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GOVERNMENT OF THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

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IN THE MATTER OF: :  
Axumawit Incorporation, Inc., :  
t/a Axum Restaurant : Show Cause Hearing  
1934 9th Street, NW : Case # 15-CMP-00505  
License # 89823 :  
Retailer Class CR :  
ANC-1B :

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Wednesday, January 13, 2016

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

1 CHAIRPERSON:

2 DONOVAN ANDERSON, Presiding

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4 BOARD MEMBERS:

5 RUTHANNE MILLER

6 NICK ALBERTI

7 MICHAEL SILVERSTEIN

8 JAMES SHORT

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10 ALSO PRESENT:

11 LOUISE PHILLIPS, Assistant Attorney General

12 On behalf of the District of Columbia

13 GINA MONDESI, ESQ.

14 On behalf of Axum

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

2 CHAIRMAN ANDERSON: The next matter on the  
3 calendar is case number 15-CMP-00505, Axum Restaurant,  
4 license number 89823. Will the parties please approach and  
5 identify yourself, please?

6 MS. PHILLIPS: Louise Phillips, Assistant  
7 Attorney General for the District of Columbia. Good morning  
8 again.

9 CHAIRMAN ANDERSON: Good morning. Thank you.

10 MS. MONDESIR: Gina Mondesir, M-O-N-D-E-S-I-R,  
11 representing Axum.

12 MS. MILLER: Please speak up.

13 MS. MONDESIR: Gina Mondesir representing Axum.

14 CHAIRMAN ANDERSON: All right. Are there any  
15 preliminary matters?

16 MS. MONDESIR: Yes, Chair, there are preliminary  
17 matters that we'd like to present to the board. The parties  
18 have discussed an offer in compromise. It consists of a  
19 \$2,000 -- \$2,500 fine, which is \$2,000 for charge one, \$500  
20 fine for charge two, a written warning for charge three.  
21 Charge four is dismissed. And the establishment would like  
22 to be able to pay within 45 days.

1 CHAIRMAN ANDERSON: Give me one minute, please.

2 All right. It's my understanding -- okay. It's  
3 my understanding that the offer of compromise is that on  
4 charge one there's a \$2,000 fine, on charge two there's a  
5 \$500 fine, charge three there's a warning, that charge four  
6 is dismissed, and the matter will be paid in 45 days. And  
7 just -- just -- the fine will be paid in 45 days. If the  
8 fine is not paid in -- within 45 days, what happens?

9 MS. MONDESIR: The -- they'll come and -- the --  
10 the license will be picked up by ABRA. So the license will  
11 be suspended until it's paid. Sorry. I apologize,  
12 Mr. Anderson.

13 CHAIRMAN ANDERSON: Okay. So I'm going to repeat  
14 one more time to make sure you understand in terms of the  
15 parties.

16 So the terms of the parties is that on charge one  
17 is a \$2,000 fine, charge two a \$500 fine, charge three a  
18 warning will be issued. Charge four will be dismissed.  
19 That the matter will be paid within 45 days; and that if the  
20 fine is not paid within 45 days, the license will be  
21 suspended. Is this your understanding of the offer in  
22 compromise?

1 MS. PHILLIPS: Yes.

2 MS. MONDESIR: Yes, sir.

3 CHAIRMAN ANDERSON: You agree that if you accept  
4 this offer you have -- you have lost your right to have a  
5 hearing?

6 MS. MONDESIR: Yes.

7 CHAIRMAN ANDERSON: And that you also --  
8 you're -- you're giving up your right to appeal this matter.  
9 Do you fully agree with this?

10 MS. PHILLIPS: Yes.

11 CHAIRMAN ANDERSON: All right. All right. Does  
12 the board have any concerns with this -- with this matter?  
13 Any questions from any board member?

14 All right. Then I make a motion that this offer  
15 in compromise be accepted. Is there a second?

16 MS. MILLER: Second.

17 CHAIRMAN ANDERSON: Ms. Miller has seconded the  
18 motion. Those in favor say aye.

19 GROUP: Aye.

20 CHAIRMAN ANDERSON: Aye. The matter passes,  
21 five, zero, zero. So the matter is -- the board has  
22 accepted the offer in compromise. And we'll give you some

1 papers to sign. Okay. Thank you.

2 (Whereupon, the above-entitled matter concluded.)

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