

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
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MEETING

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IN THE MATTER OF: :  
: :  
Cesar Guzman t/a :  
Casa Blanca Restaurant : Show Cause  
1014 Vermont Ave., NW : Hearing  
Retailer CR - ANC-2F :  
License No. 20067 :  
Case# 12-CMP-00021 :  
: :  
(Failed to Comply With :  
the Terms of Board Order :  
No. 2012-350) :  
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June 5, 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  
DONALD BROOKS, Member  
MIKE SILVERSTEIN, Member

ALSO PRESENT:

CHRISSY GEPHARDT, OAG

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

(11:08 p.m.)

CHAIRPERSON MILLER: Okay. We have a Show Cause Hearing scheduled that is Case No. 12-CMP-00021, Casa Blanca Restaurant located at 1014 Vermont Avenue, N.W., License No. 20067 in ANC-2F.

Good morning.

MS. GEPHARDT: Good morning.

MR. GUZMAN: Good morning.

MS. GEPHARDT: This is Chrissy Gephardt on behalf of the District of Columbia.

CHAIRPERSON MILLER: Sir, could you introduce yourself for the record?

MR. GUZMAN: I only speak in Spanish, please.

MS. GEPHARDT: I was not aware that an interpreter was needed. And I don't know that -- I would think this would not be permitted, but one of the investigators speaks Spanish. I don't know --

1 CHAIRPERSON MILLER: Do you want--  
2 do you need an interpreter, sir?

3 MR. GUZMAN: Yes, please.

4 CHAIRPERSON MILLER: Okay. Hold  
5 on. We will see whether that is possible.

6 MS. GEPHARDT: Okay. There is  
7 also a potential other issue in this case.  
8 And I know that Martha is having a  
9 conversation with Fred about certain things,  
10 so I was -- so we may have to just sort of, if  
11 we can, put this on hold for a second.

12 CHAIRPERSON MILLER: Okay. We'll  
13 take a few minutes.

14 MS. GEPHARDT: Okay.

15 CHAIRPERSON MILLER: Okay.

16 MS. GEPHARDT: Board Members, we  
17 would ask for five minutes just to work some  
18 of these documents that we just received, if  
19 we could work that out?

20 CHAIRPERSON MILLER: Okay.

21 MS. GEPHARDT: Okay. Thank you.

22 (Whereupon, at 11:11 a.m. a recess

1       until 11:22 a.m.)

2                   CHAIRPERSON MILLER:   Okay.  We are  
3       back on the record with Case No. 12-CMP-00021,  
4       Casa Blanca Restaurant.

5                   MS. GEPHARDT:  My name is Chrissy  
6       Gephardt with the District of Columbia.

7                   CHAIRPERSON MILLER:  And, sir,  
8       your name is?

9                   MR. GUZMAN:  Cesar Guzman.

10                  CHAIRPERSON MILLER:  Okay.  And  
11       are you the owner?

12                  MR. GUZMAN:  Yes.

13                  CHAIRPERSON MILLER:  Okay.  This  
14       is a Show Cause Hearing.  No.  We have, I  
15       guess, an unusual situation a little bit where  
16       the licensee needed an interpreter and I  
17       believe he didn't tell anybody ahead of time,  
18       so we happen to have on-board a new  
19       investigator who is bilingual in Spanish and  
20       English.

21                  And would you introduce yourself  
22       for the record?

1 MR. SUERO: Yes, Board Members.

2 My name is John Suero, spelled S-U-E-R-O. I'm  
3 a new investigator here with ABRA.

4 CHAIRPERSON MILLER: Okay. Thank  
5 you.

6 MR. SUERO: Sure.

7 CHAIRPERSON MILLER: And You will  
8 just be interpreting for this proceeding?

9 MR. SUERO: Absolutely.

10 CHAIRPERSON MILLER: Thank you.

11 We usually swear in interpreters, so I'm going  
12 to swear you in.

13 Do you solemnly affirm that you  
14 will faithfully and accurately interpret the  
15 proceedings in this matter from Spanish into  
16 English and from English into Spanish to the  
17 best of your ability?

18 MR. SUERO: I do.

19 CHAIRPERSON MILLER: Thank you.

20 Okay. Appreciate you doing that.

21 MR. SUERO: Absolutely.

22 CHAIRPERSON MILLER: Okay. Ms.

1 Gephardt, are there any preliminary matters?

2 MS. GEPHARDT: Yes, there are  
3 preliminary matters.

4 In this case, the parties have  
5 reached an offer in compromise that we would  
6 like to present to the Board. Our offer in  
7 compromise includes a \$1,250 fine and, in this  
8 case, that was the original amount of the  
9 fine.

