

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Whiskey Black, LLC	
t/a Black Whiskey	Show Cause
1410 14th Street, NW	Hearing
Retailer CT - ANC-2F	(Status)
License No. 91434	
Case #13-CMP-00342	

(Allowed a Patron to Leave
the Establishment with an
Alcoholic Beverage in an
Open Container, Failed to
Post License in a
Conspicuous Place)

February 12, 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
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:
MICHAEL STERN, OAG

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

(9:41 a.m.)

CHAIRPERSON MILLER: The next case on the calendar is Case No. 13-CMP-00342, Black Whiskey located at 1410 14th Street, N.W., License No. 91434, in ANC-2F.

MR. STERN: Michael Stern representing the District of Columbia.

CHAIRPERSON MILLER: Okay. Somebody is hitting their microphone. Mr. Stern, is it you since you are out of practice here?

MR. STERN: Maybe.

CHAIRPERSON MILLER: Okay. Thank you. And, sir?

MR. CIUBA: Excuse me. My name is Todd Ciuba. I'm the owner of Black Whiskey.

CHAIRPERSON MILLER: I'm sorry, could you give your name again, please?

MR. CIUBA: Sure. Todd last name Ciuba, C-I-U-B-A.

CHAIRPERSON MILLER: Okay. And

1 you are?

2 MR. CIUBA: The owner.

3 CHAIRPERSON MILLER: Owner, okay.

4 Did you receive notice of this hearing?

5 MR. CIUBA: Yes.

6 CHAIRPERSON MILLER: Okay. Did

7 you read it and understand it?

8 MR. CIUBA: Yes.

9 CHAIRPERSON MILLER: Okay. So
10 that notice is going to be part of this
11 record, if you are not objecting to that? All
12 right.

13 (Whereupon, the document was
14 marked Exhibit 1 for
15 identification.)

16 CHAIRPERSON MILLER: Okay. Are
17 there any preliminary issues in this case?

18 MR. STERN: There are. The
19 parties have reached an agreement, which we
20 hope the Board will accept as an offer in
21 compromise. The establishment will pay a fine
22 of \$850 within seven days to resolve this

1 matter. The \$850 is divided among Charge 1 of
2 \$500 and Charge 2 of \$350.

3 CHAIRPERSON MILLER: Okay. Mr.
4 Todd, are you agreeable to that offer in
5 compromise, as I understand it, of an \$850
6 fine to be paid within seven days for \$500 for
7 Charge 1 and \$350 for Charge 2?

8 MR. CIUBA: Yes.

9 CHAIRPERSON MILLER: Okay. And
10 you understand that you waive your right to a
11 hearing by entering into an offer in
12 compromise?

13 MR. CIUBA: Yes.

14 CHAIRPERSON MILLER: Okay. Any
15 questions by Board Members? Okay. Then I
16 move that we accept this offer in compromise
17 of \$850 to be paid in seven days, \$500 for
18 Charge 1 and \$350 for Charge 2.

19 MEMBER SHORT: Second.

20 CHAIRPERSON MILLER: Mr. Short has
21 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 6-0-0.

MR. CIUBA: Okay.

CHAIRPERSON MILLER: Thank you.

(Whereupon, the Show Cause
(Status) Hearing in the above-entitled matter
was concluded at 9:43 a.m.)

