

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

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

10:07 a.m.

CHAIRPERSON MILLER: Next case on our calendar is another show cause status hearing, Case No. 12-CMP-00021, Casa Blanca Restaurant located at 1014 Vermont Avenue, N.W., License No. 20067 in ANC 2F.

MR. SMITH: Good morning.

CHAIRPERSON MILLER: Good morning.

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

MEMBER NOPHLIN: Excuse me, Madam Chair.

CHAIRPERSON MILLER: Yes.

MEMBER NOPHLIN: Mr. Stern, could you bring your mic up a little closer, please?

MR. STERN: Oh, it's not on.

MEMBER NOPHLIN: I can vaguely hear you.

MR. STERN: There you go.

MEMBER NOPHLIN: Thank you.

MR. STERN: Excuse me.

1 CHAIRPERSON MILLER: Could you
2 introduce yourselves for the record when
3 you're ready?

4 MR. GUZMAN: My name is Cesar
5 Guzman.

6 CHAIRPERSON MILLER: Okay.

7 MR. GUZMAN: Okay.

8 CHAIRPERSON MILLER: You're the
9 owner?

10 MR. GUZMAN: I own the Casa Blanca
11 Restaurant.

12 CHAIRPERSON MILLER: Okay. Good.
13 And with you is? And who is that? Ma'am,
14 could you identify yourself for the record,
15 too?

16 MS. GUZMAN: I'm Diana Guzman.
17 I'm sorry.

18 CHAIRPERSON MILLER: Okay. Good.
19 So if you could sign in. And then I need to
20 ask you if you received notice of this
21 hearing.

22 MR. GUZMAN: Yes.

1 CHAIRPERSON MILLER: Did you read
2 it?

3 MR. GUZMAN: Yes.

4 CHAIRPERSON MILLER: Yes? You
5 need to say it so the transcript can record
6 it.

7 MR. GUZMAN: Si. Yes.

8 MS. GUZMAN: No, en Ingl,s.

9 MR. GUZMAN: Yes, I'm sorry.

10 CHAIRPERSON MILLER: Did you
11 understand it?

12 MR. GUZMAN: Okay. My daughter,
13 can --

14 CHAIRPERSON MILLER: Your
15 daughter's translating? Okay.

16 MR. GUZMAN: -- translate it.
17 It's possible?

18 MS. GUZMAN: Somewhat he -- I
19 mean, he understood somewhat.

20 MR. GUZMAN: I understand, but my
21 English is not very well.

22 CHAIRPERSON MILLER: Okay.

1 MS. GUZMAN: He says that he took
2 the letter to his accountant and he kind of
3 explained to him what the letter was trying to
4 address. So he understood it.

5 CHAIRPERSON MILLER: Okay. And
6 does he waive our reading the notice into the
7 record?

8 MS. GUZMAN: Well, he -- I mean,
9 with the charges that he got in the letter, he
10 was trying to bring notice that he's not
11 responsible for the charges that they're
12 charging him because of -- I think there was
13 some of the issues where he didn't have --
14 what was it, the invoices, I think, and he
15 wanted to -- so, for one of them, I think it
16 was the inspector who came in and he voided
17 one of the sheets. So that's where he's kind
18 of confused as to why he got that note.

19 CHAIRPERSON MILLER: Okay.

20 MS. GUZMAN: Because there was a
21 contradiction.

22 CHAIRPERSON MILLER: All right.

1 So I'm not getting into the merits of the case
2 right now.

3 MS. GUZMAN: Oh, okay.

4 CHAIRPERSON MILLER: Okay? This
5 is the first of somewhat formalities, but
6 before we go forward there is a -- I want to
7 know whether he will waive; if you know what
8 that means, just our reading that notice into
9 the record. It's kind of a formality
10 question.

11 MS. GUZMAN: Oh, okay.

12 CHAIRPERSON MILLER: Then if he
13 waives it, we can then go forward into the
14 other issues.

15 MS. GUZMAN: Okay. Yes, he does.

16 CHAIRPERSON MILLER: Okay. All
17 right. So first let me ask Mr. Stern then now
18 that we've established that if there are any
19 preliminary matters.

