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

10:17 a.m.

CHAIRPERSON MILLER: Next case on the calendar is Case No. 13-CMP-00163, Avery's Bar and Lounge located at 1370 H Street, N.E., License No. 90527 in ANC 6A.

MR. ADAMS: Good morning, Madam Chairman. Walter Adams representing the District of Columbia.

MR. LEAKE: I'm Avery Leake representing Avery's Bar and Lounge.

CHAIRPERSON MILLER: Okay. And what's position with Avery's Bar and Lounge?

MR. LEAKE: Owner. General manager.

CHAIRPERSON MILLER: Okay. So this is a show cause status hearing. I need to ask if you received notice of the hearing.

MR. LEAKE: Yes, ma'am.

CHAIRPERSON MILLER: Read it and understood it?

MR. LEAKE: Yes, ma'am.

1 CHAIRPERSON MILLER: And we're
2 going to make that notice a part of the
3 record, unless you have an objection.

4 (No audible response.)

5 CHAIRPERSON MILLER: Okay. Are
6 there any preliminary matters?

7 MR. ADAMS: There is a preliminary
8 matter, Madam Chair.

9 CHAIRPERSON MILLER: Okay.

10 MR. ADAMS: The parties have
11 discussed this case. There's a single charge
12 for the establishment operating after hours
13 during the transition to Daylight Savings
14 Time. So as part of that single charge, it is
15 to my knowledge the establishment's first
16 violation, so the parties have discussed and
17 agreed to settle this matter for a payment of
18 a \$500 fine to be paid today.

19 CHAIRPERSON MILLER: Okay. Mr.
20 Leake, are you agreeable to that Offer in
21 Compromise of a \$500 fine payable to day?

22 MR. LEAKE: Yes, ma'am.

1 CHAIRPERSON MILLER: And you
2 understand you waive your right a hearing?

3 MR. LEAKE: Yes.

4 CHAIRPERSON MILLER: Okay. Any
5 Board questions?

6 (No audible response.)

7 CHAIRPERSON MILLER: I move that
8 we accept this Offer in Compromise of \$500 to
9 be paid today. Do I have a second?

10 MEMBER BROOKS: Second.

11 CHAIRPERSON MILLER: Mr. Brooks
12 has seconded the motion. All those in favor,
13 say aye?

14 (Chorus of ayes.)

15 CHAIRPERSON MILLER: All those
16 opposed?

17 (No audible response.)

18 CHAIRPERSON MILLER: All those
19 abstaining?

20 (No audible response.)

21 CHAIRPERSON MILLER: Motion passes
22 4-0-0.

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(Whereupon, the hearing was
concluded at 10:19 a.m.)

A	CT 1:8	ma'am 2:19,22 3:22	Q	P
abstaining 4:19	D	MEETING 1:3	questions 4:5	p 1:5,12
accept 4:8	day 3:21	Member 1:18,19	R	\$
Adams 1:22 2:7,8 3:7,10	Daylight 3:13	1:19 4:10	Read 2:20	\$500 3:18,21 4:8
agreeable 3:20	discussed 3:11,16	met 1:14	received 2:18	1
agreed 3:17	District 1:1 2:9	MIKE 1:19	record 3:3	10:17 2:2
ALBERTI 1:18	DONALD 1:19	Miller 1:16,18 2:3	Reeves 1:15	10:19 5:2
Alcoholic 1:2,14,14	D.C 1:15	2:12,16,20 3:1,5,9	representing 2:8	13-CMP-00163 1:9
ANC 1:10 2:6	E	3:19 4:1,4,7,11,15	2:11	2:4
Approved 1:11	establishment 3:12	4:18,21	response 3:4 4:6,17	4:20
audible 3:4 4:6,17 4:20	establishment's 3:15	morning 2:7	Retailer 1:8	1370 1:8 2:5
AUGUST 1:13	F	motion 4:12,21	right 4:2	14th 1:15
Avery 2:10	favor 4:12	move 4:7	Room 1:15	2
Avery's 1:6,7 2:4 2:11,13	G	N	Ruthanne 1:15,18	2000 1:15
aye 4:13	General 2:14	NE 1:8	S	2013 1:13
eyes 4:14	going 3:2	need 2:17	Savings 3:13	4
a.m 2:2 5:2	Good 2:7	NICK 1:18	second 4:9,10	4-0-0 4:22
B	H	notice 2:18 3:2	seconded 4:12	6
Bar 1:7 2:5,11,13	H 1:8 2:5	N.E 2:5	settle 3:17	6A 1:10 2:6
Beverage 1:2,14,14	hearing 1:8,15 2:17	N.W 1:15	show 1:8 2:17	7
Board 1:2,10,14 4:5	2:18 4:2 5:1	O	SILVERSTEIN	7 1:13
Brooks 1:19 4:10 4:11	hours 1:11 3:12	OAG 1:22	1:19	9
Building 1:15	K	objection 3:3	single 3:11,14	90527 1:9 2:6
C	knowledge 3:15	Offer 3:20 4:8	status 1:9 2:17	
calendar 2:4	L	Okay 2:12,16 3:5,9	Street 1:8,15 2:5	
case 1:9 2:3,4 3:11	Leake 2:10,10,14	3:19 4:4	T	
cause 1:8 2:17	2:19,22 3:20,22	operating 1:10	Time 3:14	
Chair 3:8	4:3	3:12	today 3:18 4:9	
Chairman 2:8	License 1:9 2:6	opposed 4:16	transition 3:13	
Chairperson 1:16	LLC 1:6	Owner 2:14	t/a 1:7	
1:18 2:3,12,16,20	located 2:5	P	U	
3:1,5,9,19 4:1,4,7	Lounge 1:7 2:5,11	paid 3:18 4:9	understand 4:2	
4:11,15,18,21	2:13	part 3:2,14	understood 2:21	
charge 3:11,14	M	parties 3:10,16	V	
Chorus 4:14	Madam 2:7 3:8	passes 4:21	violation 3:16	
Columbia 1:1 2:9	manager 2:15	payable 3:21	W	
Compromise 3:21 4:8	matter 1:5 3:8,17	payment 3:17	waive 4:2	
concluded 5:2	matters 3:6	position 2:13	Walter 1:22 2:8	
Control 1:2,14,14		preliminary 3:6,7	Washington 1:15	
		PRESENT 1:17,21	we're 3:1	
		presiding 1:16		
		P-R-O-C-E-E-D-...		
		2:1		