10 Just to give a brief background,  
11 the respondent in this case filed an appeal on  
12 the previous case which was, let me see, 12-  
13 CMP-00021 and that case was recently resolved  
14 at the very end of April. And, therefore, we  
15 are -- have agreed on a fine of \$1,250, which  
16 was the original fine.

17 CHAIRPERSON MILLER: Okay. Isn't  
18 this case though 00021?

19 MS. GEPHARDT: Well, that --  
20 right. That was the -- so in this case, it  
21 was a failure to follow the Board order which  
22 was the Board ordered that he pay \$1,250 and

1 when that wasn't paid, a notice was issued  
2 that he still owes \$1,250.

3 CHAIRPERSON MILLER: Okay.

4 MS. GEPHARDT: And so that is how  
5 this came about. So we are -- we have agreed  
6 to -- if he pays the \$1,250 that he owes, we  
7 will resolve this case.

8 CHAIRPERSON MILLER: Okay. Okay.  
9 So is the proposed OIC, I hear, then in the  
10 amount of \$1,250, correct?

11 MS. GEPHARDT: That's correct.

12 CHAIRPERSON MILLER: By what date?

13 MS. GEPHARDT: I believe he could  
14 pay today. The licensee can pay today.

15 MR. GUZMAN: Today.

16 MS. GEPHARDT: Yes, today.

17 CHAIRPERSON MILLER: Today. Okay.

18 Good. All right. So I want to ask Mr.  
19 Guzman, is he agreeable to the OIC Ms.  
20 Gephardt described, which is paying what was  
21 due under Board order and that amount is  
22 \$1,250 to be paid today?

1 MR. GUZMAN: Yes.

2 CHAIRPERSON MILLER: Okay. And he  
3 understands that he waives his right to a  
4 hearing?

5 MR. GUZMAN: Yes.

6 CHAIRPERSON MILLER: Okay. Any  
7 Board questions? Mr. Silverstein?

8 MEMBER SILVERSTEIN: Just to make  
9 sure. Señor Guzman, speaks in Spanish. Do  
10 you understand what is happening here?

11 CHAIRPERSON MILLER: He will have  
12 to say it for the record. He needs to say si.

13 MEMBER SILVERSTEIN: You answered  
14 yes to the question, do you understand what is  
15 happening here?

16 MR. GUZMAN: Yes.

17 MEMBER SILVERSTEIN: Mr. Guzman,  
18 speaks in Spanish. You are comfortable with  
19 the agreement? You understand it? You agree  
20 to it?

21 MR. GUZMAN: Yes. I'm in  
22 agreement with the result of the case, but

1 certainly not the fine.

2 MEMBER SILVERSTEIN: Speaks in  
3 Spanish. I understand. Thank you very much.  
4 I'm comfortable. Thank you. Thank you, Mr.  
5 Suero.

6 MR. SUERO: You're very welcome.

7 CHAIRPERSON MILLER: Yes, okay.

8 MEMBER SILVERSTEIN: Gracias,  
9 Señor Guzman.

10 CHAIRPERSON MILLER: So we then  
11 have an offer in compromise of \$1,250 payable  
12 today. I move that we accept this offer in  
13 compromise.

14 Do I have a second?

15 MEMBER SILVERSTEIN: Second.

16 CHAIRPERSON MILLER: Mr.  
17 Silverstein has seconded the motion. And it's  
18 payable today.

19 All those in favor say aye.

20 ALL: Aye.

21 CHAIRPERSON MILLER: All those  
22 opposed? All those abstaining? The motion

1 passes 3-0-0 to accept the offer in compromise  
2 of \$1,250 payable today.

3 Okay. Thank you. Gracias.

4 MR. GUZMAN: Thank you.

5 MR. SUERO: These papers are  
6 your's, counsel?

7 MS. GEPHARDT: Oh, sure. Yes,  
8 thank you.

9 CHAIRPERSON MILLER: Okay. Okay.  
10 Thank you. All right. And I believe that  
11 that completes the Board's calendar for this  
12 morning. And we will recess. Okay.

13 (Whereupon, the Show Cause Hearing  
14 in the above-entitled matter was concluded at  
15 11:29 a.m.)