20 MR. STERN: None.

21 CHAIRPERSON MILLER: No
22 preliminary matters? Okay. So basically what

1 happens is if you haven't come to a settlement
2 today or whatever, then we set the case for a
3 hearing on the merits. Today isn't a hearing
4 on the merits.

5 Okay. So the hearing date and
6 time will be July 25th, 2012 at 11:00 a.m.

7 MR. GUZMAN: If it's possible, a
8 little earlier?

9 MS. GUZMAN: Do you have an
10 earlier date? Is that possible?

11 CHAIRPERSON MILLER: An earlier
12 date?

13 MS. GUZMAN: Yes.

14 CHAIRPERSON MILLER: I don't think
15 so. No, our calendar is set. Will you be out
16 of town or anything like that?

17 MR. GUZMAN: Maybe after 2:00 it's
18 possible.

19 MS. GUZMAN: After the 2nd of
20 August?

21 CHAIRPERSON MILLER: Okay.

22 MS. GUZMAN: Is that possible?

1 CHAIRPERSON MILLER: So you would
2 prefer it being after August 2nd? Will you be
3 away or something like that?

4 MS. GUZMAN: Yes.

5 CHAIRPERSON MILLER: Okay.

6 MS. GUZMAN: I'm sorry, out of the
7 country.

8 CHAIRPERSON MILLER: Okay. Mr.
9 Stern, maybe we can do the --

10 MR. GUZMAN: I'm sorry.

11 MS. GUZMAN: That's fine.

12 MR. GUZMAN: We were confused. I
13 said another day. I say the time.

14 MS. GUZMAN: No, July 25 is fine.

15 CHAIRPERSON MILLER: Okay. July
16 25, 2012 at 11:00 a.m.

17 MS. GUZMAN: Okay. What he meant
18 is earlier in the day instead of 11:00 a.m.
19 Do you have any time that's earlier?

20 CHAIRPERSON MILLER: I doubt it.
21 I mean, I think we have a set schedule with
22 other cases set before then. Yes. No, I

1 can't change the time.

2 MR. GUZMAN: Okay.

3 MS. GUZMAN: Okay.

4 CHAIRPERSON MILLER: In the
5 meantime you might be able to settle with the
6 Government. You have that time to talk with
7 them, in the event it may not even go to
8 hearing.

9 MS. GUZMAN: All right. That's
10 fine, ma'am.

11 CHAIRPERSON MILLER: And, Mr.
12 Stern, will you advise them that way?

13 MR. STERN: Sure.

14 CHAIRPERSON MILLER: Okay. Well,
15 you can do that after this hearing even.

16 MR. STERN: Okay.

17 CHAIRPERSON MILLER: Okay. Oh,
18 unless you don't have time.

19 MR. STERN: Well, if the Court
20 would --

21 CHAIRPERSON MILLER: Okay.

22 MR. STERN: -- Board would give me

1 a few minutes, I'd be happy to.

2 CHAIRPERSON MILLER: Well, can you
3 give them your card, or whatever?

4 MR. STERN: What's that?

5 CHAIRPERSON MILLER: Do you have a
6 card to give them or something?

7 MR. STERN: Yes, it's actually not
8 my case, but --

9 CHAIRPERSON MILLER: Right.

10 MR. STERN: -- I'm happy for them
11 to call me if they need to.

12 CHAIRPERSON MILLER: Whose case is
13 it? Ms. Phillips'?

14 MR. STERN: Ms. Gephardt.

15 CHAIRPERSON MILLER: Okay. So do
16 you understand where you go from here?

17 MS. GUZMAN: Yes.

18 CHAIRPERSON MILLER: You have a
19 hearing set and you can talk with the
20 Government between now and then in the event
21 you could work it out. And you can also call
22 the ABRA office if you have any questions.

