

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
: :
Odalis Restaurant, LLC :
t/a Odalis Restaurant : Show Cause
(Transferred to Centeno's) : Hearing
827 Kennedy Street, NW : (Status)
Retailer CR - ANC-4D :
License No. 76432 :
Case #12-251-00352 :
: :
(Transfer of Ownership :
Without Board Approval) :
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April 10, 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

MIKE SILVERSTEIN, Member

ALSO PRESENT:

FERNANDO RIVERO, OAG

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

(9:43 a.m.)

CHAIRPERSON MILLER: Good morning.

I would like to welcome you to the regularly scheduled meeting of the District of Columbia Alcoholic Beverage Control Board. Today is April 10, 2013.

My name is Ruthanne Miller. I'm the Chairperson. Joining me today to my far right is Mr. Donald Brooks, to my immediate right is Mr. Nick Alberti and to my immediate left is Mr. Mike Silverstein. The Board has four Members in attendance for the conduct of business today with three constituting a quorum.

Copies of today's hearing calendar and agenda are available at the receptionist desk. Please be aware that these proceedings are being recorded by a court reporter. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room.

1 If you have any electronic
2 devices, pagers, cell phones or such, please,
3 make certain that they are turned off to avoid
4 any interruption of the proceedings.

5 Please note that when you come
6 forward you will find a piece of paper on each
7 table. Please take a seat at the table and
8 sign-in. This is to ensure the correct
9 spelling of your name for the record.

10 The Open Meetings Act requires
11 that the public hearing on each case be open
12 to the public. The Board may, consistent with
13 Section 405(b) of the Open Meetings Act, enter
14 a closed meeting during or after the public
15 hearing on a case to consult with an attorney
16 to obtain legal advice, discuss settlement
17 agreements or deliberate upon a decision in an
18 adjudication proceeding.

19 Okay. We will now turn to this
20 morning's calendar. The first case on the
21 calendar is Case No. 12-251-00352, Odalis
22 Restaurant located at 827 Kennedy Street,

1 N.W., License No. 76432 in ANC-4D.

2 Are any parties here for this
3 case?

4 MR. RIVERO: Good morning, Board
5 Members. Fernando Rivero for the District of
6 Columbia standing in for Assistant Attorney
7 General Chrissy Gephardt.

8 CHAIRPERSON MILLER: Good morning.
9 And I don't see anybody here on --

10 MR. RIVERO: No.

11 CHAIRPERSON MILLER: -- behalf of
12 the licensee.

13 MR. RIVERO: My understanding is
14 that this case is to be dismissed because the
15 license was transferred.

16 CHAIRPERSON MILLER: Okay. Is the
17 Government moving that --

18 MR. RIVERO: Yes. We are making
19 that motion at this time.

20 CHAIRPERSON MILLER: Okay. Then I
21 would move that the Board grant the
22 Government's Motion to Dismiss.

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Do I have a second?

MEMBER BROOKS: Second.

CHAIRPERSON MILLER: Mr. Brooks
has seconded the motion.

All those in favor say aye.

ALL: Aye.

CHAIRPERSON MILLER: All those
opposed? All those abstaining? The motion
passes 4-0-0. This case is dismissed.

(Whereupon, the Show Cause
(Status) Hearing in the above-entitled matter
was concluded at 9:45 a.m.)

