DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:	:	
	:	
The Cheesecake Factory Restaurants, Inc. t/a The Cheesecake Factory	:	Show Cause Hearing (Status)
5345 Wisconsin Ave NW	:	
Retailer CR	:	
License No. 14760	:	
Case No. 13-AUD-00030	:	

January 15, 2014

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Chairperson Ruthanne Miller presiding.

PRESENT:
RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member
MICHAEL SILVERSTEIN, Member

ALSO PRESENT:
Amy Schmidt, OAG
Chrissie Gephardt, OAG
Earl Jones, Investigator, ABRA

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

(10:20 a.m.)

CHAIRPERSON MILLER: Okay, is anybody here from Smith and Wollensky? Smith and Wollensky? No. Okay. Cheesecake Factory. Is anybody here? Okay.

MS. SCHMIDT: Good morning.

CHAIRPERSON MILLER: Okay, wait. I'm calling Case Number 13-AUD-00030, Cheesecake Factory, located at 5345 Wisconsin Avenue NW, license number 14760, in ANC 3E.

Okay. Could you identify yourselves for the record, please?

MS. SALGUERO: Good morning. My name is Rosemarie Salguero, spelled S as in Sam, A-L-G-U-E-R-O, and I'm the attorney representative for The Cheesecake Factory.

CHAIRPERSON MILLER: Okay.

MS. GEPHARDT: And Chrissie Gephardt on behalf of the Office of the Attorney General for the District of Columbia.

CHAIRPERSON MILLER: Okay. And I

would note that this case is scheduled for a show cause hearing this afternoon at 4:30 p.m., but I understand that you may have a preliminary matter that would resolve the case.

MS. GEPHARDT: Yes, we do have a preliminary matter. In this case the parties have agreed to settle the case for a fine of $2,000 for failure to file the quarterly statement for the fourth quarter of 2012, and that fine will be payable within seven days.

CHAIRPERSON MILLER: Okay, and then I need to ask the licensee attorney, are you agreeable to that fine of $2,000 to be paid within seven days?

MS. SALGUERO: Yes. Yes.

CHAIRPERSON MILLER: And you understand you waive your right to a hearing by entering into an offer in compromise?

(No audible response.)

CHAIRPERSON MILLER: Are there Board questions?

MALE PARTICIPANT: None.

CHAIRPERSON MILLER: All right then, I move that we approve this offer in compromise of a $2,000 fine to be paid within seven days. Do I have a second?

MEMBER RODRIGUEZ: I second.

CHAIRPERSON MILLER: Mr. Rodriguez has seconded the motion. All those in favor say aye.

(Chorus of ayes)

CHAIRPERSON MILLER: All those opposed?

MEMBER ALBERTI: No.

MEMBER BROOKS: No.

CHAIRPERSON MILLER: All those abstaining? Okay, I believe the vote is 4-2-0. Okay, if there's no question about that then, with Mr. Alberti and Mr. Brooks dissenting. Okay.

Okay, and if you'll just wait a minute, we'll have to sign off on that.

So is there anyone here from Smith

and Wollensky? Okay. And I think that concludes our show cause status hearings.

(Whereupon, the foregoing matter went off the record at 10:23 a.m.)

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