1 You know, if you do go to hearing, before the
2 hearing.

3 MS. GUZMAN: Okay.

4 CHAIRPERSON MILLER: Okay. Thank
5 you.

6 MS. GUZMAN: Thank you.

7 MR. GUZMAN: Thank you.

8 (Whereupon, the hearing was
9 concluded at 10:16 a.m.)

10
11
12
13
14
15
16
17
18
19
20
21
22

<p style="text-align: center;">A</p> <p>able 9:5 ABRA 10:22 accountant 5:2 address 5:4 advise 9:12 ALBERTI 1:19 Alcoholic 1:2,15,15 ANC 1:10 2:7 August 7:20 8:2 Avenue 1:8 2:6 a.m 2:2 7:6 8:16,18 11:9</p>	<p>charging 5:12 closer 2:16 Columbia 1:1 2:11 come 7:1 concluded 11:9 confused 5:18 8:12 contradiction 5:21 Control 1:2,15,15 country 8:7 Court 9:19</p>	<p>Good 2:8,9,10 3:12 3:18 Government 9:6 10:20 Guzman 1:6 3:4,5 3:7,10,16,16,22 4:3,7,8,9,12,16,18 4:20 5:1,8,20 6:3 6:11,15 7:7,9,13 7:17,19,22 8:4,6 8:10,11,12,14,17 9:2,3,9 10:17 11:3 11:6,7</p>	<p>MATTER 1:5 matters 6:19,22 ma'am 3:13 9:10 mean 4:19 5:8 8:21 means 6:8 meant 8:17 MEETING 1:3 Member 1:19,20 1:21,21 2:12,15 2:18,21 merits 6:1 7:3,4 met 1:15 mic 2:16 Michael 1:22 2:10 MIKE 1:21 Miller 1:17,19 2:3 2:9,14 3:1,6,8,12 3:18 4:1,4,10,14 4:22 5:5,19,22 6:4 6:12,16,21 7:11 7:14,21 8:1,5,8,15 8:20 9:4,11,14,17 9:21 10:2,5,9,12 10:15,18 11:4 minutes 10:1 morning 2:8,9,10</p>	<p>9:2,3,14,16,17,21 10:15 11:3,4 owner 3:9</p>
<p style="text-align: center;">B</p> <p>basically 6:22 Beverage 1:2,15,15 Blanca 1:7 2:5 3:10 Board 1:2,15 9:22 Books 1:12 bring 2:16 5:10 BROOKS 1:20 Building 1:16</p>	<p style="text-align: center;">D</p> <p>date 7:5,10,12 daughter 4:12 daughter's 4:15 day 8:13,18 Diana 3:16 District 1:1 2:11 DONALD 1:20 doubt 8:20 DR 1:8 D.C 1:17</p>	<p style="text-align: center;">H</p> <p>happens 7:1 happy 10:1,10 hear 2:19 hearing 1:8,16 2:5 3:21 7:3,3,5 9:8 9:15 10:19 11:1,2 11:8</p>	<p style="text-align: center;">N</p> <p>name 3:4 need 3:19 4:5 10:11 NICK 1:19 NOPHLIN 1:21 2:12,15,18,21 note 5:18 notice 3:20 5:6,10 6:8 NW 1:8 N.W 1:17 2:7</p>	<p style="text-align: center;">P</p> <p>Phillips 10:13 please 2:16 possible 4:17 7:7 7:10,18,22 prefer 8:2 preliminary 6:19 6:22 PRESENT 1:18,22 presiding 1:17 P-R-O-C-E-E-D-... 2:1</p>
<p style="text-align: center;">C</p> <p>calendar 2:4 7:15 call 10:11,21 CALVIN 1:21 card 10:3,6 Casa 1:7 2:5 3:10 case 1:9 2:3,5 6:1 7:2 10:8,12 cases 8:22 cause 1:8 2:4 Cesar 1:6 3:4 Chair 2:13 Chairperson 1:17 1:19 2:3,9,14 3:1 3:6,8,12,18 4:1,4 4:10,14,22 5:5,19 5:22 6:4,12,16,21 7:11,14,21 8:1,5,8 8:15,20 9:4,11,14 9:17,21 10:2,5,9 10:12,15,18 11:4 change 9:1 charges 5:9,11</p>	<p style="text-align: center;">E</p> <p>earlier 7:8,10,11 8:18,19 en 4:8 English 4:21 established 6:18 event 9:7 10:20 Excuse 2:12,22 explained 5:3</p>	<p style="text-align: center;">I</p> <p>identify 3:14 Ingl,s 4:8 inspector 5:16 introduce 3:2 invoices 5:14 issues 5:13 6:14</p>	<p style="text-align: center;">O</p> <p>OAG 1:22 office 10:22 Oh 2:17 6:3,11 9:17 okay 3:6,7,12,18 4:12,15,22 5:5,19 6:3,4,11,15,16,22 7:5,21 8:5,8,15,17</p>	<p style="text-align: center;">Q</p> <p>Quarterly 1:10 question 6:10 questions 10:22</p>
	<p style="text-align: center;">F</p> <p>Failed 1:10,11 File 1:10 fine 8:11,14 9:10 first 6:5,17 formalities 6:5 formality 6:9 forward 6:6,13</p>	<p style="text-align: center;">J</p> <p>July 7:6 8:14,15 JUNE 1:14</p>	<p style="text-align: center;">K</p> <p>kind 5:2,17 6:9 know 6:7,7 11:1</p>	<p style="text-align: center;">R</p> <p>read 4:1 reading 5:6 6:8 ready 3:3 received 3:20 record 3:2,14 4:5 5:7 6:9 Records 1:12 Reeves 1:16 representing 2:11 responsible 5:11 Restaurant 1:7 2:6 3:11 Retailer 1:8 right 5:22 6:2,17 9:9 10:9 Room 1:16 Ruthanne 1:17,19</p>
	<p style="text-align: center;">G</p> <p>Gephardt 10:14 getting 6:1 give 9:22 10:3,6 go 2:20 6:6,13 9:7 10:16 11:1</p>	<p style="text-align: center;">L</p> <p>letter 5:2,3,9 License 1:9 2:7 little 2:16 7:8 located 2:6</p>	<p style="text-align: center;">M</p> <p>Madam 2:12 Maintain 1:11</p>	<p style="text-align: center;">S</p> <p>says 5:1 schedule 8:21 set 7:2,15 8:21,22 10:19 settle 9:5 settlement 7:1</p>

