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

(9:39 a.m.)

CHAIRPERSON MILLER: The next case on our calendar is Case No. 12-CC-00064, Maddy's Bar and Grille located at 1726 Connecticut Avenue, NW, License No. 82036 in ANC-2B.

Would the parties in this case, please, come forward?

MS. GEPHARDT: Good morning, Chrissy Gephardt on behalf of the District.

CHAIRPERSON MILLER: Good morning.

MR. FONSECA: Michael Fonseca on behalf of the licensee.

CHAIRPERSON MILLER: Mr. Fonseca, you filed a Notice of Appearance in this case?

MR. FONSECA: I have been counsel for some time.

CHAIRPERSON MILLER: So it's on record?

MR. FONSECA: It should be on record.

1 CHAIRPERSON MILLER: Okay.

2 MR. FONSECA: If not, I will
3 prepare one.

4 CHAIRPERSON MILLER: All right.

5 MR. FONSECA: And file it.

6 CHAIRPERSON MILLER: Great. Okay.
7 And did your client receive notice of this
8 hearing?

9 MR. FONSECA: Yes, and he
10 discussed it and he is -- he understands it,
11 has read it and we waive reading.

12 CHAIRPERSON MILLER: Okay. Good.
13 Are there any preliminary matters in this
14 case?

15 MS. GEPHARDT: Yes, there is. The
16 offers have -- or excuse me the parties have
17 an offer in compromise to present to the Board
18 today. In this case, Charge 1 would be
19 dismissed and Charge 2 would be a fine of
20 \$850. And that would be payable within 30
21 days. Okay, or within seven days.

22 MR. FONSECA: I have the check. I

1 left it at the office.

2 CHAIRPERSON MILLER: Oh, okay.

3 All right. So seven is the agreement? Okay.

4 So Mr. Fonseca, your client is agreeable that

5 Charge 1 be dismissed, that your client pay a

6 penalty of \$850 within seven days for Charge

7 2?

8 MR. FONSECA: That is correct.

9 CHAIRPERSON MILLER: And your

10 client understands that he waives his right to

11 hearing by accepting this offer in compromise?

12 MR. FONSECA: I advised him of

13 that fact yesterday.

14 CHAIRPERSON MILLER: Okay. Any

15 questions by Board Members?

16 MEMBER ALBERTI: Yes. Just for

17 clarification for the record, Charge 1,

18 failure to take responsible steps to ascertain

19 a patron's age, we issued a warning in that.

20 MS. GEPHARDT: That's correct.

21 MR. FONSECA: That is correct.

22 MEMBER ALBERTI: Correct? All

1 right. Thank you.

2 CHAIRPERSON MILLER: Thank you
3 very much, Mr. Alberti. Okay. Any other
4 questions or comments on this?

5 Then I would move that we accept
6 this offer in compromise dismissing Charge 1
7 as a warning has already been issued on that
8 and it would be then for Charge 2 \$850 to be
9 paid within seven days.

10 Do I have a second?

11 MEMBER BROOKS: Second.

12 CHAIRPERSON MILLER: Mr. Brooks
13 has seconded the motion.

14 All those in favor say aye.

15 MEMBER ALBERTI: Aye.

16 CHAIRPERSON MILLER: Aye.

17 MEMBER SILVERSTEIN: Aye.

18 MEMBER BROOKS: Aye.

19 CHAIRPERSON MILLER: All those
20 opposed? All those abstaining?

21 MEMBER JONES: I abstain.

22 CHAIRPERSON MILLER: Then the vote

1 is 4-0-1 and it passes and the OIC is
2 approved.

3 Okay. Thank you very much.

4 (Whereupon, the Show Cause
5 (Status) Hearing in the above-entitled matter
6 was concluded at 9:42 a.m.)

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