

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

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IN THE MATTER OF: :  
 :  
CRV Corporation :  
t/a The Bottom Line : Show Cause  
1716 I Street, NW : Hearing  
Retailer CT - ANC-2B :  
License No. 755 :  
Case #11-251-00167 :  
 :  
Allowed the Establishment to :  
be Used for an Unlawful or :  
Disorderly Purpose, :  
Operating After Hours) :  
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February 1, 2012

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, 2000 14th Street, N.W., Suite

400S Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson

- NICK ALBERTI, Member
- DONALD BROOKS, Member
- HERMAN JONES, Member
- CALVIN NOPHLIN, Member
- MIKE SILVERSTEIN, Member
- JEANNETTE MOBLEY, Member

ALSO PRESENT:

CHRISTINE GEPHARDT, OAG

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

2 (11:10 a.m.)

3 CHAIRPERSON MILLER: We are back  
4 on the record. The next case on our calendar  
5 is another Show Cause Hearing. It's a Show  
6 Cause Hearing, okay, not a Show Cause  
7 (Status). This is a Show Cause Hearing. Case  
8 No. 11-251-00167, CRV Corporation t/a The  
9 Bottom Line at 1716 I Street, N.W., License  
10 No. 755, located in ANC-2B.

11 Good morning.

12 MR. KLINE: Good morning.

13 MS. GEPHARDT: Good morning. My  
14 name is Chrissy Gephardt for the Office of the  
15 Attorney General. Thank you.

16 MR. KLINE: Good morning, Andrew  
17 Kline on behalf of the licensee.

18 MR. MOSBRUCKER, JR.: Eugene  
19 Mosbrucker, Jr. from The Bottom Line, CRV  
20 Corp.

21 CHAIRPERSON MILLER: You said that  
22 very quickly, I'm sorry.

1 MR. MOSBRUCKER, JR.: Eugene  
2 Mosbrucker, Jr. from CRV Corporation, The  
3 Bottom Line.

4 CHAIRPERSON MILLER: Okay. Are  
5 you the president or what's your position?

6 MR. MOSBRUCKER, JR.: I'm one of  
7 the partners and the current general manager.

8 CHAIRPERSON MILLER: Okay. Good.  
9 And did you receive notice of the Show Cause  
10 Hearing?

11 MR. MOSBRUCKER, JR.: Yes.

12 MR. KLINE: We received the  
13 notice, understood it, read it, waive any  
14 required formal reading.

15 CHAIRPERSON MILLER: Good. Okay.  
16 Then we can proceed.

17 Do you have any -- yes, Mr. Jones?

18 MEMBER JONES: Just for  
19 clarification, you are an equity owner?

20 MR. MOSBRUCKER, JR.: Yes.

21 MEMBER JONES: What percentage?

22 MR. MOSBRUCKER, JR.: About 45.

1 MEMBER JONES: Okay. Thank you.

2 MR. MOSBRUCKER, JR.: 40 or 45.

3 MEMBER JONES: Thank you.

4 MR. KLINE: And for the record, he  
5 is listed on the application with ABRA.

6 CHAIRPERSON MILLER: Okay. And do  
7 we have any preliminary matters?

8 MS. GEPHARDT: Yes, we do. The  
9 parties have an offer in compromise to present  
10 to the Board. We have offered to drop Charge  
11 1 and for Charge 2, we are asking for a \$2,000  
12 fine payable within 60 days.

13 CHAIRPERSON MILLER: And is that  
14 how you understand the offer in compromise?

15 MR. MOSBRUCKER, JR.: Absolutely.

16 MR. KLINE: Yes, we understand the  
17 offer that way. It is acceptable to the  
18 licensee. If it's approved by the Board, we  
19 will waive any hearing and right to appeal.

20 The only thing I want to add is,  
21 before the Board considers it, this is a  
22 charge of operating beyond hours on the

1 license. It's not the legal hours. Their  
2 hours were until 2:30. They did not realize  
3 that. That has been corrected and they did  
4 apply for approval of full hours and that has  
5 been approved.

6 So that issue has been corrected,  
7 but I wanted the Board to know that, from  
8 their standpoint, it was a misunderstanding.  
9 They are willing to enter into the offer in  
10 compromise and pay the fine.

11 CHAIRPERSON MILLER: Good. Okay.  
12 Thank you. Mr. Jones?

13 MEMBER JONES: Thank you, Madam  
14 Chair. Is there any rationale associated with  
15 the dropping of Charge 1?

16 MS. GEPHARDT: Yes. We have  
17 conflicting testimony from the various people  
18 that were at the scene, the patrons as well as  
19 the security guards. It was very difficult to  
20 determine after we charged it really getting  
21 some good witnesses and to provide any basics.

