

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Lamaree, Inc. t/a
Aroma Indian Restaurant Show Cause
1919 I Street, NW Hearing
Retailer CR - ANC-2B
License No. 1847
Case #13-AUD-00080

(Failed to File Quarterly
Statements-2nd Quarter 2013)

July 30, 2014

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
NICK ALBERTI, Member
DONALD BROOKS, Member
HERMAN JONES, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

WALTER ADAMS, OAG

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

(10:04 a.m.)

CHAIRPERSON MILLER: Okay. It's 10:04 and we have a Show Cause Hearing scheduled for 10:00. That is Case No. 13-AUD-00080, Aroma Indian Restaurant located at 1919 I Street, N.W., License No. 1847, in ANC-2B.

MR. ADAMS: Good morning, Madam Chair.

MR. CHATWAL: Good morning.

CHAIRPERSON MILLER: Good morning.

MR. ADAMS: Good morning, Madam Chairman and Members of the Board. I'm Walter Adams representing the District of Columbia.

MR. CHATWAL: Good morning, Daljeet Chatwal for Aroma Indian Cuisine, Aroma Indian Restaurant, partner for this business.

CHAIRPERSON MILLER: Okay. Are there any preliminary issues in this case?

MR. ADAMS: Yes, there is a preliminary issue in this case.

1 CHAIRPERSON MILLER: Okay.

2 MR. ADAMS: Madam Chairman, for
3 this case there is a single charge of the
4 establishment following a failure to file the
5 quarterly statement for the 2nd quarter of
6 2013 on a timely basis.

7 The District would like to propose
8 or the Department would propose an Offer in
9 Compromise of a fine in the amount of \$2,000
10 to be paid within 60 days.

11 CHAIRPERSON MILLER: Okay. First
12 of all, I want to welcome Mr. Alberti, who has
13 just joined us.

14 MEMBER ALBERTI: Thank you.

15 CHAIRPERSON MILLER: Okay. And we
16 are on the Aroma Indian Restaurant Show Cause
17 Hearing.

18 Okay. Sir, the Office of the
19 Attorney General has offered an Offer in
20 Compromise of \$2,000 to be paid within 60 days
21 to resolve this case.

22 Do you agree to that Offer in

1 Compromise?

2 MR. CHATWAL: Yes, ma'am.

3 CHAIRPERSON MILLER: And do you
4 know that you waive your right to a hearing if
5 you enter into this Offer in Compromise?

6 MR. CHATWAL: Yes.

7 CHAIRPERSON MILLER: All right.
8 Are there any questions on this?

9 MEMBER SILVERSTEIN: Yes.

10 CHAIRPERSON MILLER: Yes, Mr.
11 Silverstein?

12 MEMBER SILVERSTEIN: Madam Chair,
13 I would like to inquire to the parties as to
14 the status of any other quarterly reports and
15 whether this particular report also has been
16 filed or will be filed.

17 MR. ADAMS: It's my -- based upon
18 representations from Mr. Singh that the
19 quarterly report set before us -- involved
20 here was filed, I believe, on Monday, based on
21 his representation. So based on his
22 representations, all quarterly filings have

1 been made. And he has been inquire -- he has
2 inquired to make sure that the ABRA has
3 received the current quarterly statement,
4 which is due today. So we --

5 MEMBER SILVERSTEIN: We have
6 received it?

7 MR. ADAMS: He is trying to make
8 sure that we have received, that ABRA has
9 received it. However, for the past quarterly
10 statements, it's my understanding that they
11 have all been received by ABRA.

12 MEMBER SILVERSTEIN: Thank you,
13 Mr. Adams.

14 MEMBER ALBERTI: May I?

15 CHAIRPERSON MILLER: Sure. Wait.
16 Mr. Short?

17 MEMBER SHORT: Yes. I would just
18 like to ask, Madam Chair --

19 COURT REPORTER: Excuse me, sir,
20 could you, please, turn your microphone on?

21 MEMBER SHORT: Yes. Good morning.
22 I would just like to inquire if the fine is

1 not -- if the \$2,000 is not paid within 60
2 days, is that going to in any way affect this
3 license?

4 CHAIRPERSON MILLER: This is an
5 Offer in Compromise, so you can ask Mr. Adams,
6 because, basically, it is what is presented to
7 us. And so they don't address that.

