

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

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IN THE MATTER OF: :  
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3905 Dix Street, NE, LLC :  
t/a Ray's the Steak :  
at East River :  
3905 Dix Street, NE : Show Cause  
Retailer CR : Hearing  
License No. 83202 : (Status)  
Case No. 12-AUD-00015 :  
ANC 7A :  
Failed to File Quarterly :  
Statements :  
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JUNE 13, 2012  
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  
CALVIN NOPHLIN, Member  
MIKE SILVERSTEIN, Member  
ALSO PRESENT  
MICHAEL STERN, OAG

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

9:57 a.m.

CHAIRPERSON MILLER: Okay. The next case on our calendar is another show cause hearing, status hearing. Case No. 12-AUD-00015, Ray's the Steak at East River, 3905 Dix Street, N.E., License No. 83202 in ANC 7A.

Good morning.

MR. LANDRUM: Good morning.

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

MR. LANDRUM: Michael Landrum representing Ray's the Steak at East River.

CHAIRPERSON MILLER: Okay. Mr. Landrum, did you receive notice of this status hearing?

MR. LANDRUM: Yes, and I waive reading into the record.

CHAIRPERSON MILLER: Okay. And you read it and understood it?

MR. LANDRUM: I read it and understood it.

1                   CHAIRPERSON MILLER: Okay. Good.

2 All right. Mr. Stern, do we have any  
3 preliminary matters in this case?

4                   MR. STERN: Yes, in this case the  
5 parties have discussed a resolution which we  
6 hope the Board will adopt as an Offer in  
7 Compromise. The Respondent will pay a fine of  
8 \$750 within 30 days to resolve this violation.

9                   CHAIRPERSON MILLER: Okay. And  
10 have the quarterly statements been filed?  
11 This involves a failure to file quarterly  
12 statements.

13                   MR. STERN: Yes, the Respondent  
14 will have to address that.

15                   CHAIRPERSON MILLER: Okay.

16                   MR. LANDRUM: Yes, immediately  
17 upon notice we corrected that situation and  
18 had everything caught up to date.

19                   CHAIRPERSON MILLER: Okay. Good.  
20 All right. So Mr. Stern has represented an  
21 Offer in Compromise of \$750 to be paid within  
22 30 days. Are you agreeable to that?

1 MR. LANDRUM: Yes.

2 CHAIRPERSON MILLER: Okay. And  
3 you know that you waive your right to a  
4 hearing by accepting that?

5 MR. LANDRUM: Yes.

6 CHAIRPERSON MILLER: Okay. Any  
7 questions of Board members?

8 (No audible response.)

9 CHAIRPERSON MILLER: Okay. I  
10 would move then that we accept this Offer in  
11 Compromise of \$750 to be paid within 30 days.  
12 Do I have a second?

13 MEMBER NOPHLIN: Second.

14 CHAIRPERSON MILLER: Any comments?

15 (No audible response.)

16 CHAIRPERSON MILLER: All those in  
17 favor, say aye?

18 (Chorus of ayes.)

19 CHAIRPERSON MILLER: All those  
20 opposed?

21 (No audible response.)

22 CHAIRPERSON MILLER: All those

1 abstaining?

2 (No audible response.)

3 CHAIRPERSON MILLER: The vote is  
4 5-0-0 to accept this Offer in Compromise.

5 Okay. Thank you very much.

6 MR. LANDRUM: If I could beg the  
7 Board's indulgence for a quick second, I just  
8 wanted to offer my apologies for having this  
9 matter brought before you. I'm only bringing  
10 this up because I will have another license  
11 and application in the next six months. I  
12 just wanted to assure you that this -- well,  
13 I accept full responsibility for the  
14 irregularities. Just to let you know that  
15 there were some extremely extenuating  
16 circumstances behind that lack of oversight  
17 and having this occur. If that comes up with  
18 a subsequent hearing -- and perhaps it's more  
19 germane to address it then, or if it's more  
20 germane to address it now --

21 CHAIRPERSON MILLER: Oh, I --

22 MR. LANDRUM: -- or if it's not --

1 CHAIRPERSON MILLER: I think we  
2 hear you.

3 MR. LANDRUM: -- not necessary.

4 CHAIRPERSON MILLER: I mean, I  
5 think we hear you, what you're saying right  
6 now. And I don't think there's a need for you  
7 say more at this point. But, you know, if  
8 there is some kind of hearing later on and  
9 it's an issue, then you could certainly  
10 address then.

11 MR. LANDRUM: Certainly. I wasn't  
12 sure on --

13 CHAIRPERSON MILLER: Okay.

14 MR. LANDRUM: -- the appropriate  
15 time for that, if necessary at all.

16 CHAIRPERSON MILLER: That's fine.  
17 Okay.

18 MR. LANDRUM: Great. Well, thank  
19 you for your indulgence. And again, my  
20 apologies for taking your time on this matter.

21 MEMBER SILVERSTEIN: And I'd like  
22 to thank you for your commitment to our city

1 and especially to the under-served areas of  
2 our city.

3 MR. LANDRUM: That's part of our  
4 mission, so hopefully we can carry that out  
5 better without bringing anything else in front  
6 of you, except for further growth.

