

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

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IN THE MATTER OF: :  
 :  
Taj Mahal Enterprises, Ltd :  
t/a Fiesta Restaurant : Show Cause  
and Lounge : Hearing  
1327 Connecticut Ave., NW : (Status)  
Retailer CR - ANC-2B :  
License No. 882 :  
Case #12-AUD-00047 :  
 :  
(Failed to File Quarterly :  
Statements - 3rd Quarter :  
2012) :  
p-----<sup>1</sup>/<sub>4</sub>

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:

MICHAEL STERN, OAG

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

(9:45 a.m.)

CHAIRPERSON MILLER: The next case on our calendar is Fiesta Restaurant and Lounge located at 1327 Connecticut Avenue, N.W., License No. 882 in ANC-2B.

MR. STERN: Good morning, Michael Stern representing the District of Columbia.

CHAIRPERSON MILLER: Okay. I don't see anyone -- would the parties come forward on this case that I just called, which is Fiesta Restaurant and Lounge? Anybody here for that?

Okay. Mr. Stern, do you have any information that the licensee is on his way?

MR. STERN: Actually, we have received a letter actually through counsel for the Board from the establishment which denied the violation, basically, but I have not heard anything further from them since then.

CHAIRPERSON MILLER: Okay. All right. So it's 9:46 now. The matter was

1 called for 9:30 and no one is here  
2 representing the licensee, so I'm going to  
3 schedule this for Show Cause Hearing.

4 MEMBER JONES: Somebody is raising  
5 their --

6 CHAIRPERSON MILLER: Are you  
7 raising your hand, sir?

8 MEMBER JONES: We can't hear you.

9 CHAIRPERSON MILLER: I'm sorry, do  
10 you want to come forward for a minute? We  
11 can't hear you from there. Are you here on  
12 the Fiesta case? No, come to the table there.  
13 That's okay. What? No, no, okay.

14 Okay. So I'm going to set this  
15 for a Show Cause Hearing on April 17, 2013 at  
16 10:00 a.m.

17 (Whereupon, at 9:47 a.m. a recess  
18 until 10:20 a.m.)

19 CHAIRPERSON MILLER: The next case  
20 is a Fact-Finding case. I think that -- and  
21 that is going to be continued anyway. I think  
22 we can go back to another case where someone

1 was not here and they, I have been informed,  
2 have arrived, but I forget which case that is.

3 Let's see, which case is that,  
4 Martha?

5 MS. JENKINS: Fiesta.

6 CHAIRPERSON MILLER: Fiesta. Is  
7 Fiesta here? Okay. Would you sign-in,  
8 please? I'm looking for this case. There it  
9 is. Okay. And would you introduce yourselves  
10 for the record, please?

11 MS. TULI: Yes, Mitu Tuli.

12 CHAIRPERSON MILLER: Could you  
13 spell your last name?

14 MS. TULI: T-U-L-I.

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

17 MS. TULI: Bookkeeping and  
18 accounting.

19 CHAIRPERSON MILLER: You do  
20 bookkeeping and accounting? Okay. Do you  
21 have a letter authorizing you to represent the  
22 owner? No? Okay. So then all that I can do

1 is set this case for a Show Cause Hearing,  
2 because you don't have authority to enter into  
3 any type of settlement, at this point. You  
4 are not authorized.

5 But I will set it for hearing and  
6 then if the owner wants to meet with the  
7 Attorney General's Office beforehand they  
8 always have that opportunity.

9 MS. TULI: Okay.

10 CHAIRPERSON MILLER: So let me  
11 just tell you the hearing date. It's --

12 MR. STERN: I believe she is the  
13 owner.

14 MEMBER ALBERTI: Mr. Stern?

15 CHAIRPERSON MILLER: Oh.

16 MS. TULI: I'm part owner, but I'm  
17 not the complete owner.

18 CHAIRPERSON MILLER: Oh, you're  
19 part owner?

20 MS. TULI: Yes.

21 MEMBER JONES: Oh, I see there are  
22 two people listed.

1 CHAIRPERSON MILLER: Okay.

2 MEMBER JONES: But we have Ms.  
3 Tuli as the owner.

4 MEMBER ALBERTI: Your name again,  
5 ma'am?

6 MS. TULI: Mitu Tuli.

7 CHAIRPERSON MILLER: D-U-L-I?

8 MEMBER ALBERTI: We are just  
9 checking our records.

10 MS. TULI: Yes.

11 MEMBER ALBERTI: Thank you.

12 MS. TULI: My husband is the  
13 actual owner.

14 MEMBER JONES: That may have  
15 actually come from Araj, her end, if I may.  
16 Our indication that she was the owner may have  
17 come from her, but she did sign the quarterly  
18 statement.

