

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
: :
Pines Restaurant, Inc. :
t/a Pines of Florence : Show Cause
2100 Connecticut Ave., NW : Hearing
Retailer CR - ANC-2D :
License No. 21995 :
Case #13-CMP-00338 :
: :
(No ABC Manager on Duty, :
Failed to Post License in a :
Conspicuous Place) :

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January 22, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C.

20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson

DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

AMY SCHMIDT, OAG

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

(10:53 a.m.)

CHAIRPERSON MILLER: The next case on our calendar, I understand that the applicant in the next case, next two cases is running late, so we are going to skip ahead to Case No. 13-CMP-00338.

COURT REPORTER: Do you have your microphone turned on?

CHAIRPERSON MILLER: Pines of Florence located at 2100 Connecticut Avenue, N.W., License No. 21995.

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

CHAIRPERSON MILLER: Okay. And?

COURT REPORTER: I believe your microphone is turned off.

CHAIRPERSON MILLER: Oh, it went off. I'm sorry. Did you get the case? Should I call it again? Okay. You got the case though? All right.

1 Okay. This is Pines of Florence.

2 Is anybody here from Pines of Florence?

3 Ms. Schmidt, have you been in
4 contact with Pines of Florence?

5 MS. SCHMIDT: No, I have not.
6 However, this case is going to be dismissed by
7 the Government, since the Investigator who was
8 supposed to be the Government's witness is no
9 longer employed by the Agency and is no longer
10 available.

11 CHAIRPERSON MILLER: Okay. So are
12 you moving for dismissal?

13 MS. SCHMIDT: Yes, I am.

14 CHAIRPERSON MILLER: Okay. Okay.
15 Based on Ms. Schmidt's representations about
16 this case, the move for dismissal, I move that
17 we grant this dismissal of this case.

18 Do I have a second?

19 MEMBER BROOKS: Second.

20 CHAIRPERSON MILLER: Mr. Brooks
21 has seconded the motion.

22 All those in favor say aye.

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ALL: Aye.

CHAIRPERSON MILLER: All those opposed? All those abstaining? The motion passes 5-0-0 to dismiss the case. Okay.

MS. SCHMIDT: When you were talking about someone being late, is that for Mama Chuy or the --

CHAIRPERSON MILLER: Mama Chuy.

MS. SCHMIDT: Okay. Thank you.

CHAIRPERSON MILLER: Yeah, they have contacted the office.

MS. SCHMIDT: I do not know if they contacted our office yet.

CHAIRPERSON MILLER: Oh. Do you know what time they are going to come? They are on route, okay.

(Whereupon, the Show Cause Hearing in the above-entitled matter was concluded at 10:56 a.m.)