7 CHAIRPERSON MILLER: Mr. Nophlin  
8 would also like to say something.

9 MEMBER NOPHLIN: Yes, thank you  
10 very much, Madam Chair. I'd like to certainly  
11 piggyback on the Board member's response and  
12 comment. I'm too very pleased that that's the  
13 only restaurant we have east of the river.  
14 And so I'm very pleased that you're there. So  
15 I think that we want to make sure you don't  
16 leave us.

17 MR. LANDRUM: Let's just hope that  
18 this year that the sales will at least match  
19 the license fees.

20 (Laughter.)

21 MR. LANDRUM: No, that this year  
22 will -- which I'm actually happy with in a

1 way. I think as you remember I started off  
2 just selling beer and wine intentionally to  
3 create a non-bar atmosphere, but it would be  
4 nice to have our annual wine sales get close  
5 to 2,200 to at least match the license fee.  
6 But, you know, it's all a work in progress.  
7 We'll get there.

8 MEMBER NOPHLIN: Thank you.

9 MR. LANDRUM: Thank you.

10 CHAIRPERSON MILLER: Okay. Thank  
11 you.

12 MR. LANDRUM: Thank you for your  
13 time.

14 (Whereupon, the hearing was  
15 concluded at 10:01 a.m.)

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<p style="text-align: center;"><b>A</b></p> <p><b>abstaining</b> 5:1  <b>accept</b> 4:10 5:4,13  <b>accepting</b> 4:4  <b>address</b> 3:14 5:19  5:20 6:10  <b>adopt</b> 3:6  <b>agreeable</b> 3:22  <b>ALBERTI</b> 1:19  <b>Alcoholic</b> 1:2,15,15  <b>ANC</b> 1:10 2:7  <b>annual</b> 8:4  <b>apologies</b> 5:8 6:20  <b>application</b> 5:11  <b>appropriate</b> 6:14  <b>areas</b> 7:1  <b>assure</b> 5:12  <b>atmosphere</b> 8:3  <b>audible</b> 4:8,15,21  5:2  <b>AUD-00015</b> 2:6  <b>aye</b> 4:17  <b>eyes</b> 4:18  <b>a.m</b> 2:2 8:15</p>	<p>7:10  <b>Chair</b> 7:10  <b>Chairperson</b> 1:17  1:19 2:3,14,19 3:1  3:9,15,19 4:2,6,9  4:14,16,19,22 5:3  5:21 6:1,4,13,16  7:7 8:10  <b>Chorus</b> 4:18  <b>circumstances</b> 5:16  <b>city</b> 6:22 7:2  <b>close</b> 8:4  <b>Columbia</b> 1:1 2:11  <b>comes</b> 5:17  <b>comment</b> 7:12  <b>comments</b> 4:14  <b>commitment</b> 6:22  <b>Compromise</b> 3:7  3:21 4:11 5:4  <b>concluded</b> 8:15  <b>Control</b> 1:2,15,15  <b>corrected</b> 3:17  <b>CR</b> 1:9  <b>create</b> 8:3</p>	<p><b>fine</b> 3:7 6:16  <b>front</b> 7:5  <b>full</b> 5:13  <b>further</b> 7:6</p> <p style="text-align: center;"><b>G</b></p> <p><b>germane</b> 5:19,20  <b>Good</b> 2:8,9,10 3:1  3:19  <b>Great</b> 6:18  <b>growth</b> 7:6</p> <p style="text-align: center;"><b>H</b></p> <p><b>happy</b> 7:22  <b>hear</b> 6:2,5  <b>hearing</b> 1:9,16 2:5  2:5,16 4:4 5:18  6:8 8:14  <b>hope</b> 3:6 7:17  <b>hopefully</b> 7:4</p>	<p><b>license</b> 1:9 2:7 5:10  7:19 8:5  <b>LLC</b> 1:6</p> <p style="text-align: center;"><b>M</b></p> <p><b>Madam</b> 7:10  <b>match</b> 7:18 8:5  <b>matter</b> 1:5 5:9 6:20  <b>matters</b> 3:3  <b>mean</b> 6:4  <b>MEETING</b> 1:3  <b>Member</b> 1:19,20  1:21,21 4:13 6:21  7:9 8:8  <b>members</b> 4:7  <b>member's</b> 7:11  <b>met</b> 1:15  <b>Michael</b> 1:22 2:10  2:12  <b>MIKE</b> 1:21  <b>Miller</b> 1:17,19 2:3  2:14,19 3:1,9,15  3:19 4:2,6,9,14,16  4:19,22 5:3,21 6:1  6:4,13,16 7:7 8:10  <b>mission</b> 7:4  <b>months</b> 5:11  <b>morning</b> 2:8,9,10  <b>move</b> 4:10</p>	<p><b>Oh</b> 5:21  <b>Okay</b> 2:3,14,19 3:1  3:9,15,19 4:2,6,9  5:5 6:13,17 8:10  <b>opposed</b> 4:20  <b>oversight</b> 5:16</p> <p style="text-align: center;"><b>P</b></p> <p><b>paid</b> 3:21 4:11  <b>part</b> 7:3  <b>parties</b> 3:5  <b>pay</b> 3:7  <b>piggyback</b> 7:11  <b>pleased</b> 7:12,14  <b>point</b> 6:7  <b>preliminary</b> 3:3  <b>PRESENT</b> 1:18,22  <b>presiding</b> 1:17  <b>progress</b> 8:6  <b>P-R-O-C-E-E-D-...</b>  2:1</p>
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