19 MS. TULI: Yes. And me and my  
20 husband own the business. He owns a part of  
21 the business.

22 CHAIRPERSON MILLER: You part own

1 the business? Okay.

2 MEMBER JONES: Have you filed with  
3 ABRA --

4 MS. TULI: Yes.

5 MEMBER JONES: -- that you are a  
6 percent ownership?

7 MS. TULI: Yes.

8 MEMBER JONES: Okay. And so we  
9 should have that as a matter of record? Okay.

10 CHAIRPERSON MILLER: So we are  
11 checking.

12 MEMBER JONES: Thank you.

13 CHAIRPERSON MILLER: In the event  
14 that there is a preliminary matter in this  
15 case -- there may be?

16 MR. STERN: Yes, there is.

17 CHAIRPERSON MILLER: Okay.

18 MEMBER ALBERTI: Ma'am, I'm sorry,  
19 your last name again?

20 MS. TULI: Tuli.

21 MEMBER ALBERTI: Tuli? Okay. I  
22 have -- we have in our records Araj Malik.

1 MS. TULI: Araj and Theodora  
2 Malik.

3 MEMBER ALBERTI: Arabbi Chopora?  
4 Maybe these are all -- maybe it has been  
5 updated since then, but I have Araj -- Arabbi  
6 Chopora as vice president, C-H-O-P-R-A, and  
7 Theodora Malik?

8 MS. TULI: That's his wife, yes.

9 MEMBER ALBERTI: That's his wife.  
10 But I don't have -- let me check. Yes, I  
11 don't -- all the records we have have those  
12 same three names. And I don't have -- so my  
13 guess is that we proceed to hearing.

14 I mean, they --

15 MEMBER JONES: You mentioned that  
16 you filed with ABRA.

17 MS. TULI: Yes, 2011.

18 MEMBER JONES: 2011?

19 MS. TULI: Yes.

20 MEMBER JONES: Okay.

21 MEMBER ALBERTI: 2011? Okay.

22 Just let me continue checking here.

1 MS. TULI: I didn't bring the  
2 documents with me.

3 MEMBER JONES: I understand.

4 MEMBER ALBERTI: Maybe they have  
5 to come back. The latest I have is -- I'm not  
6 sure of the date on this one. Okay. I don't  
7 know what she has, because none of our --

8 CHAIRPERSON MILLER: All right.

9 MEMBER ALBERTI: -- records --

10 CHAIRPERSON MILLER: Okay.

11 MEMBER ALBERTI: -- show that.

12 MEMBER JONES: Well, I think we  
13 know what to suggest.

14 CHAIRPERSON MILLER: Okay. Okay.

15 MEMBER ALBERTI: Okay. I'm done.

16 CHAIRPERSON MILLER: All right.

17 All right. So what we need to do is schedule  
18 for a hearing. We need to schedule this for  
19 a hearing, because we don't have authorization  
20 that you are a part owner in our records. You  
21 should probably update the records, in  
22 general, so this doesn't happen again.

1                   You will have an opportunity to  
2 meet with the Attorney General, Assistant  
3 Attorney General before the hearing, if you  
4 want to enter into any offer in compromise  
5 between now and then.

6                   But we can't accept it today,  
7 because we don't have authorization for you  
8 today.

9                   MS. TULI: Okay. So what happens  
10 now?

11                  CHAIRPERSON MILLER: So I am going  
12 to --

13                  MEMBER ALBERTI: You want to give  
14 her a card?

15                  CHAIRPERSON MILLER: -- set the  
16 case for a Show Cause Hearing for April 17,  
17 2013 at 10:00.

18                  MS. TULI: Okay.

19                  CHAIRPERSON MILLER: So either you  
20 will go to hearing on April 17th or you can  
21 come to some kind of a compromise to present  
22 to the Board at that time.