8 MR. ADAMS: I apologize. Mr.
9 Short, what was the question?

10 MEMBER SHORT: If the fine is not
11 paid, the \$2,000 Offer in Compromise is not
12 paid within 60 days, are there any
13 consequences for the licensee?

14 MR. ADAMS: Right. Well, yes,
15 there is. Within the Board's discretion, the
16 case would be referred to our office for --
17 based upon a failure to timely pay such fine.
18 And at that point, the Office of the Attorney
19 General will bring forward charges for the
20 establishment not paying the fine on time, in
21 which that could potentially, obviously, lead
22 to further fines and suspensions to the

1 license.

2 MEMBER SHORT: Thank you, Madam
3 Chair.

4 CHAIRPERSON MILLER: Okay. Mr.
5 Alberti?

6 MEMBER ALBERTI: A quick question
7 for Mr. Singh. Mr. Singh, the report that, I
8 guess, was due today or that you are filing,
9 that you are checking on, how was that filed?
10 Did you file it by mail, by --

11 MR. CHATWAL: It was filed on-line
12 and it should be here.

13 MEMBER ALBERTI: So it was filed
14 on-line. Okay. Did you get a receipt from
15 that?

16 MR. CHATWAL: I have not checked
17 on for it. That is what --

18 MEMBER ALBERTI: So you don't know
19 whether you got a receipt?

20 MR. CHATWAL: I did not check onto
21 that whether I received a receipt.

22 MEMBER ALBERTI: You're aware that

1 we do send receipts when you submit?

2 MR. CHATWAL: Yes, I'm aware of
3 that.

4 MEMBER ALBERTI: Thank you.

5 MR. CHATWAL: And actually, some
6 times I have been faxing it in, doing it on-
7 line and mailing it in.

8 MEMBER ALBERTI: Okay.

9 MR. CHATWAL: So that I don't miss
10 out anywhere.

11 MEMBER ALBERTI: All right. Thank
12 you.

13 CHAIRPERSON MILLER: Is it correct
14 that this involves a 2013 quarterly statement?

15 MR. CHATWAL: Yes, ma'am.

16 CHAIRPERSON MILLER: Okay. So
17 this is just one old one that something
18 happened to. Okay.

19 Any other questions?

20 MEMBER BROOKS: Yes.

21 CHAIRPERSON MILLER: Yes, Mr.
22 Brooks?

1 MEMBER BROOKS: Yes. I want to
2 ask counsel, now is this the eighth secondary?

3 MR. ADAMS: Yes, it is. I believe
4 that is a fair reading of it as being the
5 eighth secondary in this case.

6 MEMBER BROOKS: Thank you.

7 CHAIRPERSON MILLER: Okay. Any
8 other questions?

9 MR. ADAMS: And just as a last
10 point of information, Madam Chairman, the
11 Board has received or ABRA has received the
12 quarterly statement that is due for second
13 quarter of 2014. So that was timely filed.
14 So all those quarterly statements are filed.

15 CHAIRPERSON MILLER: All quarterly
16 statements have been filed?

17 MR. ADAMS: Yes.

18 CHAIRPERSON MILLER: Okay. All
19 right. Given that information, all
20 quarterlies seems to have been filed, I would
21 move that we approve this Offer in Compromise
22 of a fine of \$2,000 payable within 60 days.

1 MEMBER SILVERSTEIN: I second,
2 Madam Chair.

3 CHAIRPERSON MILLER: Thank you.
4 Any other comments? Okay. The motion has
5 been made and seconded.

6 All those in favor say aye.

7 MEMBER BROOKS: Aye.

8 CHAIRPERSON MILLER: Aye.

9 MEMBER SILVERSTEIN: Aye.

10 MEMBER RODRIGUEZ: Aye.

11 MEMBER SHORT: Aye.

12 CHAIRPERSON MILLER: All those
13 opposed?

14 MEMBER ALBERTI: Opposed.

15 CHAIRPERSON MILLER: All those
16 abstaining? I believe then the motion has
17 passed 5-1-0.

18 Okay. So that completes this
19 case. Thank you very much.

20 MR. ADAMS: Thank you.

21 CHAIRPERSON MILLER: The next case
22 is scheduled for 11:00, so the Board will

1 recess until 11:00. Thank you.