<p style="text-align: center;">A</p> <p>\$350 4:2,7,18 \$500 4:2,6,17 \$850 3:22 4:1,5,17 a.m 2:2 5:9 above-entitled 5:8 abstaining 5:3 accept 3:20 4:16 agreeable 4:4 agreement 3:19 ALBERTI 1:18 Alcoholic 1:2,10,14 1:14 Allowed 1:9 ANC-2F 1:7 2:6 aye 4:22 5:1</p> <hr/> <p style="text-align: center;">B</p> <p>Beverage 1:2,10,14 1:14 Black 1:5,6 2:5,17 Board 1:2,14 3:20 4:15 BROOKS 1:19 Building 1:15</p> <hr/> <p style="text-align: center;">C</p> <p>C-I-U-B-A 2:21 calendar 2:4 case 1:8 2:3,4 3:17 Cause 1:6 5:7 Chairperson 1:16 1:18 2:3,9,14,18 2:22 3:3,6,9,16 4:3,9,14,20 5:2,6 Charge 4:1,2,7,7 4:18,18 Ciuba 2:16,17,20 2:21 3:2,5,8 4:8 4:13 5:5 Columbia 1:1 2:8 compromise 3:21 4:5,12,16 concluded 5:9 Conspicuous 1:11 Container 1:10</p>	<p>Control 1:2,14,14 CT 1:7</p> <hr/> <p style="text-align: center;">D</p> <p>D.C 1:15 days 3:22 4:6,17 District 1:1 2:8 divided 4:1 document 3:13 DONALD 1:19</p> <hr/> <p style="text-align: center;">E</p> <p>entering 4:11 establishment 1:9 3:21 Excuse 2:16 Exhibit 3:14</p> <hr/> <p style="text-align: center;">F</p> <p>Failed 1:10 favor 4:22 February 1:13 fine 3:21 4:6</p> <hr/> <p style="text-align: center;">G</p> <p>give 2:19 going 3:10</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:6,15 3:4 4:11 5:8 HECTOR 1:20 hitting 2:10 hope 3:20</p> <hr/> <p style="text-align: center;">I</p> <p>identification 3:15 issues 3:17</p> <hr/> <p style="text-align: center;">J</p> <p>JAMES 1:20</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p style="text-align: center;">L</p> <p>Leave 1:9 License 1:7,11 2:6 LLC 1:5</p>	<p>located 2:5</p> <hr/> <p style="text-align: center;">M</p> <p>marked 3:14 matter 1:4 4:1 5:8 MEETING 1:3 Member 1:18,19,19 1:20,20 4:19 Members 4:15 met 1:14 Michael 1:22 2:7 microphone 2:10 MIKE 1:19 Miller 1:16,18 2:3 2:9,14,18,22 3:3,6 3:9,16 4:3,9,14,20 5:2,6 motion 4:21 5:3 move 4:16</p> <hr/> <p style="text-align: center;">N</p> <p>N.W 1:15 2:6 name 2:16,19,20 NICK 1:18 notice 3:4,10 NW 1:6</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:22 objecting 3:11 offer 3:20 4:4,11,16 okay 2:9,14,22 3:3 3:6,9,16 4:3,9,14 4:15 5:5 Open 1:10 opposed 5:3 owner 2:17 3:2,3</p> <hr/> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-... 2:1 paid 4:6,17 part 3:10 parties 3:19 passes 5:4 Patron 1:9 pay 3:21</p>	<p>Place 1:11 please 2:19 Post 1:11 practice 2:11 preliminary 3:17 PRESENT 1:17,21 presiding 1:16</p> <hr/> <p style="text-align: center;">Q</p> <p>questions 4:15</p> <hr/> <p style="text-align: center;">R</p> <p>reached 3:19 read 3:7 receive 3:4 record 3:11 Reeves 1:15 representing 2:8 resolve 3:22 Retailer 1:7 right 3:12 4:10 RODRIGUEZ 1:20 Room 1:15 Ruthanne 1:16,18</p> <hr/> <p style="text-align: center;">S</p> <p>Second 4:19 seconded 4:21 seven 3:22 4:6,17 Short 1:20 4:19,20 Show 1:6 5:7 SILVERSTEIN 1:19 sir 2:15 Somebody 2:10 sorry 2:18 Status 1:7 5:8 Stern 1:22 2:7,7,11 2:13 3:18 Street 1:6,15 2:5 Suite 1:15 Sure 2:20</p> <hr/> <p style="text-align: center;">T</p> <p>t/a 1:6 Thank 2:14 5:6 Todd 2:17,20 4:4</p>	<p style="text-align: center;">U</p> <p>understand 3:7 4:5 4:10</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p style="text-align: center;">W</p> <p>waive 4:10 Washington 1:15 Whiskey 1:5,6 2:5 2:17</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p style="text-align: center;">Y</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>1 3:14 4:1,7,18 12 1:13 13-CMP-00342 1:8 2:4 1410 1:6 2:5 14th 1:6,15 2:5</p> <hr/> <p style="text-align: center;">2</p> <p>2 4:2,7,18 2000 1:15 20009 1:16 2014 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> <hr/> <p style="text-align: center;">6</p> <p>6-0-0 5:4</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p style="text-align: center;">9</p>
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