sheets 5:17
show 1:8 2:4
Si 4:7
sign 3:19
SILVERSTEIN
 1:21
SMITH 2:8
somewhat 4:18,19
 6:5
sorry 3:17 4:9 8:6
 8:10
Statements 1:11
status 1:9 2:4
Stern 1:22 2:10,11
 2:15,17,20,22
 6:17,20 8:9 9:12
 9:13,16,19,22
 10:4,7,10,14
Street 1:17
Sure 9:13

T

talk 9:6 10:19
Thank 2:21 11:4,6
 11:7
think 5:12,14,15
 7:14 8:21
time 7:6 8:13,19
 9:1,6,18
today 7:2,3
town 7:16
transcript 4:5
translate 4:16
translating 4:15
trying 5:3,10
t/a 1:7

U

understand 4:11
 4:20 10:16
understood 4:19
 5:4

V

vaguely 2:18
Vermont 1:8 2:6
voided 5:16

W

waive 5:6 6:7
waives 6:13
want 6:6
wanted 5:15
Washington 1:17
way 9:12
we've 6:18
work 10:21

P

p 1:5,12

1

10:07 2:2
10:16 11:9
1014 1:8 2:6
11:00 7:6 8:16,18
12-CMP-00021 1:9
 2:5
13 1:14
14th 1:16

2

2F 1:10 2:7
2nd 7:19 8:2
2:00 7:17
2000 1:16
20067 1:9 2:7
2012 1:14 7:6 8:16
25 8:14,16
25th 7:6