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

(9:44 a.m.)

CHAIRPERSON MILLER: The next case on our calendar is a Show Cause (Status) Hearing and that is Case No. 11-CMP-00353. Good morning.

MR. RIVERO: Good morning.

CHAIRPERSON MILLER: It is the case of Mio Restaurant, License No. 76072 and ANC-2F.

MR. RIVERO: Good morning, Board Members, Fernando Rivero for the District of Columbia.

MR. IGUINA: Good morning.

CHAIRPERSON MILLER: Okay.

MR. IGUINA: Good morning, Manuel Iguina for Mio D.C., LLC, president.

CHAIRPERSON MILLER: I'm sorry, could you repeat?

MR. IGUINA: Manuel Iguina, I-G-U-I-N-A, president for Mio D.C., LLC.

CHAIRPERSON MILLER: Okay. And

1 let me ask you, sir, did you receive notice of
2 this hearing?

3 MR. IGUINA: Yes, but -- yes, I
4 did.

5 CHAIRPERSON MILLER: Did you read
6 it?

7 MR. IGUINA: Yes, I did.

8 CHAIRPERSON MILLER: Okay.

9 MR. IGUINA: I did today.

10 CHAIRPERSON MILLER: Today?

11 MR. IGUINA: Yes.

12 CHAIRPERSON MILLER: Okay. And do
13 you understand it?

14 MR. IGUINA: I do.

15 CHAIRPERSON MILLER: Okay. And do
16 you waive our reading it into the record?

17 There is a requirement that we read the notice
18 into the record --

19 MR. IGUINA: That's fine.

20 CHAIRPERSON MILLER: -- unless you
21 waive it, which means you don't mind if we
22 don't read it into the record.

1 MR. IGUINA: No, I don't mind.

2 CHAIRPERSON MILLER: Okay.

3 MR. IGUINA: Okay.

4 CHAIRPERSON MILLER: Okay. Thank
5 you. Mr. Fernando, is there an OIC in this
6 case?

7 MR. RIVERO: Yes.

8 CHAIRPERSON MILLER: I'm sorry,
9 Mr. Rivero.

10 MR. RIVERO: The parties have an
11 offer in compromise to present to the Board,
12 at this time. That consists of a fine of
13 \$2,000 payable today.

14 CHAIRPERSON MILLER: Mr. Iguina,
15 do you agree with that as being the offer in
16 compromise?

17 MR. IGUINA: Yes, ma'am.

18 CHAIRPERSON MILLER: You agree to
19 that?

20 MR. IGUINA: Yes, ma'am.

21 CHAIRPERSON MILLER: Okay. Any
22 questions by the Board? Yes, Mr. Alberti?

1 MEMBER ALBERTI: I have a
2 question. Mr. Iguina?

3 MR. IGUINA: Iguina, yes.

4 MEMBER ALBERTI: Iguina. Our
5 records show that you didn't file -- you have
6 not yet filed a quarterly report for this
7 quarter.

8 MR. IGUINA: Yes, we did.

9 MEMBER ALBERTI: When was it
10 filed?

11 MR. IGUINA: We did on-line, on-
12 line.

13 MEMBER ALBERTI: Pardon?

14 MR. IGUINA: We did on-line.

15 MEMBER BROOKS: On-line.

16 MR. IGUINA: We did --

17 MEMBER ALBERTI: Oh, on-line.

18 MR. IGUINA: -- otherwise to --

19 MEMBER ALBERTI: And when did you
20 do that?

21 MR. IGUINA: I think it was a
22 couple of weeks ago when the representative

1 came to audit my --

2 MEMBER ALBERTI: Okay.

3 MR. IGUINA: -- books.

4 MEMBER ALBERTI: Okay.

5 MR. IGUINA: I wasn't aware. We
6 went through --

7 MEMBER ALBERTI: Okay. I just
8 wanted to make sure that we have it on file.

9 MR. IGUINA: We do and I can
10 certify. I can go back and find a copy.

11 MEMBER ALBERTI: That's okay. No,
12 we will take your word on that.

13 MR. IGUINA: All right.

14 MEMBER ALBERTI: I just wanted to
15 verify that it had been done. Thank you very
16 much.

17 MR. IGUINA: Thank you, sir.

18 CHAIRPERSON MILLER: Okay. Then
19 at this point, the Board will consider the
20 offer in compromise. Okay.

21 I would move that we accept the
22 offer in compromise of \$2,000 to be paid

1 today.

