'm going to make some -- all right. Do  
11 you understand that by accepting this offer in  
12 compromise that you're waiving your right to have  
13 a hearing?

14          MR. AMDE: No.

15          CHAIRMAN ANDERSON: Based on the  
16 conversation --

17          MR. AMDE: I was the one who asked for  
18 the hearing.

19          CHAIRMAN ANDERSON: Right. But you had  
20 asked for a hearing, but now you're having -- you  
21 have agreed to pay the fine.

22          MR. AMDE: Yes.

1           CHAIRMAN ANDERSON: So, therefore, you're  
2 waiving your right to not have a hearing?

3           MR. AMDE: Yes, yeah.

4           CHAIRMAN ANDERSON: And so by also not  
5 having a hearing, you're also agreeing that  
6 you're waiving your right to appeal this matter.  
7 Say tomorrow you disagree with it and you want to  
8 appeal it, by accepting this offer in compromise,  
9 it cannot be appealed. Do you know that?

10          MR. AMDE: Okay. Yes.

11          CHAIRMAN ANDERSON: All right.

12          CHAIRMAN ANDERSON: Provided that by  
13 close of business today we receive authorization  
14 from the owner that you are authorized to bind  
15 this establishment, then I ask that -- I'm moving  
16 that we accept this offer in compromise.

17           Is there a second?

18          MR. SILVERSTEIN: I second, Mr. Chairman.

19          CHAIRMAN ANDERSON: Mr. Silverstein.

20 Yes. Mr. Silverstein seconded the motion.

21          Mr. Alberti, you have a question, sir?

1 MR. ALBERTI: Sir, your name again? I'm  
2 sorry.

3 MR. AMDE: Getu Amde.

4 MR. ALBERTI: Spell your last name.

5 MR. AMDE: My last name, A-M-D-E.

6 MR. ALBERTI: K-M --

7 MR. AMDE: No. A-M-D-E.

8 MR. ALBERTI: Amde. Mr. Amde, do you  
9 have an ABC manager's license?

10 MR. AMDE: Yes, I do.

11 MR. ALBERTI: Okay. Great, thanks. I  
12 was just curious.

13 CHAIRMAN ANDERSON: All right. Do we  
14 have any -- I think that's it.

15 MR. ALBERTI: I think that's it. I have  
16 no other questions.

17 CHAIRMAN ANDERSON: All right. Any other  
18 board members have any other questions?

19 Hearing none, then I make a motion that  
20 this offer in compromise of \$850 be accepted,  
21 payable within 90 days. All those in favor say  
22 aye.

1 [Chorus of Ayes.]

2 Those opposed.

3 MR. ALBERTI: Oppose.

4 CHAIRMAN ANDERSON: The matter passed 4  
5 to 1 with Mr. Alberti opposing the offer in  
6 compromise.

7 Ms. Walker will bring you something to  
8 sign. Okay.

9 And, sir, could -- go ahead.

10 MS. GEPHARDT: No, go ahead.

11 CHAIRMAN ANDERSON: Can you please call  
12 her back again to make sure that we get this  
13 information today? All right. And what -- can -  
14 - Ms. Randall, can you provide him -- there was a  
15 copy with it, the fax number, please, with our  
16 fax number. Thank you.

17 [Whereupon, the above-entitled  
18 matter was concluded.]

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