

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF: :  
: :  
TBM Holdings, LLC :  
t/a TruOrleans :  
400 H Street, NE : Show Cause  
Retailer CR : Hearing  
License No. 86210 : (Status)  
Case No. 11-CMP-00372 :  
ANC 6C :  
Failed to Comply With the :  
Terms of Its Offer in :  
Compromise of March 13, 2013 :  
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AUGUST 14, 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

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

10:14 a.m.

CHAIRPERSON MILLER: Next case on our calendar is Case No. 11-CMP-00372, TruOrleans located at 400 H Street, N.E., License No. 86210 in ANC 6C.

Is anybody here from TruOrleans?

MR. ADAMS: Madam Chair, this is Walter Adams representing the District of Columbia here this morning.

This morning counsel for the District called the ownership regarding possible resolution of the matter. This morning I received a call, or received a call via my office that indicated that according to the establishment lease that they claim they do not have notice of today's hearing, and I do not have sufficient documentation to be able to rebut that. Assuming that they were served, obviously we would just move to go forward to the show cause hearing, unless the Board has any other recommendations.

1 CHAIRPERSON MILLER: Okay.

2 According to my notes here, based on our  
3 records the owner was served, or the  
4 Respondent was served on June 21st, 2013. So  
5 at this point --

6 MS. TODD: Excuse me, Your Honor.

7 CHAIRPERSON MILLER: Oh, yes. Are  
8 you with them?

9 MS. TODD: I am with TruOrleans,  
10 but I haven't received -- I'm not here on that  
11 case today, so I have no notice --

12 CHAIRPERSON MILLER: Wait, wait.  
13 Back up and introduce yourself.

14 MS. TODD: I'm Karen Todd.

15 CHAIRPERSON MILLER: Okay.

16 MS. TODD: I represent TruOrleans  
17 in a protest hearing.

18 CHAIRPERSON MILLER: Okay.

19 MS. TODD: And I know we have  
20 mediation scheduled, but I don't know if this  
21 is regarding that issue or some other issue  
22 before us today. It's not?

1 CHAIRPERSON MILLER: No.

2 MR. ADAMS: It's a show cause.

3 MS. TODD: It's a show cause?

4 CHAIRPERSON MILLER: This is not  
5 related to the protest. This is a show cause  
6 hearing. We have on file a notice signed by  
7 Mr. Kelly, Gary Kelly.

8 MS. TODD: Who signed for it --

9 CHAIRPERSON MILLER: Do you know  
10 who that is?

11 MS. TODD: -- you're saying?

12 MEMBER ALBERTI: A Mr. Gary Kelly  
13 signed the service form acknowledging that the  
14 establishment was served.

15 MS. TODD: Okay.

16 MEMBER ALBERTI: I believe next to  
17 that -- just one moment. Okay.

18 CHAIRPERSON MILLER: Do you know  
19 Mr. Kelly?

20 MS. TODD: No, I don't know Mr.  
21 Kelly.

22 CHAIRPERSON MILLER: Okay.

1                   MEMBER ALBERTI: There may be, and  
2 I don't know, next to his signature is an ABRA  
3 -- what appears to be a license number, so  
4 that may be his -- if he's an ABC manager,  
5 that may be his manager's license number.

6                   MS. TODD: Well, I know they  
7 changed some ownership -- I mean, excuse me,  
8 some management recently.

9                   MEMBER ALBERTI: Right.

10                  MS. TODD: So I don't know who Mr.  
11 Kelly is, but I can look into it and we can  
12 move to go to the show cause with no problem.

13                  CHAIRPERSON MILLER: Right.

14                  MS. TODD: I just had no notice of  
15 it.

16                  CHAIRPERSON MILLER: Okay. So --

17                  MS. TODD: I can get a copy of  
18 that.

19                  CHAIRPERSON MILLER: -- will you  
20 be in touch with Mr. Adams then?

21                  MS. TODD: Yes.

22                  CHAIRPERSON MILLER: And we want

1 to make sure that --

2 MS. TODD: Absolutely.

3 CHAIRPERSON MILLER: -- you know,  
4 you received the notice. Okay.

5 Okay. So this case is scheduled  
6 for a show cause hearing September 18, 2013 at  
7 1:30 p.m.

8 MR. ADAMS: Yes. Yes, Madam  
9 Chair.

10 CHAIRPERSON MILLER: Okay. And  
11 you all will be in touch?

12 MR. ADAMS: Yes, we will.

13 CHAIRPERSON MILLER: Okay.

14 (Whereupon, the hearing was  
15 concluded at 10:18 a.m.)

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| <b>A</b>   | <b>concluded</b> 6:15<br><b>Control</b> 1:2,14,15<br><b>copy</b> 5:17<br><b>counsel</b> 2:11<br><b>CR</b> 1:8          | 4:18,20 5:2,6,10<br>6:3   | <b>Offer</b> 1:11<br><b>office</b> 2:15<br><b>Oh</b> 3:7<br><b>Okay</b> 3:1,15,18<br>4:15,17,22 5:16<br>6:4,5,10,13<br><b>owner</b> 3:3<br><b>ownership</b> 2:12 5:7  | 4:5 5:12 6:6<br><b>signature</b> 5:2<br><b>signed</b> 4:6,8,13<br><b>SILVERSTEIN</b><br>1:20<br><b>Status</b> 1:9<br><b>Street</b> 1:8,16 2:5<br><b>sufficient</b> 2:18<br><b>sure</b> 6:1   |
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| <b>B</b>   | <b>District</b> 1:1 2:9,12<br><b>documentation</b><br>2:18<br><b>DONALD</b> 1:19<br><b>D.C</b> 1:16                    | <b>lease</b> 2:16<br><b>license</b> 1:9 2:6 5:3<br>5:5<br><b>LLC</b> 1:6<br><b>located</b> 2:5<br><b>look</b> 5:11  | <b>point</b> 3:5<br><b>possible</b> 2:13<br><b>PRESENT</b> 1:18,21<br><b>presiding</b> 1:17<br><b>problem</b> 5:12<br><b>protest</b> 3:17 4:5<br><b>P-R-O-C-E-E-D-...</b><br>2:1<br><b>p.m</b> 6:7  | <b>TBM</b> 1:6<br><b>Terms</b> 1:11<br><b>today</b> 3:11,22<br><b>today's</b> 2:17<br><b>Todd</b> 3:6,9,14,14<br>3:16,19 4:3,8,11<br>4:15,20 5:6,10,14<br>5:17,21 6:2<br><b>touch</b> 5:20 6:11<br><b>TruOrleans</b> 1:7 2:5<br>2:7 3:9,16<br><b>t/a</b> 1:7 |
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**21st** 3:4

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