1 MS. TULI: I don't actually have  
2 any physical evidence that I actually faxed  
3 it. I just --

4 CHAIRPERSON MILLER: No, we don't  
5 want to hear the merits today.

6 MS. TULI: Okay.

7 CHAIRPERSON MILLER: At all. So  
8 it's just a status, either you had a  
9 compromise or it's scheduled for hearing.

10 So it's scheduled for hearing.

11 MS. TULI: I'm sorry, if I, the 17t  
12 of April, bring all the documents with me  
13 saying that I'm part owner, and that I can  
14 represent Fiesta, then I can in for --

15 CHAIRPERSON MILLER: Yes.

16 MS. TULI: Is that right? Is that  
17 what you are saying?

18 CHAIRPERSON MILLER: Yes.

19 MS. TULI: Okay.

20 CHAIRPERSON MILLER: Yes.

21 MS. TULI: That's fine.

22 CHAIRPERSON MILLER: But I would

1 suggest talking to the Assistant Attorney  
2 General beforehand.

3 MS. TULI: Okay.

4 CHAIRPERSON MILLER: Okay. And  
5 then they understand how the process works.

6 MS. TULI: Okay.

7 CHAIRPERSON MILLER: Okay.

8 MEMBER ALBERTI: Excuse me, ma'am?

9 CHAIRPERSON MILLER: Yes.

10 MEMBER ALBERTI: And I would  
11 suggest that you speak with Ms. Jenkins just  
12 to make sure that our records here are  
13 correct.

14 MS. TULI: Okay.

15 MEMBER ALBERTI: And you may have  
16 filed, but Ms. Jenkins will talk to you and  
17 will make sure that we get our records correct  
18 as to who the owners are and that's important  
19 also. So, please, talk to Ms. Jenkins.

20 MS. TULI: I should speak to the  
21 Attorney General?

22 CHAIRPERSON MILLER: Right here.

1 You talk to Mr. Stern.

2 And Ms. Jenkins is our counsel  
3 here. Okay. Yes, definitely call if you have  
4 questions. Okay. Thank you.

5 (Whereupon, the Show Cause  
6 (Status) Hearing in the above-entitled matter  
7 was concluded at 10:28 a.m.)

