

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

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IN THE MATTER OF: :  
 :  
Little Fountain Caf,, Inc. :  
t/a Little Fountain Caf, :  
2339 18th Street, NW : Show Cause  
Retailer CR : Hearing  
License No. 20251 : (Status)  
Case No. 12-CMP-00494 :  
ANC 1C :  
Failed to File Quarterly :  
Statements (2nd Quarter 2012) :  
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MAY 1, 2013

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Washington, D.C., Ruthanne

Miller, Chairperson, presiding.

PRESENT  
RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
MICHAEL SILVERSTEIN, Member

ALSO PRESENT  
AMY SCHMIDT, OAG

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

9:46 a.m.

CHAIRPERSON MILLER: The next case on the Board's calendar is Case No. 12-CMP-00494, Little Fountain Caf, located at 2339 18th Street, N.W., License No. 20251 in ANC 1C.

Good morning.

MS. SCHMIDT: Good morning. Amy Schmidt, Assistant Attorney General on behalf of the District of Columbia standing in for Walter Adams.

CHAIRPERSON MILLER: Okay. And, sir, would you identify yourself for the record?

MR. O'DONNELL: Patrick O'Donnell. I'm the owner.

CHAIRPERSON MILLER: Okay. Did you receive notice of this hearing?

MR. O'DONNELL: I did.

CHAIRPERSON MILLER: Did you read it and understand it?

1 MR. O'DONNELL: Yes, thank you.

2 CHAIRPERSON MILLER: Okay. Then  
3 we'll enter that notice into the record,  
4 unless there's an objection.

5 Okay. Are there any preliminary  
6 matters?

7 MS. SCHMIDT: Yes, there is. We  
8 have an Offer in Compromise consisting of a  
9 payment of a fine of \$650 to be paid within 30  
10 days. And also within that same period the  
11 quarterly report for the first quarter of 2011  
12 must be filed.

13 CHAIRPERSON MILLER: Okay. Mr.  
14 O'Donnell, are you agreeable to that Offer in  
15 Compromise of a fine of \$650 to be paid within  
16 30 days and the quarterly report for that  
17 first quarter in 2011 to also be paid by that  
18 date?

19 MR. O'DONNELL: Yes.

20 CHAIRPERSON MILLER: Be filed by  
21 that date. And do you understand that you  
22 waive a right to a hearing by entering into in

1 an Offer in Compromise?

2 MR. O'DONNELL: Yes.

3 CHAIRPERSON MILLER: Okay. Are  
4 there any Board questions?

5 (No audible response.)

6 CHAIRPERSON MILLER: Okay. I move  
7 that we approve this Offer in Compromise of a  
8 fine of \$650 payable within 30 days and the  
9 quarterly report at issue to be filed by that  
10 date as well. Do I have a second?

11 MEMBER SILVERSTEIN: Second.

12 CHAIRPERSON MILLER: Okay. Mr.  
13 Silverstein has seconded the motion. All  
14 those in favor, say aye?

15 (Chorus of ayes.)

16 CHAIRPERSON MILLER: All those  
17 opposed?

18 (No audible response.)

19 CHAIRPERSON MILLER: All those  
20 abstaining?

21 (No audible response.)

22 CHAIRPERSON MILLER: The motion

1 passes 4-0-0 to approve the Offer in  
2 Compromise. Thank you.

3 (Whereupon, the hearing was  
4 concluded at 9:49 a.m.)