2 MEMBER ALBERTI: Okay.

3 CHAIRPERSON MILLER: Do I have a
4 second?

5 MEMBER ALBERTI: Second.

6 CHAIRPERSON MILLER: Okay. And
7 I'm going to poll the Board.

8 Mr. Nophlin, do you agree?

9 MEMBER NOPHLIN: I agree.

10 CHAIRPERSON MILLER: Mr. Brooks?

11 MEMBER BROOKS: I agree.

12 CHAIRPERSON MILLER: Mr. Alberti?

13 MEMBER ALBERTI: I agree.

14 CHAIRPERSON MILLER: Ms. Miller
15 agrees. Mr. Silverstein?

16 MEMBER SILVERSTEIN: I agree.

17 CHAIRPERSON MILLER: Ms. Mobley?

18 MEMBER MOBLEY: I agree.

19 CHAIRPERSON MILLER: Mr. Jones?

20 MEMBER JONES: I disagree, given

21 the fact that it is significant below the

22 statutory minimum requirement for such an

1 offense.

2 CHAIRPERSON MILLER: Okay. Then
3 on one is abstaining. Then the vote is 6-1 to
4 accept the offer in compromise. Thank you.

5 That concludes this case.

6 MR. IGUINA: Thank you.

7 MR. RIVERO: Thank you.

8 (Whereupon, the Show Cause
9 (Status) hearing in the above-entitled matter
10 was concluded at 9:48 a.m.)
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<p style="text-align: center;">A</p> <p>above-entitled 8:9 abstaining 8:3 accept 6:21 8:4 ago 5:22 agree 4:15,18 7:8,9 7:11,13,16,18 agrees 7:15 Alberti 1:20 4:22 5:1,4,9,13,17,19 6:2,4,7,11,14 7:2 7:5,12,13 Alcoholic 1:2,14,15 ANC-2F 1:8 2:10 audit 6:1 Avenue 1:7 aware 6:5 a.m 2:2 8:10</p> <hr/> <p style="text-align: center;">B</p> <p>back 6:10 Beverage 1:2,14,15 Board 1:2,15 2:11 4:11,22 6:19 7:7 books 6:3 Brooks 1:21 5:15 7:10,11</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 2:4 CALVIN 1:22 case 1:9 2:3,5,9 4:6 8:5 Cause 1:6 2:4 8:8 certify 6:10 Chairperson 1:16 1:19 2:3,8,15,18 2:22 3:5,8,10,12 3:15,20 4:2,4,8,14 4:18,21 6:18 7:3,6 7:10,12,14,17,19 8:2 Columbia 1:1 2:13 compromise 4:11 4:16 6:20,22 8:4 concluded 8:10 concludes 8:5</p>	<p>consider 6:19 consists 4:12 Control 1:2,14,15 copy 6:10 couple 5:22 CR 1:8</p> <hr/> <p style="text-align: center;">D</p> <p>disagree 7:20 District 1:1 2:12 DONALD 1:21 D.C 1:6,16 2:17,21</p> <hr/> <p style="text-align: center;">F</p> <p>fact 7:21 Failed 1:10 February 1:13 Fernando 1:25 2:12 4:5 file 1:10 5:5 6:8 filed 5:6,10 find 6:10 fine 3:19 4:12</p> <hr/> <p style="text-align: center;">G</p> <p>given 7:20 go 6:10 going 7:7 Good 2:6,7,11,14 2:16</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:7,15 2:5 3:2 8:9 HERMAN 1:21</p> <hr/> <p style="text-align: center;">I</p> <p>Iguina 2:14,16,17 2:20,20 3:3,7,9,11 3:14,19 