

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF: :  
: :  
Hwan P. Eun, :  
t/a West End Market : Show Cause  
2424 Pennsylvania Avenue, NW : Hearing  
Retailer A : (Status)  
License No. 74663 :  
Interfered with ABRA Invstgn :  
Case No. 13-CC-00067 :  
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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

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

2 (10:04 a.m.)

3 CHAIRPERSON MILLER: Okay, the  
4 next case on our calendar is Case Number 13-  
5 CC-00067, West End Market located at 2424  
6 Pennsylvania Avenue NW. License number 74663  
7 in ANC 2A.

8 MR. FONSECA: I'll get the  
9 prosecutor.

10 CHAIRPERSON MILLER: Okay, thank  
11 you very much.

12 MS. SCHMIDT: Good morning, Amy  
13 Schmidt, assistant attorney general on behalf  
14 of the District of Columbia.

15 CHAIRPERSON MILLER: Okay, good  
16 morning.

17 MR. FONSECA: Michael Fonseca, F-  
18 O-N-S-E-C-A on behalf of the licensee. He's  
19 here with me at the present.

20 MR. EUN: Hwan Eun, H-W --

21 MR. FONSECA: H-W-A-N --

22 MR. EUN: -- A-N, E-U-N.

1 INTERPRETER: I am Korean  
2 interpreter for Hwan Eun.

3 CHAIRPERSON MILLER: Okay. Let me  
4 just first swear in the interpreter. Is it  
5 the Korean language? Okay.

6 Do you solemnly affirm that you  
7 will faithfully and accurately interpret the  
8 proceedings in this matter from Korean into  
9 English and from English into Korean to the  
10 best of your ability?

11 INTERPRETER: I do.

12 CHAIRPERSON MILLER: Okay, thank  
13 you.

14 MR. FONSECA: Members of the  
15 Board, my client came to me with his son,  
16 Curtis, who translated during the course of  
17 our meeting. He received a notice that his,  
18 Mr. Eun has read it with my assistance. He  
19 thoroughly understands it and we waive reading  
20 of the notice.

21 CHAIRPERSON MILLER: Thank you.  
22 Great. Okay, so are there any preliminary

1 matters in this case?

2 MS. SCHMIDT: Yes, there's an OIC  
3 of a \$2,000 fine payable today, plus three  
4 days to be served from March 7th to March 9th,  
5 2014.

6 MR. FONSECA: Board members, that  
7 would be a Friday, Saturday, Sunday. This is  
8 a Class B license so they're open all those  
9 days too.

10 CHAIRPERSON MILLER: Okay. Any  
11 questions by Board members? Comments?

12 MR. FONSECA: We'd like one  
13 moment, if Mr. Eun could --

14 INTERPRETER: Mr. Eun wants to  
15 apologize to the Board.

16 CHAIRPERSON MILLER: Okay, thank  
17 you. I would say that the four of us that  
18 were here before or whatever certainly  
19 remember this case, and remember the fact-  
20 finding hearing and what you said at the fact-  
21 finding hearing and what we all said at that  
22 fact-finding hearing as well. And I think you

1 appreciate the gravity of what happened. And  
2 that you don't ever plan to have something  
3 like that happen again.

4 Okay. All right, then if there  
5 are no other comments I would move to approve  
6 this offer -- wait a minute, let me just make  
7 sure. The offer in compromise is for a \$2,000  
8 fine and three days' suspension of the  
9 license, March 7 through 9. The fine is to be  
10 paid today. And is that the licensee's  
11 understanding?

12 MR. FONSECA: That is our  
13 understanding.

14 CHAIRPERSON MILLER: Okay. All  
15 right then. I move to approve this offer in  
16 compromise of a \$2,000 fine to be paid today,  
17 and three days' suspension of the license from  
18 March 7th through 9. Is there a second?

19 MEMBER BROOKS: Second. Mr.  
20 Brooks seconds.

21 CHAIRPERSON MILLER: Okay, Mr.  
22 Brooks' has seconded the motion. All those in

1 favor say aye.

2 (Chorus of ayes)

3 CHAIRPERSON MILLER: All those  
4 opposed? All those abstaining? Motion passes  
5 6-0-0.

6 MR. FONSECA: If I may, on a  
7 personal note I'd like to welcome the new  
8 Board members. I'm sorry Mr. Jones isn't  
9 here. It would be remarkable to see seven  
10 members on the dias. It's been quite a long  
11 time. It's a bit awkward to see the  
12 readjustment here. I've been so used to Mr.  
13 Alberti next to you.

