

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
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Ping Pong One, LLC :
t/a Ping Pong :
900 7th Street, NW : Show Cause
Retailer CR : Hearing
12-AUD-00051(a) :
License No. 82097 :
ANC 2C :
Failed to File Quarterly :
Statements (2nd Quarter 2012):
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JUNE 26, 2013

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

Alberti, Acting Chairman, presiding.

PRESENT

- NICK ALBERTI, Acting Chairman
- DONALD BROOKS, Member
- HERMAN JONES, Member
- MIKE SILVERSTEIN, Member

ALSO PRESENT

FERNANDO RIVERO, OAG

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

2:36 p.m.

ACTING CHAIRMAN ALBERTI: Back on the record. Hello, everyone.

MR. McINTOSH: Good afternoon.

ACTING CHAIRMAN ALBERTI: The next case I'm going to call is Case No. 12-AUD-00051(a). This is a show cause hearing regarding Ping Pong One, LLC, trading as Ping Pong, License No. 82097.

Parties have seated themselves. Introductions, please?

MR. RIVERO: Thank you, Board Members. Fernando Rivero for the District of Columbia.

MR. McINTOSH: Good afternoon, Members of the Board. My name is Thomas McIntosh on behalf of the Licensee. Let me first apologize for the fact that my client is unable to attend today. I did file a notice of attorney agent yesterday afternoon, which I understand was received by the Board.

1 ACTING CHAIRMAN ALBERTI: Okay.

2 MR. McINTOSH: Thank you.

3 ACTING CHAIRMAN ALBERTI: Thank
4 you for that, Mr. McIntosh.

5 Hello, everyone. So let's begin.
6 This is a show cause hearing. Are there any
7 procedural matters before we begin, Mr.
8 Rivero?

9 MR. RIVERO: Yes, the parties have
10 an Offer in Compromise to present to the Board
11 at this time. The offer consists of a fine of
12 \$2,000 payable immediately.

13 ACTING CHAIRMAN ALBERTI: Just one
14 moment, please.

15 The Offer in Compromise as I heard
16 it was a fine of \$2,000 to be paid today.

17 Mr. McIntosh, you've heard the
18 Offer in Compromise. Do you understand it and
19 do you accept it on behalf of your client?

20 MR. McINTOSH: I do, Mr. Alberti.

21 MEMBER ALBERTI: Thank you. And
22 will your waive your client's right to a

1 hearing based on that Offer in Compromise?

2 MR. McINTOSH: I do.

3 ACTING CHAIRMAN ALBERTI: Thank
4 you. So I move that we accept the Offer in
5 Compromise of a fine of \$2,000 to be paid
6 today. All those in favor, say aye?

7 (Chorus of ayes.)

8 ACTING CHAIRMAN ALBERTI: All
9 those opposed?

10 MEMBER JONES: Opposed.

11 ACTING CHAIRMAN ALBERTI: The
12 motion passes 3-1. And I think that concludes
13 this matter.

14 MR. RIVERO: Thank you.

15 ACTING CHAIRMAN ALBERTI: Mr.
16 McIntosh, if you'd just wait a second we'll
17 have a paper for you to sign. Thank you.

18 And we are off the record.

19 (Whereupon, the hearing was
20 concluded at 2:39 p.m.)