22 MEMBER JONES: Fair enough. Thank

1 you. Thank you, Madam Chair.

2 CHAIRPERSON MILLER: Any other  
3 questions?

4 MEMBER NOPHLIN: I have a quick  
5 question.

6 CHAIRPERSON MILLER: Okay.

7 MEMBER NOPHLIN: Your testimony is  
8 that -- I'm sorry. You testified to this, but  
9 how many witnesses did you talk to, by the  
10 way, to piggyback on the Board --

11 MS. GEPHARDT: Well, you see, the  
12 issue was that the two patrons that were  
13 alleging that there was this assault that  
14 occurred were on vacation here from Fort  
15 Lauderdale.

16 MEMBER NOPHLIN: Okay.

17 MS. GEPHARDT: There were some  
18 issues of intoxication. Honestly, I could not  
19 locate them, so the only witnesses I would  
20 have had were the security guards, but,  
21 obviously, there was bias there.

22 MEMBER JONES: Yes.

1 MS. GEPHARDT: It just was not a  
2 good charge for the Government.

3 MEMBER JONES: Okay. Thank you.  
4 Thank you, Madam Chair.

5 CHAIRPERSON MILLER: Okay. No  
6 further questions? Then I'm just going to  
7 repeat what I understand to be the offer in  
8 compromise. That being a \$2,000 penalty to be  
9 paid within 60 days. Is that your  
10 understanding?

11 MR. KLINE: Yes.

12 CHAIRPERSON MILLER: And your  
13 client understands that he waives his right to  
14 a hearing?

15 MR. KLINE: Yes.

16 CHAIRPERSON MILLER: By accepting  
17 it. Okay. Then, at this point then, I would  
18 move that the Board accept this offer in  
19 compromise of a \$2,000 penalty to be paid  
20 within 60 days.

21 Do I have a second?

22 MEMBER BROOKS: Second.

1 CHAIRPERSON MILLER: Okay. Mr.  
2 Nophlin, how do you vote?

3 MEMBER NOPHLIN: I agree.

4 CHAIRPERSON MILLER: Mr. Brooks?

5 MEMBER BROOKS: I agree.

6 CHAIRPERSON MILLER: Mr. Alberti?

7 MEMBER ALBERTI: I agree.

8 CHAIRPERSON MILLER: Ms. Miller  
9 agrees. Ms. Mobley?

10 MEMBER MOBLEY: I agree.

11 CHAIRPERSON MILLER: Mr. Jones?

12 MEMBER JONES: I agree.

13 CHAIRPERSON MILLER: Okay. Then  
14 the vote is 6-0 to accept the offer in  
15 compromise.

16 MR. MOSBRUCKER, JR.: Great.

17 CHAIRPERSON MILLER: Thank you  
18 very much.

19 MR. KLINE: Thank you.

20 (Whereupon, the Show Cause Hearing  
21 in the above-entitled matter was concluded at  
22 11:15 a.m.)

<p style="text-align: center;"><b>A</b></p> <p><b>above-entitled</b> 8:21  <b>ABRA</b> 4:5  <b>Absolutely</b> 4:15  <b>accept</b> 7:18 8:14  <b>acceptable</b> 4:17  <b>accepting</b> 7:16  <b>add</b> 4:20  <b>agree</b> 8:3,5,7,10,12  <b>agrees</b> 8:9  <b>Alberti</b> 1:20 8:6,7  <b>Alcoholic</b> 1:2,14,15  <b>alleging</b> 6:13  <b>Allowed</b> 1:10  <b>ANC-2B</b> 1:8 2:10  <b>Andrew</b> 2:16  <b>appeal</b> 4:19  <b>application</b> 4:5  <b>apply</b> 5:4  <b>approval</b> 5:4  <b>approved</b> 4:18 5:5  <b>asking</b> 4:11  <b>assault</b> 6:13  <b>associated</b> 5:14  <b>Attorney</b> 2:15  <b>a.m</b> 2:2 8:22</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>back</b> 2:3  <b>basics</b> 5:21  <b>behalf</b> 2:17  <b>Beverage</b> 1:2,14,15  <b>beyond</b> 4:22  <b>bias</b> 6:21  <b>Board</b> 1:2,15 4:10  4:18,21 5:7 6:10  7:18  <b>Bottom</b> 1:6 2:9,19  3:3  <b>Brooks</b> 1:21 7:22  8:4,5</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>calendar</b> 2:4  <b>CALVIN</b> 1:22  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