

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
:
The Cheesecake Factory :
Restaurants, Inc. t/a : Show Cause
The Cheesecake Factory : Hearing
5345 Wisconsin Ave., NW : (Status)
Retailer CR - ANC-3E :
License No. 14760 :
Case #12-CMP-00499 :
:
(Failed to File Quarterly :
Statements 2nd Quarter :
2012, Failed to Maintain on :
Premises Three Years of :
Adequate Books & Records :
Showing All Sales, Purchase :
Invoice and Dispositions) :
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March 13, 2013

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
HERMAN JONES, Member
MIKE SILVERSTEIN, Member

ALSO PRESENT:
CHRISSY GEPHARDT, OAG

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

(9:59 a.m.)

CHAIRPERSON MILLER: All right.

The next case is Case No. 12-CMP-00499, The
Cheesecake Factory located at 5345 Wisconsin
Avenue, N.W., License No. 14760 in ANC-3E.

Good morning.

ALL: Good morning.

MS. GEPHARDT: Chrissy Gephardt on
behalf of the Office of the Attorney General.

MS. SALGUERO: Rosemarie Salguero
on behalf of the licensee.

CHAIRPERSON MILLER: Okay. Ms.
Walker will you get that? And how do you
spell your last name?

MS. SALGUERO: S, as in Sam, A-L-
G-U-E-R-O.

CHAIRPERSON MILLER: And what's
your affiliation with the establishment?

MS. SALGUERO: I'm an attorney.

CHAIRPERSON MILLER: You're the
attorney?

1 MS. SALGUERO: Yes.

2 CHAIRPERSON MILLER: Okay. All
3 right. Can you tell me whether your client
4 received notice of this hearing?

5 MS. SALGUERO: Yes.

6 CHAIRPERSON MILLER: Okay. And
7 they read it and understood it?

8 MS. SALGUERO: They did.

9 CHAIRPERSON MILLER: Okay. And
10 you have no objection to our entering that
11 notice into the record?

12 MS. SALGUERO: (No audible
13 answer.)

14 CHAIRPERSON MILLER: All right.
15 Are there any preliminary matters in this
16 case?

17 MS. GEPHARDT: Yes, there is.

18 CHAIRPERSON MILLER: Okay.

19 MS. GEPHARDT: In this case, the
20 parties have agreed on an offer in compromise
21 which consists of a \$2,000 fine for Charge 1
22 and a \$2,000 fine for Charge 2 for a total of

1 \$4,000. Okay. And that can be paid within 30
2 days.

3 CHAIRPERSON MILLER: Okay. And I
4 just want to confirm that the licensee does
5 agree to this offer in compromise of \$2,000
6 for Charge 1 and \$2,000 for Charge 2, a total
7 of \$4,000 to be paid within seven days? Is
8 that what you said?

9 MS. SALGUERO: Oh, no, 30.

10 MS. GEPHARDT: 30 days.

11 CHAIRPERSON MILLER: 30. 30 days.
12 Within 30 days.

13 MS. SALGUERO: That's correct.

14 CHAIRPERSON MILLER: Okay. And
15 your client understands that it waives its
16 right to a hearing by accepting this offer in
17 compromise?

18 MS. SALGUERO: (No audible
19 answer.)

20 CHAIRPERSON MILLER: Okay. Any
21 questions by Board Members?

22 Okay. Then I move that we accept

1 this offer in compromise of \$2,000 for Charge
2 1, \$2,000 for Charge 2, totaling \$4,000
3 payable within 30 days.

4 Do I have a second?

5 MEMBER BROOKS: Second.

6 CHAIRPERSON MILLER: Mr. Brooks
7 has seconded the motion.

8 All those in favor say aye.

9 MEMBER ALBERTI: Aye.

10 CHAIRPERSON MILLER: Aye.

11 MEMBER BROOKS: Aye.

12 MEMBER SILVERSTEIN: Aye.

13 CHAIRPERSON MILLER: All those
14 opposed?

15 MEMBER JONES: Opposed.

16 CHAIRPERSON MILLER: All those
17 abstaining? Then the vote is 4-1-0 to accept
18 this offer in compromise. We're going to sign
19 something.

20 (Whereupon, the Show Cause
21 (Status) Hearing in the above-entitled matter
22 was concluded at 10:02 a.m.)

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