<p>A</p> <p>above-entitled 5:11 abstaining 5:8 Act 3:10,13 actions 2:21 adjudication 3:18 advice 3:16 agenda 2:17 agreements 3:17 Alberti 1:20 2:11 Alcoholic 1:2,14,14 2:6 ANC-4D 1:8 4:1 anybody 4:9 Approval 1:11 April 1:13 2:7 Assistant 4:6 attendance 2:13 attorney 3:15 4:6 available 2:17 avoid 3:3 aware 2:18 aye 5:5,6 a.m 2:2 5:12</p>	<p>4:16,20 5:3,7 Chrissy 4:7 closed 3:14 Columbia 1:1 2:5 4:6 come 3:5 concluded 5:12 conduct 2:13 consistent 3:12 constituting 2:14 consult 3:15 Control 1:2,14,14 2:6 Copies 2:16 correct 3:8 court 2:19 CR 1:8</p>	<p>Good 2:3 4:4,8 Government 4:17 Government's 4:22 grant 4:21</p> <p>H</p> <p>hearing 1:7,15 2:16 2:22 3:11,15 5:11</p> <p>I</p> <p>immediate 2:10,11 interruption 3:4</p> <p>J</p> <p>Joining 2:9</p> <p>K</p> <p>Kennedy 1:8 3:22</p>	<p>N</p> <p>name 2:8 3:9 Nick 1:20 2:11 noises 2:21 note 3:5 NW 1:8 N.W 1:15 4:1</p> <p>O</p> <p>OAG 1:23 obtain 3:16 Odalis 1:6,6 3:21 Okay 3:19 4:16,20 open 3:10,11,13 opposed 5:8 Ownership 1:10</p> <p>P</p> <p>paggers 3:2 paper 3:6 parties 4:2 passes 5:9 phones 3:2 piece 3:6 please 2:18 3:2,5,7 PRESENT 1:18,22 presiding 1:17 proceeding 3:18 proceedings 2:18 3:4 public 3:11,12,14 P-R-O-C-E-E-D-... 2:1</p>	<p>Retailer 1:8 right 2:10,11 Rivero 1:23 4:4,5 4:10,13,18 room 1:15 2:22 Ruthanne 1:16,19 2:8</p> <p>S</p> <p>scheduled 2:5 seat 3:7 second 5:1,2 seconded 5:4 Section 3:13 see 4:9 settlement 3:16 Show 1:6 5:10 sign-in 3:8 Silverstein 1:21 2:12 spelling 3:9 standing 4:6 Status 1:8 5:11 Street 1:8,15 3:22 Suite 1:15</p>
<p>B</p> <p>behalf 4:11 Beverage 1:2,14,14 2:6 Board 1:2,11,14 2:6,12 3:12 4:4,21 Brooks 1:21 2:10 5:2,3 Building 1:15 business 2:14</p>	<p>D</p> <p>decision 3:17 deliberate 3:17 desk 2:18 devices 3:2 discuss 3:16 Dismiss 4:22 dismissed 4:14 5:9 disruptive 2:21 District 1:1 2:5 4:5 Donald 1:21 2:10 D.C 1:15</p> <p>E</p> <p>electronic 3:1 ensure 3:8 enter 3:13</p>	<p>L</p> <p>left 2:12 legal 3:16 license 1:9 4:1,15 licensee 4:12 LLC 1:6 located 3:22</p> <p>M</p> <p>making 4:18 matter 1:5 5:11 meeting 1:3 2:5 3:14 Meetings 3:10,13 Member 1:20,21 1:21 5:2 Members 2:13 4:5 met 1:14 Mike 1:21 2:12 Miller 1:16,19 2:3 2:8 4:8,11,16,20 5:3,7 morning 2:3 4:4,8 morning's 3:20 motion 4:19,22 5:4 5:8 move 4:21 moving 4:17</p>	<p>Q</p> <p>quorum 2:15</p> <p>R</p> <p>receptionist 2:17 record 3:9 recorded 2:19 Reeves 1:15 refrain 2:20 regularly 2:4 reporter 2:19 requires 3:10 Restaurant 1:6,6 3:22</p>	<p>T</p> <p>table 3:7,7 take 3:7 three 2:14 time 4:19 today 2:6,9,14 today's 2:16 Transfer 1:10 transferred 1:7 4:15 turn 3:19 turned 3:3 t/a 1:6</p>
<p>C</p> <p>calendar 2:16 3:20 3:21 case 1:9 3:11,15,20 3:21 4:3,14 5:9 Cause 1:6 5:10 cell 3:2 Centeno's 1:7 certain 3:3 Chairperson 1:16 1:19 2:3,9 4:8,11</p>	<p>F</p> <p>far 2:9 favor 5:5 Fernando 1:23 4:5 find 3:6 first 3:20 forward 3:6 four 2:13</p> <p>G</p> <p>General 4:7 Gephardt 4:7</p>			<p>U</p> <p>understanding 4:13</p> <p>W</p> <p>Washington 1:15 welcome 2:4</p>

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