

DISTRICT OF COLUMBIA

+ + + + +

ALCOHOLIC BEVERAGE CONTROL BOARD

+ + + + +

MEETING

p-----»

IN THE MATTER OF: :

:

Bistro Francais, Ltd. :

t/a Bistro Francais : Show Cause

3124 M Street, NW : Hearing

Retailer CR : (Status)

License No. 1428 :

Case No. 13-CMP-00172 :

ANC 2E :

Operating After Hours :

p-----¼

AUGUST 7, 2013

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

MIKE SILVERSTEIN, Member

ALSO PRESENT

WALTER ADAMS, OAG

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

2 9:55 a.m.

3 CHAIRPERSON MILLER: Next case is  
4 Case No. 13-CMP-00172, Bistro Francais,  
5 located at 3124 M Street, N.W., License No.  
6 1428 located in ANC 2E.

7 MR. CABRON: Good morning.

8 CHAIRPERSON MILLER: Good morning.  
9 This is a show cause status hearing, and I  
10 need to first have you introduce yourselves  
11 for the record. Introduce yourself. What's  
12 your name?

13 MR. CABRON: Gerard Cabron.

14 CHAIRPERSON MILLER: Can you sit?  
15 I need you to be picked up. No, stay. Could  
16 you sit down and speak into the mic on the  
17 table?

18 MR. CABRON: Gerard, G-E-R-A-R-D,  
19 Cabron, C-A-B-R-O-N.

20 CHAIRPERSON MILLER: Okay.

21 MR. CABRON: I represent Bistro  
22 Francais.

1 CHAIRPERSON MILLER: You're the  
2 owner?

3 MR. CABRON: Yes.

4 CHAIRPERSON MILLER: Okay.

5 MR. ADAMS: Okay. Good morning,  
6 Madam Chair and Members of the Board. I'm  
7 Walter Adams. I represent the District of  
8 Columbia in this matter.

9 CHAIRPERSON MILLER: Okay. Did  
10 you receive notice of this hearing?

11 MR. CABRON: Yes.

12 CHAIRPERSON MILLER: You read it  
13 and understood it?

14 MS. TODD: Yes.

15 CHAIRPERSON MILLER: Okay. We're  
16 going to make that notice a part of the record  
17 unless you have an objection.

18 MR. CABRON: No.

19 CHAIRPERSON MILLER: Okay. Are  
20 there any preliminary matters in this case,  
21 Mr. Adams?

22 MR. ADAMS: There is a preliminary

1 matter. This case, this is a single charge in  
2 this enforcement matter regarding I guess a  
3 violation of the Daylight Savings hours. And  
4 for that single charge; and this is the  
5 establishment's first violation, first  
6 secondary violation -- to settle the matter  
7 we've agreed to settle the matter for a \$500  
8 fine that can be paid today.

9 CHAIRPERSON MILLER: Okay. Do you  
10 agree with the Offer in Compromise of a \$500  
11 fine to be paid today?

12 MR. CABRON: Yes, ma'am.

13 CHAIRPERSON MILLER: And do you  
14 understand that you waive your right to a  
15 hearing by accepting this?

16 MR. CABRON: (No audible  
17 response.)

18 CHAIRPERSON MILLER: I'm sorry?

19 MR. CABRON: Yes.

20 CHAIRPERSON MILLER: Yes? Okay.  
21 Are there any questions by Board Members?

22 (No audible response.)

1                   CHAIRPERSON MILLER:   Okay.   Then I  
2   move that we approve this Offer in Compromise  
3   of \$500 to be paid today.   Do I have a second?

4                   MEMBER BROOKS:   Second.

5                   CHAIRPERSON MILLER:   Mr. Brooks  
6   has seconded the motion.   All those in favor,  
7   say aye?

8                   (Chorus of ayes.)

9                   CHAIRPERSON MILLER:   All those  
10   opposed?

11                   (No audible response.)

12                   CHAIRPERSON MILLER:   All those  
13   abstaining?

14                   (No audible response.)

15                   CHAIRPERSON MILLER:   The motion  
16   passes 4-0-0.   Thank you very much.

17                   (Whereupon, the hearing was  
18   concluded at 9:58 a.m.)