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<b>A</b>	<b>C</b>	<b>E</b>	<b>J</b>	<b>O</b>
ability 5:17	calendar 10:11	English 4:20 5:16	investigator 4:19	new 4:18 5:3
above-entitled 10:14	Casa 1:6 2:5 4:4	5:16	5:3	notice 7:1
ABRA 5:3	case 1:9 2:5 3:7 4:3	<b>F</b>	investigators 2:21	NW 1:7
Absolutely 5:9,21	6:4,8,11,12,13,18	Failed 1:10	issue 3:7	N.W 1:17 2:6
abstaining 9:22	6:20 7:7 8:22	failure 6:21	issued 7:1	<b>O</b>
accept 9:12 10:1	Cause 1:6 2:4 4:14	faithfully 5:14	<b>J</b>	OAG 1:24
accurately 5:14	10:13	favor 9:19	John 5:2	offer 6:5,6 9:11,12
affirm 5:13	certain 3:9	filed 6:11	June 1:13	10:1
agree 8:19	certainly 9:1	fine 6:7,9,15,16 9:1	<b>K</b>	Oh 10:7
agreeable 7:19	Cesar 1:6 4:9	five 3:17	know 2:20,22 3:8	OIC 7:9,19
agreed 6:15 7:5	Chairperson 1:17	follow 6:21	<b>L</b>	okay 2:3 3:4,6,12
agreement 8:19,22	1:21 2:3,14 3:1,4	Fred 3:9	License 1:8 2:6	3:14,15,20,21 4:2
ahead 4:17	3:12,15,20 4:2,7	<b>G</b>	licensee 4:16 7:14	4:10,13 5:4,20,22
Alcoholic 1:2,15,15	4:10,13 5:4,7,10	Gephardt 1:24 2:9	little 4:15	6:17 7:3,8,8,17
amount 6:8 7:10,21	5:19,22 6:17 7:3,8	2:11,12,18 3:6,14	located 2:6	8:2,6 9:7 10:3,9,9
ANC-2F 1:8 2:7	7:12,17 8:2,6,11	3:16,21 4:5,6 6:1	<b>M</b>	10:12
answered 8:13	9:7,10,16,21 10:9	6:2,19 7:4,11,13	Martha 3:8	on-board 4:18
anybody 4:17	Chrissy 1:24 2:11	7:16,20 10:7	matter 1:5 5:15	opposed 9:22
appeal 6:11	4:5	give 6:10	10:14	order 1:10 6:21
Appreciate 5:20	CMP-00021 6:13	going 5:11	matters 6:1,3	7:21
April 6:14	Columbia 1:1 2:13	Good 2:8,9,10 7:18	MEETING 1:3	ordered 6:22
Ave 1:7	4:6	Gracias 9:8 10:3	Member 1:21,22	original 6:8,16
Avenue 2:6	comfortable 8:18	guess 4:15	8:8,13,17 9:2,8,15	owes 7:2,6
aware 2:18	9:4	Guzman 1:6 2:10	Members 3:16 5:1	owner 4:11
aye 9:19,20	completes 10:11	2:16 3:3 4:9,9,12	met 1:15	<b>P</b>
a.m 3:22 4:1 10:15	Comply 1:10	7:15,19 8:1,5,9,16	MIKE 1:22	paid 7:1,22
<b>B</b>	compromise 6:5,7	8:17,21 9:9 10:4	Miller 1:17,21 2:3	papers 10:5
back 4:3	9:11,13 10:1	<b>H</b>	2:14 3:1,4,12,15	parties 6:4
background 6:10	concluded 10:14	happen 4:18	3:20 4:2,7,10,13	passes 10:1
behalf 2:12	Control 1:2,15,15	happening 8:10,15	5:4,7,10,19,22	pay 6:22 7:14,14
believe 4:17 7:13	conversation 3:9	hear 7:9	6:17 7:3,8,12,17	payable 9:11,18
10:10	correct 7:10,11	hearing 1:7,16 2:4	8:2,6,11 9:7,10,16	10:2
best 5:17	counsel 10:6	4:14 8:4 10:13	9:21 10:9	paying 7:20
Beverage 1:2,15,15	CR 1:8	hold 3:4,11	minutes 3:13,17	pays 7:6
bilingual 4:19	<b>D</b>	<b>I</b>	morning 2:8,9,10	permitted 2:21
bit 4:15	date 7:12	includes 6:7	10:12	please 2:17 3:3
Blanca 1:6 2:5 4:4	described 7:20	interpret 5:14	motion 9:17,22	possible 3:5
Board 1:2,10,15	District 1:1 2:12	interpreter 2:19	move 9:12	potential 3:7
3:16 5:1 6:6,21,22	4:6	3:2 4:16	<b>N</b>	preliminary 6:1,3
7:21 8:7	documents 3:18	interpreters 5:11	name 4:5,8 5:2	present 1:19,23 6:6
Board's 10:11	doing 5:20	interpreting 5:8	need 3:2	presiding 1:18
brief 6:10	DONALD 1:21	introduce 2:15	needed 2:19 4:16	previous 6:12
BROOKS 1:21	due 7:21	4:21	needs 8:12	proceeding 5:8
Building 1:16	D.C 1:17			proceedings 5:15
				proposed 7:9
				put 3:11