14 MEMBER ALBERTI: We like to keep  
15 you guessing.

16 MR. FONSECA: Absolutely. Thank  
17 you members of the Board.

18 CHAIRPERSON MILLER: Thank you.

19 (Whereupon, the foregoing matter  
20 went off the record at 10:09 a.m.)  
21  
22

<p style="text-align: center;"><b>A</b></p> <p><b>\$2,000</b> 4:3 5:7,16  <b>A-N</b> 2:22  <b>a.m</b> 2:2 6:20  <b>ability</b> 3:10  <b>ABRA</b> 1:9,23  <b>Absolutely</b> 6:16  <b>abstaining</b> 6:4  <b>accurately</b> 3:7  <b>affirm</b> 3:6  <b>Alberti</b> 1:17 6:13  6:14  <b>Alcoholic</b> 1:2,13,13  <b>Amy</b> 1:22 2:12  <b>ANC</b> 2:7  <b>apologize</b> 4:15  <b>appreciate</b> 5:1  <b>approve</b> 5:5,15  <b>assistance</b> 3:18  <b>assistant</b> 2:13  <b>attorney</b> 2:13  <b>Avenue</b> 1:8 2:6  <b>awkward</b> 6:11  <b>aye</b> 6:1  <b>eyes</b> 6:2</p>	<p>3:12,21 4:10,16  5:14,21 6:3,18  <b>Chorus</b> 6:2  <b>Chrissie</b> 1:22  <b>Class</b> 4:8  <b>client</b> 3:15  <b>Columbia</b> 1:1 2:14  <b>comments</b> 4:11 5:5  <b>compromise</b> 5:7,16  <b>Control</b> 1:2,13,13  <b>course</b> 3:16  <b>Curtis</b> 3:16</p> <p style="text-align: center;"><b>D</b></p> <p><b>D.C</b> 1:14  <b>days</b> 4:4,9 5:8,17  <b>dias</b> 6:10  <b>District</b> 1:1 2:14  <b>DONALD</b> 1:18</p>	<p><b>Great</b> 3:22  <b>guessing</b> 6:15</p> <p style="text-align: center;"><b>H</b></p> <p><b>H-W</b> 2:20  <b>H-W-A-N</b> 2:21  <b>happen</b> 5:3  <b>happened</b> 5:1  <b>hearing</b> 1:8,14 4:20  4:21,22  <b>HECTOR</b> 1:18  <b>Hwan</b> 1:6 2:20 3:2</p> <p style="text-align: center;"><b>I</b></p> <p><b>Interfered</b> 1:9  <b>interpret</b> 3:7  <b>interpreter</b> 3:1,2,4  3:11 4:14  <b>Investigator</b> 1:23  <b>Invstgn</b> 1:9</p>	<p>4:11 6:8,10,17  <b>met</b> 1:13  <b>Michael</b> 1:19 2:17  <b>Miller</b> 1:15,17 2:3  2:10,15 3:3,12,21  4:10,16 5:14,21  6:3,18  <b>minute</b> 5:6  <b>moment</b> 4:13  <b>morning</b> 2:12,16  <b>motion</b> 5:22 6:4  <b>move</b> 5:5,15</p> <p style="text-align: center;"><b>N</b></p> <p><b>N.W</b> 1:14  <b>new</b> 6:7  <b>NICK</b> 1:17  <b>note</b> 6:7  <b>notice</b> 3:17,20  <b>number</b> 2:4,6  <b>NW</b> 1:8 2:6</p>	<p><b>presiding</b> 1:15  <b>proceedings</b> 3:8  <b>prosecutor</b> 2:9</p> <p style="text-align: center;"><b>Q</b></p> <p><b>questions</b> 4:11  <b>quite</b> 6:10</p> <p style="text-align: center;"><b>R</b></p> <p><b>read</b> 3:18  <b>reading</b> 3:19  <b>readjustment</b> 6:12  <b>received</b> 3:17  <b>record</b> 6:20  <b>Reeves</b> 1:14  <b>remarkable</b> 6:9  <b>remember</b> 4:19,19  <b>Retailer</b> 1:8  <b>right</b> 5:4,15  <b>RODRIGUEZ</b> 1:18  <b>Room</b> 1:14  <b>Ruthanne</b> 1:15,17</p>