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<p style="text-align: center;"><b>A</b></p> <p><b>above-entitled</b> 13:6  <b>ABRA</b> 7:3 8:16  <b>accept</b> 10:6  <b>accounting</b> 4:18,20  <b>actual</b> 6:13  <b>affiliation</b> 4:16  <b>ALBERTI</b> 1:21  5:14 6:4,8,11 7:18  7:21 8:3,9,21 9:4  9:9,11,15 10:13  12:8,10,15  <b>Alcoholic</b> 1:2,14,15  <b>ANC-2B</b> 1:8 2:6  <b>Anybody</b> 2:12  <b>anyway</b> 3:21  <b>April</b> 3:15 10:16,20  11:12  <b>Arabbi</b> 8:3,5  <b>Araj</b> 6:15 7:22 8:1  8:5  <b>arrived</b> 4:2  <b>Assistant</b> 10:2 12:1  <b>Attorney</b> 5:7 10:2,3  12:1,21  <b>authority</b> 5:2  <b>authorization</b> 9:19  10:7  <b>authorized</b> 5:4  <b>authorizing</b> 4:21  <b>Ave</b> 1:8  <b>Avenue</b> 2:5  <b>a.m</b> 2:2 3:16,17,18  13:7</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>back</b> 3:22 9:5  <b>basically</b> 2:19  <b>believe</b> 5:12  <b>Beverage</b> 1:2,14,15  <b>Board</b> 1:2,15 2:18  10:22  <b>bookkeeping</b> 4:17  4:20  <b>bring</b> 9:1 11:12  <b>BROOKS</b> 1:21  <b>Building</b> 1:15</p>	<p><b>business</b> 6:20,21  7:1</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>calendar</b> 2:4  <b>call</b> 13:3  <b>called</b> 2:11 3:1  <b>card</b> 10:14  <b>case</b> 1:9 2:3,11 3:12  3:19,20,22 4:2,3,8  5:1 7:15 10:16  <b>Cause</b> 1:6 3:3,15  5:1 10:16 13:5  <b>Chairperson</b> 1:17  1:20 2:3,9,21 3:6  3:9,19 4:6,12,15  4:19 5:10,15,18  6:1,7,22 7:10,13  7:17 9:8,10,14,16  10:11,15,19 11:4  11:7,15,18,20,22  12:4,7,9,22  <b>check</b> 8:10  <b>checking</b> 6:9 7:11  8:22  <b>Chopora</b> 8:3,6  <b>Columbia</b> 1:1 2:8  <b>come</b> 2:10 3:10,12  6:15,17 9:5 10:21  <b>complete</b> 5:17  <b>compromise</b> 10:4  10:21 11:9  <b>concluded</b> 13:7  <b>Connecticut</b> 1:8  2:5  <b>continue</b> 8:22  <b>continued</b> 3:21  <b>Control</b> 1:2,14,15  <b>correct</b> 12:13,17  <b>counsel</b> 2:17 13:2  <b>CR</b> 1:8  <b>C-H-O-P-R-A</b> 8:6</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>date</b> 5:11 9:6  <b>definitely</b> 13:3  <b>denied</b> 2:18  <b>District</b> 1:1 2:8</p>	<p><b>documents</b> 9:2  11:12  <b>DONALD</b> 1:21  <b>D-U-L-I</b> 6:7  <b>D.C</b> 1:16</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>either</b> 10:19 11:8  <b>enter</b> 5:2 10:4  <b>Enterprises</b> 1:6  <b>establishment</b> 2:18  4:16  <b>event</b> 7:13  <b>evidence</b> 11:2  <b>Excuse</b> 12:8</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>Fact-Finding</b> 3:20  <b>Failed</b> 1:10  <b>faxed</b> 11:2  <b>Fiesta</b> 1:6 2:4,12  3:12 4:5,6,7 11:14  <b>File</b> 1:10  <b>filed</b> 7:2 8:16 12:16  <b>fine</b> 11:21  <b>forget</b> 4:2  <b>forward</b> 2:11 3:10  <b>further</b> 2:20</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>general</b> 9:22 10:2,3  12:2,21  <b>General's</b> 5:7  <b>give</b> 10:13  <b>go</b> 3:22 10:20  <b>going</b> 3:2,14,21  10:11  <b>Good</b> 2:7  <b>guess</b> 8:13</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>hand</b> 3:7  <b>happen</b> 9:22  <b>happens</b> 10:9  <b>hear</b> 3:8,11 11:5  <b>heard</b> 2:19  <b>hearing</b> 1:7,15 3:3  3:15 5:1,5,11 8:13</p>	<p>9:18,19 10:3,16  10:20 11:9,10  13:6  <b>HERMAN</b> 1:22  <b>husband</b> 6:12,20</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p><b>important</b> 12:18  <b>indication</b> 6:16  <b>information</b> 2:15  <b>informed</b> 4:1  <b>introduce</b> 4:9</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>Jenkins</b> 4:5 12:11  12:16,19 13:2  <b>JONES</b> 1:22 3:4,8  5:21 6:2,14 7:2,5  7:8,12 8:15,18,20  9:3,12</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>kind</b> 10:21  <b>know</b> 9:7,13</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>latest</b> 9:5  <b>letter</b> 2:17 4:21  <b>Let's</b> 4:3  <b>License</b> 1:9 2:6  <b>licensee</b> 2:15 3:2  <b>listed</b> 5:22  <b>located</b> 2:5  <b>looking</b> 4:8  <b>Lounge</b> 1:7 2:5,12</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p><b>Mahal</b> 1:6  <b>Malik</b> 7:22 8:2,7  <b>March</b> 1:13  <b>Martha</b> 4:4  <b>matter</b> 1:5 2:22 7:9  7:14 13:6  <b>ma'am</b> 6:5 7:18  12:8  <b>mean</b> 8:14  <b>meet</b> 5:6 10:2  <b>MEETING</b> 1:3</p>	<p><b>Member</b> 1:21,21  1:22,22 3:4,8 5:14  5:21 6:2,4,8,11,14  7:2,5,8,12,18,21  8:3,9,15,18,20,21  9:3,4,9,11,12,15  10:13 12:8,10,15  <b>mentioned</b> 8:15  <b>merits</b> 11:5  <b>met</b> 1:15  <b>Michael</b> 1:25 2:7  <b>MIKE</b> 1:22  <b>Miller</b> 1:17,20 2:3  2:9,21 3:6,9,19  4:6,12,15,19 5:10  5:15,18 6:1,7,22  7:10,13,17 9:8,10  9:14,16 10:11,15  10:19 11:4,7,15  11:18,20,22 12:4  12:7,9,22  <b>minute</b> 3:10  <b>Mitu</b> 4:11 6:6  <b>morning</b> 2:7</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>name</b> 4:13 6:4 7:19  <b>names</b> 8:12  <b>need</b> 9:17,18  <b>NICK</b> 1:21  <b>NW</b> 1:8  <b>N.W</b> 1:16 2:6</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>OAG</b> 1:25  <b>offer</b> 10:4  <b>Office</b> 5:7  <b>Oh</b> 5:15,18,21  <b>okay</b> 2:9,14,21 3:13  3:13,14 4:7,9,20  4:22 5:9 6:1 7:1,8  7:9,17,21 8:20,21  9:6,10,14,14,15  10:9,18 11:6,19  12:3,4,6,7,14 13:3  13:4  <b>opportunity</b> 5:8  10:1</p>
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**owner** 4:22 5:6,13  
5:16,17,19 6:3,13  
6:16 9:20 11:13  
**owners** 12:18  
**ownership** 7:6  
**owns** 6:20