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<p style="text-align: center;">A</p> <p>accept 3:19 4:4 Acting 1:16,18 2:3 2:6 3:1,3,13 4:3,8 4:11,15 afternoon 2:5,16 2:21 agent 2:21 Alberti 1:16,18 2:3 2:6 3:1,3,13,20,21 4:3,8,11,15 Alcoholic 1:2,14,14 ANC 1:10 apologize 2:19 attend 2:20 attorney 2:21 aye 4:6 ayes 4:7</p> <hr/> <p style="text-align: center;">B</p> <p>Back 2:3 based 4:1 behalf 2:18 3:19 Beverage 1:2,14,14 Board 1:2,14 2:13 2:17,22 3:10 BROOKS 1:18 Building 1:15</p> <hr/> <p style="text-align: center;">C</p> <p>call 2:7 case 2:7,7 cause 1:8 2:8 3:6 Chairman 1:16,18 2:3,6 3:1,3,13 4:3 4:8,11,15 Chorus 4:7 client 2:19 3:19 client's 3:22 Columbia 1:1 2:15 Compromise 3:10 3:15,18 4:1,5 concluded 4:20 concludes 4:12 consists 3:11 Control 1:2,14,14 CR 1:8</p>	<p style="text-align: center;">D</p> <p>District 1:1 2:14 DONALD 1:18 D.C 1:15</p> <hr/> <p style="text-align: center;">F</p> <p>fact 2:19 Failed 1:10 favor 4:6 Fernando 1:22 2:14 file 1:10 2:20 fine 3:11,16 4:5 first 2:19</p> <hr/> <p style="text-align: center;">G</p> <p>going 2:7 Good 2:5,16</p> <hr/> <p style="text-align: center;">H</p> <p>heard 3:15,17 hearing 1:8,15 2:8 3:6 4:1,19 Hello 2:4 3:5 HERMAN 1:19</p> <hr/> <p style="text-align: center;">I</p> <p>immediately 3:12 Introductions 2:12</p> <hr/> <p style="text-align: center;">J</p> <p>JONES 1:19 4:10 JUNE 1:13</p> <hr/> <p style="text-align: center;">L</p> <p>let's 3:5 License 1:9 2:10 Licensee 2:18 LLC 1:6 2:9</p> <hr/> <p style="text-align: center;">M</p> <p>matter 1:5 4:13 matters 3:7 McINTOSH 2:5,16 2:18 3:2,4,17,20 4:2,16 MEETING 1:3 Member 1:18,19</p>	<p>1:19 3:21 4:10 Members 2:14,17 met 1:14 MIKE 1:19 moment 3:14 motion 4:12 move 4:4</p> <hr/> <p style="text-align: center;">N</p> <p>name 2:17 Nick 1:15,18 notice 2:20 NW 1:8 N.W 1:15</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:22 offer 3:10,11,15,18 4:1,4 Okay 3:1 opposed 4:9,10</p> <hr/> <p style="text-align: center;">P</p> <p>paid 3:16 4:5 paper 4:17 parties 2:11 3:9 passes 4:12 payable 3:12 Ping 1:6,7 2:9,9 please 2:12 3:14 Pong 1:6,7 2:9,10 present 1:17,21 3:10 presiding 1:16 procedural 3:7 P-R-O-C-E-E-D... 2:1 p.m 2:2 4:20</p> <hr/> <p style="text-align: center;">Q</p> <p>Quarter 1:11 Quarterly 1:10</p> <hr/> <p style="text-align: center;">R</p> <p>received 2:22 record 2:4 4:18 Reeves 1:15 regarding 2:9</p>	<p>Retailer 1:8 right 3:22 Rivero 1:22 2:13 2:14 3:8,9 4:14 Room 1:15</p> <hr/> <p style="text-align: center;">S</p> <p>seated 2:11 second 4:16 show 1:8 2:8 3:6 sign 4:17 SILVERSTEIN 1:19 Statements 1:11 Street 1:8,15</p> <hr/> <p style="text-align: center;">T</p> <p>Thank 2:13 3:2,3 3:21 4:3,14,17 think 4:12 Thomas 2:17 time 3:11 today 2:20 3:16 4:6 trading 2:9 t/a 1:7</p> <hr/> <p style="text-align: center;">U</p> <p>unable 2:20 understand 2:22 3:18</p> <hr/> <p style="text-align: center;">W</p> <p>wait 4:16 waive 3:22 Washington 1:15 we'll 4:16</p> <hr/> <p style="text-align: center;">Y</p> <p>yesterday 2:21</p> <hr/> <p style="text-align: center;">P</p> <p>p 1:5,12</p> <hr/> <p style="text-align: center;">\$</p> <p>\$2,000 3:12,16 4:5</p> <hr/> <p style="text-align: center;">0</p> <p>00051(a) 2:8</p>	<p style="text-align: center;">1</p> <p>12-AUD 2:7 12-AUD-00051(a) 1:9 14th 1:15</p> <hr/> <p style="text-align: center;">2</p> <p>2C 1:10 2nd 1:11 2:36 2:2 2:39 4:20 2000 1:15 2012 1:11 2013 1:13 26 1:13</p> <hr/> <p style="text-align: center;">3</p> <p>3-1 4:12</p> <hr/> <p style="text-align: center;">7</p> <p>7th 1:8</p> <hr/> <p style="text-align: center;">8</p> <p>82097 1:9 2:10</p> <hr/> <p style="text-align: center;">9</p> <p>900 1:8</p>
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