<p style="text-align: center;"><b>B</b></p> <p><b>B</b> 4:8  <b>behalf</b> 2:13,18  <b>best</b> 3:10  <b>Beverage</b> 1:2,13,13  <b>bit</b> 6:11  <b>Board</b> 1:2,13 3:15  4:6,11,15 6:8,17  <b>Brooks</b> 1:18 5:19  5:20,22  <b>Building</b> 1:14</p>	<p style="text-align: center;"><b>E</b></p> <p><b>E-U-N</b> 2:22  <b>Earl</b> 1:23  <b>English</b> 3:9,9  <b>Eun</b> 1:6 2:20,20,22  3:2,18 4:13,14</p> <p style="text-align: center;"><b>F</b></p> <p><b>F</b> 2:17  <b>fact</b> 4:19,20  <b>fact-finding</b> 4:22  <b>faithfully</b> 3:7  <b>favor</b> 6:1  <b>finding</b> 4:20,21  <b>fine</b> 4:3 5:8,9,16  <b>first</b> 3:4  <b>Fonseca</b> 2:8,17,17  2:21 3:14 4:6,12  5:12 6:6,16</p>	<p style="text-align: center;"><b>J</b></p> <p><b>JAMES</b> 1:19  <b>January</b> 1:12  <b>Jones</b> 1:23 6:8</p> <p style="text-align: center;"><b>K</b></p> <p><b>keep</b> 6:14  <b>Korean</b> 3:1,5,8,9</p> <p style="text-align: center;"><b>L</b></p> <p><b>language</b> 3:5  <b>license</b> 1:9 2:6 4:8  5:9,17  <b>licensee</b> 2:18  <b>licensee's</b> 5:10  <b>located</b> 2:5  <b>long</b> 6:10</p>	<p style="text-align: center;"><b>O</b></p> <p><b>O-N-S-E-C-A</b> 2:18  <b>OAG</b> 1:22,22  <b>offer</b> 5:6,7,15  <b>OIC</b> 4:2  <b>Okay</b> 2:3,10,15 3:3  3:5,12,22 4:10,16  5:4,14,21  <b>open</b> 4:8  <b>opposed</b> 6:4</p>	<p style="text-align: center;"><b>S</b></p> <p><b>Saturday</b> 4:7  <b>Schmidt</b> 1:22 2:12  2:13 4:2  <b>second</b> 5:18,19  <b>seconded</b> 5:22  <b>seconds</b> 5:20  <b>see</b> 6:9,11  <b>served</b> 4:4  <b>seven</b> 6:9  <b>SHORT</b> 1:19  <b>Show</b> 1:7  <b>SILVERSTEIN</b>  1:19  <b>solemnly</b> 3:6  <b>son</b> 3:15  <b>sorry</b> 6:8  <b>Status</b> 1:8  <b>Street</b> 1:14  <b>Sunday</b> 4:7  <b>sure</b> 5:7  <b>suspension</b> 5:8,17  <b>swear</b> 3:4</p>
<p style="text-align: center;"><b>C</b></p> <p><b>calendar</b> 2:4  <b>case</b> 1:10 2:4,4 4:1  4:19  <b>Cause</b> 1:7  <b>CC-00067</b> 2:5  <b>certainly</b> 4:18  <b>Chairperson</b> 1:14  1:17 2:3,10,15 3:3</p>	<p style="text-align: center;"><b>G</b></p> <p><b>foregoing</b> 6:19  <b>four</b> 4:17  <b>Friday</b> 4:7</p> <p style="text-align: center;"><b>G</b></p> <p><b>general</b> 2:13  <b>Gephardt</b> 1:22  <b>good</b> 2:12,15  <b>gravity</b> 5:1</p>	<p style="text-align: center;"><b>M</b></p> <p><b>March</b> 4:4,4 5:9,18  <b>Market</b> 1:7 2:5  <b>matter</b> 1:5 3:8 6:19  <b>matters</b> 4:1  <b>meeting</b> 1:3 3:17  <b>Member</b> 1:17,18,18  1:19,19 5:19 6:14  <b>members</b> 3:14 4:6</p>	<p style="text-align: center;"><b>P</b></p> <p><b>P</b> 1:6  <b>P-R-O-C-E-E-D-...</b>  2:1  <b>paid</b> 5:10,16  <b>passes</b> 6:4  <b>payable</b> 4:3  <b>Pennsylvania</b> 1:8  2:6  <b>personal</b> 6:7  <b>plan</b> 5:2  <b>plus</b> 4:3  <b>preliminary</b> 3:22  <b>present</b> 1:16,21  2:19</p>	<p style="text-align: center;"><b>T</b></p>

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