---

**P**

---

**part** 5:16,19 6:20  
6:22 9:20 11:13  
**parties** 2:10  
**people** 5:22  
**percent** 7:6  
**physical** 11:2  
**please** 4:8,10 12:19  
**point** 5:3  
**preliminary** 7:14  
**present** 1:19,23  
10:21  
**president** 8:6  
**presiding** 1:17  
**probably** 9:21  
**proceed** 8:13  
**process** 12:5  
**P-R-O-C-E-E-D-...**  
2:1

---

**Q**

---

**Quarter** 1:11  
**quarterly** 1:10 6:17  
**questions** 13:4

---

**R**

---

**raising** 3:4,7  
**received** 2:17  
**recess** 3:17  
**record** 4:10 7:9  
**records** 6:9 7:22  
8:11 9:9,20,21  
12:12,17  
**Reeves** 1:15  
**represent** 4:21  
11:14  
**representing** 2:8  
3:2  
**Restaurant** 1:6 2:4  
2:12  
**Retailer** 1:8

**right** 2:22 9:8,16  
9:17 11:16 12:22  
**Room** 1:15  
**Ruthanne** 1:17,20

---

**S**

---

**saying** 11:13,17  
**schedule** 3:3 9:17  
9:18  
**scheduled** 11:9,10  
**see** 2:10 4:3 5:21  
**set** 3:14 5:1,5 10:15  
**settlement** 5:3  
**show** 1:6 3:3,15 5:1  
9:11 10:16 13:5

**sign** 6:17  
**sign-in** 4:7  
**SILVERSTEIN**

1:22  
**sir** 3:7  
**Somebody** 3:4  
**sorry** 3:9 7:18  
11:11

**speak** 12:11,20  
**spell** 4:13  
**statement** 6:18  
**Statements** 1:11

**status** 1:8 11:8 13:6  
**Stern** 1:25 2:7,8,14  
2:16 5:12,14 7:16  
13:1

**Street** 1:16  
**suggest** 9:13 12:1  
12:11  
**Suite** 1:16  
**sure** 9:6 12:12,17

---

**T**

---

**table** 3:12  
**Taj** 1:6  
**talk** 12:16,19 13:1  
**talking** 12:1  
**tell** 5:11  
**Thank** 6:11 7:12  
13:4  
**Theodora** 8:1,7  
**think** 3:20,21 9:12  
**three** 8:12

**time** 10:22  
**today** 10:6,8 11:5  
**Tuli** 4:11,11,14,17  
5:9,16,20 6:3,6,6  
6:10,12,19 7:4,7  
7:20,20,21 8:1,8  
8:17,19 9:1 10:9  
10:18 11:1,6,11  
11:16,19,21 12:3  
12:6,14,20  
**two** 5:22  
**type** 5:3  
**T-U-L-I** 4:14  
**t/a** 1:6

---

**U**

---

**understand** 9:3  
12:5  
**update** 9:21  
**updated** 8:5

---

**V**

---

**vice** 8:6  
**violation** 2:19

---

**W**

---

**want** 3:10 10:4,13  
11:5  
**wants** 5:6  
**Washington** 1:16  
**way** 2:15  
**wife** 8:8,9  
**works** 12:5

---

**P**

---

**p** 1:4,12

---

**#**

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**#12-AUD-00047**  
1:9

---

**1**

---

**10:00** 3:16 10:17  
**10:20** 3:18  
**10:28** 13:7  
**13** 1:13  
**1327** 1:8 2:5  
**14th** 1:15

**17** 3:15 10:16  
**17t** 11:11  
**17th** 10:20

---

**2**

---

**2000** 1:15  
**20009** 1:17  
**2011** 8:17,18,21  
**2012** 1:12  
**2013** 1:13 3:15  
10:17

---

**3**

---

**3rd** 1:11

---

**4**

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**400S** 1:16

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**8**

---

**882** 1:9 2:6

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**9**

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**9:30** 3:1  
**9:45** 2:2  
**9:46** 2:22  
**9:47** 3:17