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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: :  
Jose Andres Catering, LLC, :  
t/a Jose Andres Catering : Show Cause Hearing  
717 D Street NW : Case # 14-CMP-00606  
License # 88399 :  
Retail Caterer :  
ANC-2C :  
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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

9

10 ALSO PRESENT:

11 AMY SCHMIDT, Assistant Attorney General

12 On behalf of the District of Columbia

13 STEPHEN WHELAN, ESQ.

14 On behalf of Jose Andres Catering

15 STEVEN BRIGGS,

16 On behalf of Jose Andres Catering

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

2 CHAIRMAN ANDERSON: All right. We now move to  
3 our show cause hearing. And the first case on our show  
4 cause hearing calendar is case number 14-CMP-00606, Jose  
5 Andres Catering, license number 88399. Will the parties  
6 please approach?

7 MS. SCHMIDT: Good morning. Amy Schmidt,  
8 Assistant Attorney General on behalf of the District of  
9 Columbia.

10 CHAIRMAN ANDERSON: Good morning.

11 MR. WHELAN: Good morning. Stephen Whelan on  
12 behalf of Jose Andres Catering, and also with me is Steven  
13 Briggs (phonetic).

14 Ms. SCHMIDT: Good morning. Amy Schmidt,  
15 Assistant Attorney General on behalf of the District of  
16 Columbia.

17 CHAIRMAN ANDERSON: All right. Are there any  
18 preliminary matters?

19 MS. SCHMIDT: Yes, there is. We have an offer in  
20 compromise, which consists of a \$350 fine payable which --  
21 payable for 30 days; however, it can be paid today I'm told.  
22 And the caterer's report was filed. And so this is a first

1 secondary tier violation. So the government is in favor of  
2 this, of this OIC.

3 CHAIRMAN ANDERSON: It's my understanding that  
4 there is an offer in compromise for a \$350 fine and that the  
5 applicant -- I'm sorry -- the licensee needs to pay the fine  
6 within 30 days. If it's not paid within 30 days, the  
7 license will be suspended. Is this your understanding of  
8 the offer in compromise?

9 MS. SCHMIDT: Yes.

10 MR. WHELAN: Yes.

11 CHAIRMAN ANDERSON: And do you understand that by  
12 accepting an offer in compromise you waive your right to a  
13 hearing?

14 MR. WHELAN: Yes.

15 CHAIRMAN ANDERSON: And also that you're waiving  
16 your right to an appeal?

17 MR. WHELAN: Yes.

18 CHAIRMAN ANDERSON: Are there any questions by  
19 any board members?

20 (No response heard.)

21 CHAIRMAN ANDERSON: Hearing none, I make a motion  
22 that this offer in compromise be accepted. Is there a

1 second?

2 MS. MILLER: Second.

3 CHAIRMAN ANDERSON: Ms. Miller has seconded the  
4 motion. Those in favor say aye.

5 GROUP: Aye.

6 CHAIRMAN ANDERSON: Opposed?

7 MR. ALBERTI: Opposed.

8 CHAIRMAN ANDERSON: The matter passes four, one  
9 with Mr. Alberti in opposition. Ms. Walker will provide you  
10 with some documents to sign. Thank you.

11 MR. WHELAN: Thank you.

12 MS. SCHMIDT: Thank you.

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

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