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<p style="text-align: center;"><b>A</b></p> <p>abstaining 4:20  Adams 2:12  agreeable 3:14  ALBERTI 1:18  Alcoholic 1:2,14,14  Amy 1:22 2:9  ANC 1:10 2:6  approve 4:7 5:1  Assistant 2:10  Attorney 2:10  audible 4:5,18,21  aye 4:14  eyes 4:15  a.m 2:2 5:4</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p>behalf 2:10  Beverage 1:2,14,14  Board 1:2,14 4:4  Board's 2:4  BROOKS 1:19  Building 1:15</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p>Caf 1:6,7 2:5  calendar 2:4  case 1:9 2:3,4  Cause 1:8  Chairperson 1:16  1:18 2:3,13,18,21  3:2,13,20 4:3,6,12  4:16,19,22  Chorus 4:15  Columbia 1:1 2:11  Compromise 3:8  3:15 4:1,7 5:2  concluded 5:4  consisting 3:8  Control 1:2,14,14  CR 1:8</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p>date 3:18,21 4:10  days 3:10,16 4:8  District 1:1 2:11  DONALD 1:19</p>	<p>D.C 1:15</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p>enter 3:3  entering 3:22</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p>Failed 1:10  favor 4:14  File 1:10  filed 3:12,20 4:9  fine 3:9,15 4:8  first 3:11,17  Fountain 1:6,7 2:5</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p>General 2:10  Good 2:8,9</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p>hearing 1:8,15 2:19  3:22 5:3</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p>identify 2:14  issue 4:9</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p>License 1:9 2:6  Little 1:6,7 2:5  located 2:5</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p>MATTER 1:5  matters 3:6  MEETING 1:3  Member 1:18,19  1:19 4:11  met 1:14  MICHAEL 1:19  Miller 1:16,18 2:3  2:13,18,21 3:2,13  3:20 4:3,6,12,16  4:19,22  morning 2:8,9  motion 4:13,22  move 4:6</p> <hr/> <p style="text-align: center;"><b>N</b></p>	<p>NICK 1:18  notice 2:19 3:3  NW 1:8  N.W 1:15 2:6</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p>OAG 1:22  objection 3:4  Offer 3:8,14 4:1,7  5:1  Okay 2:13,18 3:2,5  3:13 4:3,6,12  opposed 4:17  owner 2:17  O'Donnell 2:16,16  2:20 3:1,14,19 4:2</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p>paid 3:9,15,17  passes 5:1  Patrick 2:16  payable 4:8  payment 3:9  period 3:10  preliminary 3:5  PRESENT 1:17,21  presiding 1:16  P-R-O-C-E-E-D-...  2:1</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p>quarter 1:11 3:11  3:17  quarterly 1:10 3:11  3:16 4:9  questions 4:4</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p>read 2:21  receive 2:19  record 2:15 3:3  Reeves 1:15  report 3:11,16 4:9  response 4:5,18,21  Retailer 1:8  right 3:22  Room 1:15  Ruthanne 1:15,18</p>	<p style="text-align: center;"><b>S</b></p> <p>Schmidt 1:22 2:9  2:10 3:7  second 4:10,11  seconded 4:13  Show 1:8  Silverstein 1:19  4:11,13  sir 2:14  standing 2:11  Statements 1:11  Status 1:9  Street 1:8,15 2:6</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p>thank 3:1 5:2  t/a 1:7</p> <hr/> <p style="text-align: center;"><b>U</b></p> <p>understand 2:22  3:21</p> <hr/> <p style="text-align: center;"><b>W</b></p> <p>waive 3:22  Walter 2:12  Washington 1:15  we'll 3:3</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p>p 1:5,12</p> <hr/> <p style="text-align: center;"><b>\$</b></p> <p>\$650 3:9,15 4:8</p> <hr/> <p style="text-align: center;"><b>0</b></p> <p>00494 2:5</p> <hr/> <p style="text-align: center;"><b>1</b></p> <p>1 1:13  1C 1:10 2:7  12-CMP 2:4  12-CMP-00494 1:9  14th 1:15  18th 1:8 2:6</p> <hr/> <p style="text-align: center;"><b>2</b></p> <p>2nd 1:11  2000 1:15</p>	<p>2011 3:11,17  2012 1:11  2013 1:13  20251 1:9 2:6  2339 1:8 2:5</p> <hr/> <p style="text-align: center;"><b>3</b></p> <p>30 3:9,16 4:8</p> <hr/> <p style="text-align: center;"><b>4</b></p> <p>4-0-0 5:1</p> <hr/> <p style="text-align: center;"><b>9</b></p> <p>9:46 2:2  9:49 5:4</p>
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