4:1,3,14 4:17,20 5:2,3,3,4 5:8,11,14,16,18 5:21 6:3,5,9,13,17 8:6 I-G-U 2:20 I-N-A 2:21</p> <hr/> <p style="text-align: center;">J</p>	<p>JEANNETTE 1:23 Jones 1:21 7:19,20</p> <hr/> <p style="text-align: center;">L</p> <p>License 1:8 2:9 line 5:12 LLC 1:6 2:17,21</p> <hr/> <p style="text-align: center;">M</p> <p>Manuel 2:16,20 matter 1:5 8:9 ma'am 4:17,20 means 3:21 MEETING 1:3 Member 1:20,21 1:21,22,22,23 5:1 5:4,9,13,15,17,19 6:2,4,7,11,14 7:2 7:5,9,11,13,16,18 7:20 Members 2:12 met 1:15 MIKE 1:22 Miller 1:17,19 2:3 2:8,15,18,22 3:5,8 3:10,12,15,20 4:2 4:4,8,14,18,21 6:18 7:3,6,10,12 7:14,14,17,19 8:2 mind 3:21 4:1 minimum 7:22 Mio 1:6,6 2:9,17,21 Mobley 1:23 7:17 7:18 morning 2:6,7,11 2:14,16 move 6:21</p> <hr/> <p style="text-align: center;">N</p> <p>NICK 1:20 Nophlin 1:22 7:8,9 notice 3:1,17 NW 1:7 N.W 1:15</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:25 offense 8:1</p>	<p>offer 4:11,15 6:20 6:22 8:4 Oh 5:17 OIC 4:5 okay 2:15,22 3:8,12 3:15 4:2,3,4,21 6:2,4,7,11,18,20 7:2,6 8:2 on-line 5:11,14,15 5:17</p> <hr/> <p style="text-align: center;">P</p> <p>paid 6:22 Pardon 5:13 parties 4:10 payable 4:13 point 6:19 poll 7:7 present 1:18,24 4:11 president 2:17,21 presiding 1:17 P-R-O-C-E-E-D-... 2:1</p> <hr/> <p style="text-align: center;">Q</p> <p>quarter 5:7 quarterly 1:10 5:6 question 5:2 questions 4:22</p> <hr/> <p style="text-align: center;">R</p> <p>read 3:5,17,22 reading 3:16 receive 3:1 record 3:16,18,22 records 5:5 repeat 2:19 report 1:10 5:6 representative 5:22 requirement 3:17 7:22 Restaurant 1:6 2:9 Retailer 1:8 right 6:13 Rivero 1:25 2:7,11 2:12 4:7,9,10 8:7 Room 1:15</p>	<p>Ruthanne 1:17,19</p> <hr/> <p style="text-align: center;">S</p> <p>second 7:4,5 show 1:6 2:4 5:5 8:8 significant 7:21 Silverstein 1:22 7:15,16 sir 3:1 6:17 sorry 2:18 4:8 Status 1:8 2:4 8:9 statutory 7:22 Street 1:15 Suite 1:15 sure 6:8</p> <hr/> <p style="text-align: center;">T</p> <p>take 6:12 Thank 4:4 6:15,17 8:4,6,7 think 5:21 time 4:12 today 3:9,10 4:13 7:1 t/a 1:6</p> <hr/> <p style="text-align: center;">U</p> <p>understand 3:13</p> <hr/> <p style="text-align: center;">V</p> <p>verify 6:15 Vermont 1:7 vote 8:3</p> <hr/> <p style="text-align: center;">W</p> <p>waive 3:16,21 wanted 6:8,14 Washington 1:16 wasn't 6:5 weeks 5:22 went 6:6 word 6:12</p> <hr/> <p style="text-align: center;">P</p> <p>p 1:4,11</p> <hr/> <p style="text-align: center;">\$</p>
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