<p style="text-align: center;">A</p> <p>a.m 2:2 4:19 ABC 1:10 above-entitled 4:18 abstaining 4:3 Agency 3:9 ahead 2:6 Alcoholic 1:2,14,14 Amy 1:24 2:13 ANC-2D 1:8 anybody 3:2 applicant 2:5 Assistant 2:14 Attorney 2:14 available 3:10 Ave 1:7 Avenue 2:11 aye 3:22 4:1</p> <hr/> <p style="text-align: center;">B</p> <p>Based 3:15 behalf 2:14 believe 2:17 Beverage 1:2,14,14 Board 1:2,14 Brooks 1:20 3:19 3:20 Building 1:15</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 2:4 call 2:21 case 1:9 2:3,5,7,20 2:22 3:6,16,17 4:4 cases 2:5 Cause 1:6 4:17 Chairperson 1:16 1:19 2:3,10,16,19 3:11,14,20 4:2,8 4:10,14 Chuy 4:7,8 Columbia 1:1 2:15 come 4:15 concluded 4:18 Connecticut 1:7 2:11 Conspicuous 1:11</p>	<p>contact 3:4 contacted 4:11,13 Control 1:2,14,14 COURT 2:8,17 CR 1:8</p> <hr/> <p style="text-align: center;">D</p> <p>D.C 1:15 dismiss 4:4 dismissal 3:12,16 3:17 dismissed 3:6 District 1:1 2:15 DONALD 1:20 Duty 1:10</p> <hr/> <p style="text-align: center;">E</p> <p>employed 3:9</p> <hr/> <p style="text-align: center;">F</p> <p>Failed 1:10 favor 3:22 Florence 1:6 2:11 3:1,2,4</p> <hr/> <p style="text-align: center;">G</p> <p>General 2:14 going 2:6 3:6 4:15 Good 2:13 Government 3:7 Government's 3:8 grant 3:17</p> <hr/> <p style="text-align: center;">H</p> <p>Hearing 1:7,15 4:17 HECTOR 1:21</p> <hr/> <p style="text-align: center;">I</p> <p>Investigator 3:7</p> <hr/> <p style="text-align: center;">J</p> <p>JAMES 1:22 January 1:13</p> <hr/> <p style="text-align: center;">K</p> <p>know 4:12,15</p> <hr/> <p style="text-align: center;">L</p>	<p>late 2:6 4:6 License 1:8,10 2:12 located 2:11 longer 3:9,9</p> <hr/> <p style="text-align: center;">M</p> <p>Mama 4:7,8 Manager 1:10 matter 1:5 4:18 MEETING 1:3 Member 1:20,21,21 1:22 3:19 met 1:14 microphone 2:9,18 MIKE 1:21 Miller 1:16,19 2:3 2:10,16,19 3:11 3:14,20 4:2,8,10 4:14 morning 2:13 motion 3:21 4:3 move 3:16,16 moving 3:12</p> <hr/> <p style="text-align: center;">N</p> <p>N.W 1:15 2:12 NW 1:7</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:24 office 4:11,13 Oh 2:19 4:14 okay 2:16,21 3:1,11 3:14,14 4:4,9,16 opposed 4:3</p> <hr/> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-... 2:1 passes 4:4 Pines 1:6,6 2:10 3:1 3:2,4 Place 1:11 Post 1:10 PRESENT 1:18,23 presiding 1:17</p> <hr/> <p style="text-align: center;">Q</p>	<p style="text-align: center;">R</p> <p>Reeves 1:15 REPORTER 2:8 2:17 representations 3:15 Restaurant 1:6 Retailer 1:8 right 2:22 RODRIGUEZ 1:21 Room 1:15 route 4:16 running 2:6 Ruthanne 1:16,19</p> <hr/> <p style="text-align: center;">S</p> <p>Schmidt 1:24 2:13 2:14 3:3,5,13 4:5 4:9,12 Schmidt's 3:15 second 3:18,19 seconded 3:21 SHORT 1:22 Show 1:6 4:17 SILVERSTEIN 1:21 skip 2:6 sorry 2:20 Street 1:15 Suite 1:15 supposed 3:8</p> <hr/> <p style="text-align: center;">T</p> <p>t/a 1:6 talking 4:6 t 1:4,12 Thank 4:9 time 4:15 turned 2:9,18 two 2:5</p> <hr/> <p style="text-align: center;">U</p> <p>understand 2:4</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p style="text-align: center;">W</p> <p>Washington 1:15</p>	<p>went 2:19 witness 3:8</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p style="text-align: center;">Y</p> <p>Yeah 4:10</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p style="text-align: center;">1</p> <p>10:53 2:2 10:56 4:19 13-CMP-00338 1:9 2:7 14th 1:15</p> <hr/> <p style="text-align: center;">2</p> <p>2000 1:15 2009 1:16 2014 1:13 2100 1:7 2:11 21995 1:8 2:12 22 1:13</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p style="text-align: center;">4</p> <p>400S 1:15</p> <hr/> <p style="text-align: center;">5</p> <p>5-0-0 4:4</p>
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