2 (Whereupon, the Show Cause Hearing
3 in the above-entitled matter was concluded at
4 10:11 a.m.)

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<p style="text-align: center;">A</p> <p>\$2,000 3:9,20 6:1 6:11 9:22 a.m 2:2 11:4 above-entitled 11:3 ABRA 5:2,8,11 9:11 abstaining 10:16 Adams 1:21 2:8,12 2:14,21 3:2 4:17 5:7,13 6:5,8,14 9:3,9,17 10:20 address 6:7 affect 6:2 agree 3:22 Alberti 1:16 3:12 3:14 5:14 7:5,6,13 7:18,22 8:4,8,11 10:14 Alcoholic 1:2,12,12 amount 3:9 ANC-2B 1:7 2:7 apologize 6:8 approve 9:21 Aroma 1:6 2:6,16 2:17 3:16 Attorney 3:19 6:18 aware 7:22 8:2 aye 10:6,7,8,9,10 10:11</p>	<p style="text-align: center;">C</p> <p>case 1:8 2:5,20,22 3:3,21 6:16 9:5 10:19,21 Cause 1:6 2:4 3:16 11:2 Chair 2:9 4:12 5:18 7:3 10:2 Chairman 2:13 3:2 9:10 Chairperson 1:14 1:16 2:3,11,19 3:1 3:11,15 4:3,7,10 5:15 6:4 7:4 8:13 8:16,21 9:7,15,18 10:3,8,12,15,21 charge 3:3 charges 6:19 Chatwal 2:10,15,16 4:2,6 7:11,16,20 8:2,5,9,15 check 7:20 checked 7:16 checking 7:9 Columbia 1:1 2:14 comments 10:4 completes 10:18 Compromise 3:9 3:20 4:1,5 6:5,11 9:21 concluded 11:3 consequences 6:13 Control 1:2,12,12 correct 8:13 counsel 9:2 COURT 5:19 CR 1:7 Cuisine 2:16 current 5:3</p>	<p>District 1:1 2:14 3:7 doing 8:6 DONALD 1:17 due 5:4 7:8 9:12</p> <p style="text-align: center;">E</p> <p>eighth 9:2,5 enter 4:5 establishment 3:4 6:20 Excuse 5:19</p> <p style="text-align: center;">F</p> <p>Failed 1:9 failure 3:4 6:17 fair 9:4 favor 10:6 faxing 8:6 file 1:9 3:4 7:10 filed 4:16,16,20 7:9 7:11,13 9:13,14 9:16,20 filing 7:8 filings 4:22 fine 3:9 5:22 6:10 6:17,20 9:22 finances 6:22 First 3:11 following 3:4 forward 6:19 further 6:22</p>	<p style="text-align: center;">I</p> <p>Indian 1:6 2:6,16 2:17 3:16 information 9:10 9:19 inquire 4:13 5:1,22 inquired 5:2 involved 4:19 involves 8:14 issue 2:22 issues 2:20</p> <p style="text-align: center;">J</p> <p>JAMES 1:19 joined 3:13 JONES 1:17 July 1:11</p> <p style="text-align: center;">K</p> <p>know 4:4 7:18</p> <p style="text-align: center;">L</p> <p>Lamaree 1:5 lead 6:21 license 1:7 2:7 6:3 7:1 licensee 6:13 line 8:7 located 2:6</p>	<p>met 1:12 microphone 5:20 MIKE 1:18 Miller 1:14,16 2:3 2:11,19 3:1,11,15 4:3,7,10 5:15 6:4 7:4 8:13,16,21 9:7 9:15,18 10:3,8,12 10:15,21 Monday 4:20 morning 2:8,10,11 2:12,15 5:21 motion 10:4,16 move 9:21</p> <p style="text-align: center;">N</p> <p>N.W 1:13 2:7 NICK 1:16 NW 1:6</p> <p style="text-align: center;">O</p> <p>OAG 1:21 obviously 6:21 Offer 3:8,19,22 4:5 6:5,11 9:21 offered 3:19 office 3:18 6:16,18 Okay 2:3,19 3:1,11 3:15,18 7:4,14 8:8 8:16,18 9:7,18 10:4,18 old 8:17 on-line 7:11,14 opposed 10:13,14</p>
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