<b>P-R-O-C-E-E-D...</b> 2:1 <b>p.m</b> 2:2	<b>speaks</b> 2:21 8:9,18 9:2 <b>spelled</b> 5:2 <b>Street</b> 1:17 <b>Suero</b> 5:1,2,6,9,18 5:21 9:5,6 10:5 <b>Suite</b> 1:17 <b>sure</b> 5:6 8:9 10:7 <b>swear</b> 5:11,12 <b>S-U-E-R-O</b> 5:2	<b>P</b> <b>p</b> 1:4,12		
<b>Q</b> <b>question</b> 8:14 <b>questions</b> 8:7	<b>T</b> <b>take</b> 3:13 <b>tell</b> 4:17 <b>Terms</b> 1:10 <b>thank</b> 3:21 5:4,10 5:19 9:3,4,4 10:3 10:4,8,10 <b>things</b> 3:9 <b>think</b> 2:20 <b>time</b> 4:17 <b>today</b> 7:14,14,15 7:16,17,22 9:12 9:18 10:2 <b>t/a</b> 1:6	<b>\$</b> <b>\$1,250</b> 6:7,15,22 7:2,6,10,22 9:11 10:2		
<b>R</b> <b>reached</b> 6:5 <b>received</b> 3:18 <b>recess</b> 3:22 10:12 <b>record</b> 2:15 4:3,22 8:12 <b>Reeves</b> 1:16 <b>resolve</b> 7:7 <b>resolved</b> 6:13 <b>respondent</b> 6:11 <b>Restaurant</b> 1:6 2:5 4:4 <b>result</b> 8:22 <b>Retailer</b> 1:8 <b>right</b> 6:20 7:18 8:3 10:10 <b>Room</b> 1:16 <b>Ruthanne</b> 1:17,21	<b>U</b> <b>understand</b> 8:10 8:14,19 9:3 <b>understands</b> 8:3 <b>unusual</b> 4:15 <b>usually</b> 5:11	<b>0</b> <b>00021</b> 6:18		
<b>S</b> <b>scheduled</b> 2:4 <b>second</b> 3:11 9:14 9:15 <b>seconded</b> 9:17 <b>see</b> 3:5 6:12 <b>Senior</b> 8:9 9:9 <b>Show</b> 1:6 2:4 4:14 10:13 <b>si</b> 8:12 <b>Silverstein</b> 1:22 8:7 8:8,13,17 9:2,8,15 9:17 <b>sir</b> 2:14 3:2 4:7 <b>situation</b> 4:15 <b>solemnly</b> 5:13 <b>sort</b> 3:10 <b>Spanish</b> 2:17,22 4:19 5:15,16 8:9 8:18 9:3 <b>speak</b> 2:16	<b>V</b> <b>Vermont</b> 1:7 2:6	<b>1</b> <b>1014</b> 1:7 2:6 <b>11:08</b> 2:2 <b>11:11</b> 3:22 <b>11:22</b> 4:1 <b>11:29</b> 10:15 <b>12</b> 6:12 <b>12-CMP-00021</b> 1:9 2:5 4:3 <b>14th</b> 1:16		
	<b>W</b> <b>waives</b> 8:3 <b>want</b> 3:1 7:18 <b>Washington</b> 1:17 <b>wasn't</b> 7:1 <b>welcome</b> 9:6 <b>We'll</b> 3:12 <b>work</b> 3:17,19	<b>2</b> <b>2000</b> 1:16 <b>20009</b> 1:17 <b>20067</b> 1:8 2:7 <b>2012-350</b> 1:11 <b>2013</b> 1:13		
	<b>Y</b> <b>your's</b> 10:6	<b>3</b> <b>3-0-0</b> 10:1		
		<b>4</b> <b>400S</b> 1:17		
		<b>5</b> <b>5</b> 1:13		