19

20

21

22

<b>A</b>	<b>C-A-B-R-O-N 2:19</b>	<b>met 1:14</b>	<b>record 2:11 3:16</b>	<b>P</b>
<b>abstaining 5:13</b>	<b>D</b>	<b>mic 2:16</b>	<b>Reeves 1:14</b>	<b>p 1:5,11</b>
<b>accepting 4:15</b>	<b>Daylight 4:3</b>	<b>MIKE 1:19</b>	<b>regarding 4:2</b>	<b>\$</b>
<b>Adams 1:22 3:5,7</b>	<b>District 1:1 3:7</b>	<b>Miller 1:15,17 2:3</b>	<b>represent 2:21 3:7</b>	<b>\$500 4:7,10 5:3</b>
<b>3:21,22</b>	<b>DONALD 1:18</b>	<b>2:8,14,20 3:1,4,9</b>	<b>response 4:17,22</b>	<b>1</b>
<b>agree 4:10</b>	<b>D.C 1:15</b>	<b>3:12,15,19 4:9,13</b>	<b>5:11,14</b>	<b>13-CMP-00172 1:9</b>
<b>agreed 4:7</b>	<b>E</b>	<b>4:18,20 5:1,5,9,12</b>	<b>Retailer 1:8</b>	<b>2:4</b>
<b>ALBERTI 1:18</b>	<b>enforcement 4:2</b>	<b>5:15</b>	<b>right 4:14</b>	<b>14th 1:14</b>
<b>Alcoholic 1:2,13,14</b>	<b>establishment's 4:5</b>	<b>morning 2:7,8 3:5</b>	<b>Room 1:14</b>	<b>1428 1:9 2:6</b>
<b>ANC 1:10 2:6</b>	<b>F</b>	<b>motion 5:6,15</b>	<b>Ruthanne 1:15,17</b>	<b>2</b>
<b>approve 5:2</b>	<b>favor 5:6</b>	<b>move 5:2</b>	<b>S</b>	<b>2E 1:10 2:6</b>
<b>audible 4:16,22</b>	<b>fine 4:8,11</b>	<b>N</b>	<b>Savings 4:3</b>	<b>2000 1:14</b>
<b>5:11,14</b>	<b>first 2:10 4:5,5</b>	<b>name 2:12</b>	<b>second 5:3,4</b>	<b>2013 1:12</b>
<b>AUGUST 1:12</b>	<b>Francais 1:6,7 2:4</b>	<b>need 2:10,15</b>	<b>secondary 4:6</b>	<b>3</b>
<b>aye 5:7</b>	<b>2:22</b>	<b>NICK 1:18</b>	<b>seconded 5:6</b>	<b>3124 1:8 2:5</b>
<b>ayes 5:8</b>	<b>G</b>	<b>notice 3:10,16</b>	<b>settle 4:6,7</b>	<b>4</b>
<b>a.m 2:2 5:18</b>	<b>Gerard 2:13,18</b>	<b>NW 1:8</b>	<b>show 1:7 2:9</b>	<b>4-0-0 5:16</b>
<b>B</b>	<b>going 3:16</b>	<b>N.W 1:15 2:5</b>	<b>SILVERSTEIN</b>	<b>7</b>
<b>Beverage 1:2,13,14</b>	<b>Good 2:7,8 3:5</b>	<b>O</b>	<b>1:19</b>	<b>7 1:12</b>
<b>Bistro 1:6,7 2:4,21</b>	<b>guess 4:2</b>	<b>OAG 1:22</b>	<b>single 4:1,4</b>	<b>9</b>
<b>Board 1:2,14 3:6</b>	<b>G-E-R-A-R-D 2:18</b>	<b>objection 3:17</b>	<b>sit 2:14,16</b>	<b>9:55 2:2</b>
<b>4:21</b>	<b>H</b>	<b>Offer 4:10 5:2</b>	<b>sorry 4:18</b>	<b>9:58 5:18</b>
<b>Brooks 1:18 5:4,5</b>	<b>hearing 1:8,14 2:9</b>	<b>Okay 2:20 3:4,5,9</b>	<b>speak 2:16</b>	
<b>Building 1:14</b>	<b>3:10 4:15 5:17</b>	<b>3:15,19 4:9,20 5:1</b>	<b>status 1:8 2:9</b>	
<b>C</b>	<b>hours 1:10 4:3</b>	<b>Operating 1:10</b>	<b>stay 2:15</b>	
<b>Cabron 2:7,13,13</b>	<b>I</b>	<b>opposed 5:10</b>	<b>Street 1:8,15 2:5</b>	
<b>2:18,19,21 3:3,11</b>	<b>introduce 2:10,11</b>	<b>owner 3:2</b>	<b>T</b>	
<b>3:18 4:12,16,19</b>	<b>L</b>	<b>P</b>	<b>table 2:17</b>	
<b>case 1:9 2:3,4 3:20</b>	<b>License 1:9 2:5</b>	<b>paid 4:8,11 5:3</b>	<b>Thank 5:16</b>	
<b>4:1</b>	<b>located 2:5,6</b>	<b>part 3:16</b>	<b>today 4:8,11 5:3</b>	
<b>cause 1:7 2:9</b>	<b>M</b>	<b>passes 5:16</b>	<b>TODD 3:14</b>	
<b>Chair 3:6</b>	<b>M 1:8 2:5</b>	<b>picked 2:15</b>	<b>t/a 1:7</b>	
<b>Chairperson 1:15</b>	<b>Madam 3:6</b>	<b>preliminary 3:20</b>	<b>U</b>	
<b>1:17 2:3,8,14,20</b>	<b>matter 1:5 3:8 4:1</b>	<b>3:22</b>	<b>understand 4:14</b>	
<b>3:1,4,9,12,15,19</b>	<b>4:2,6,7</b>	<b>PRESENT 1:17,21</b>	<b>understood 3:13</b>	
<b>4:9,13,18,20 5:1,5</b>	<b>matters 3:20</b>	<b>presiding 1:15</b>	<b>V</b>	
<b>5:9,12,15</b>	<b>ma'am 4:12</b>	<b>P-R-O-C-E-E-D-...</b>	<b>violation 4:3,5,6</b>	
<b>charge 4:1,4</b>	<b>MEETING 1:3</b>	<b>2:1</b>	<b>W</b>	
<b>Chorus 5:8</b>	<b>Member 1:18,18</b>	<b>Q</b>	<b>waive 4:14</b>	
<b>Columbia 1:1 3:8</b>	<b>1:19 5:4</b>	<b>questions 4:21</b>	<b>Walter 1:22 3:7</b>	
<b>Compromise 4:10</b>	<b>Members 3:6 4:21</b>	<b>R</b>	<b>Washington 1:15</b>	
<b>5:2</b>		<b>read 3:12</b>	<b>We're 3:15</b>	
<b>concluded 5:18</b>		<b>receive 3:10</b>	<b>we've 4:7</b>	
<b>Control 1:2,13,14</b>				
<b>CR 1:8</b>				