

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
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MEETING

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IN THE MATTER OF: :  
 :  
Saigon Bistro, LLC, :  
t/a Saigon Bistro : Show Cause  
2153 P Street NW : Hearing  
Retailer CR : (Status)  
 :  
License No. 81175 :  
Case No. 11-CMP-00385(NCBO):  
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OCTOBER 1, 2014

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

PRESENT:  
RUTHANNE MILLER, Chairperson  
DONALD BROOKS, Member  
NICK ALBERTI, Member  
HERMAN JONES, Member  
MIKE SILVERSTEIN, Member  
HECTOR RODRIGUEZ, Member  
JAMES SHORT, Member

ALSO PRESENT:

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P R O C E E D I N G S

9:59 a.m.

MS. MILLER: Okay, Case No. 11-  
CMP-00385 Saigon Bistro, located at 2135 P  
Street, Northwest. License No. 81175 ANC  
2B. Good morning.

MR. STERN: Good morning, Michael  
Stern for the District of Columbia.

MS. MILLER: Good morning.

MR. NGUYEN: Good morning. I'm  
Preston Nguyen and I'm representing for  
Saigon Bistro.

MS. MILLER: Okay. Let me ask  
you, did you receive Notice of this hearing?

MR. NGUYEN: Yes.

MS. MILLER: And did you read it  
and understand it?

MR. NGUYEN: Mm-hmm. Yeah, and I  
do have the, just last week, the letter from  
the license person, Nah Lao Lin-Howard and  
she did sign and dated it for me.

MS. MILLER: Did you put,

1 represent them?

2 MR. NGUYEN: Yes.

3 MS. MILLER: Okay. We're going  
4 to just, you got a copy for us or --

5 MR. NGUYEN: This one. Yes, you  
6 have it.

7 MS. MILLER: Wait. Let's see.  
8 Okay. Great. So are there some preliminary  
9 issues?

10 MR. STERN: There is, but I don't  
11 think the Board has questioned the  
12 Respondent yet on whether they received a  
13 copy and whether they understood it.

14 MS. MILLER: I did.

15 MR. STERN: You did? Okay,  
16 sorry.

17 MS. MILLER: I did and, right?  
18 You want to say it again for Mr. Stern? You  
19 did receive a copy of the Notice?

20 MR. STERN: It's okay. I just  
21 didn't hear it.

22 MS. MILLER: Okay.

1                   MR. STERN: In that case, there  
2 is a preliminary matter. The parties have  
3 reached an agreement which we would like to  
4 present to the Board as an offer and  
5 compromise and we hope the Board will  
6 accept. The offer of compromise would  
7 require the respondent to pay \$1750.00 today  
8 to resolve the charge against them.

9                   MS. MILLER: Okay. And --

10                  MR. STERN: By the way \$1750.00  
11 includes the prior amount which was owed, as  
12 well as the new violation. The priori  
13 amount was \$750.00. The new violation is  
14 \$1,000.00.

15                  MS. MILLER: Okay. And do you  
16 agree to that?

17                  MR. NGUYEN: Yes.

18                  MS. MILLER: Offer of  
19 compromise? And you understand that you  
20 waive your right to a hearing?

21                  MR. NGUYEN: Correct, yes.

22                  MS. MILLER: Okay. Are there any

1 questions from board members? Okay. Not  
2 hearing any then, also it's my, is it  
3 correct that I'm going to repeat this. It's  
4 a \$1,000.00 fine to be paid today, plus the  
5 \$750 that was owed, pursuant to the Board  
6 Order. And that's to be paid today. And is  
7 it also a part of this that if it's not paid  
8 within 30 days, the license would be  
9 suspended or no?

10 MR. STERN: If it's not paid  
11 today?

12 MS. MILLER: I'm sorry. Not paid  
13 within the 30 days?

14 MR. STERN: It's --

15 MS. MILLER: Oh, it's being paid  
16 today. Never mind. I'm sorry. Okay.  
17 Scratch that. Okay. All right. Any other  
18 questions? Okay. So it's a, OIC is  
19 \$1,000.00 for the penalty plus \$750.00 for  
20 the underlying amount due, which is \$1750.00  
21 due today. Okay. I move to approve. Is  
22 there a second?

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MR. RODRIGUEZ: Second.

MS. MILLER: MR. Rodriguez is the second of the Motion. All those in favor say aye.

(Chorus of ayes)

MS. MILLER: All those opposed? All those abstaining? Motion passes by a vote of 5-0-0. Thank you. Okay. Okay. Thank you, very much. If you wait, if you'll wait in the audience for a minute, okay.

(Whereupon the above hearing was concluded at 10:23 a.m.)

<b>A</b>	<b>D</b>	<b>M</b>	<b>P</b>	<b>S</b>
<b>\$1,000.00</b> 4:14 5:4 5:19 <b>\$1750.00</b> 4:7,10 5:20 <b>\$750</b> 5:5 <b>\$750.00</b> 4:13 5:19 <b>a.m</b> 2:2 6:13 <b>abstaining</b> 6:7 <b>accept</b> 4:6 <b>agree</b> 4:16 <b>agreement</b> 4:3 <b>ALBERTI</b> 1:17 <b>Alcoholic</b> 1:2,12,13 <b>amount</b> 4:11,13 5:20 <b>ANC</b> 2:5 <b>approve</b> 5:21 <b>audience</b> 6:10 <b>aye</b> 6:4 <b>ayes</b> 6:5	<b>D</b> 2:1 <b>D.C</b> 1:14 <b>dated</b> 2:21 <b>days</b> 5:8,13 <b>District</b> 1:1 2:8 <b>DONALD</b> 1:16 <b>due</b> 5:20,21	<b>located</b> 2:4 <b>matter</b> 1:5 4:2 <b>MEETING</b> 1:3 <b>Member</b> 1:16,17,17 1:18,18,19 <b>members</b> 5:1 <b>met</b> 1:12 <b>Michael</b> 2:7 <b>MIKE</b> 1:18 <b>Miller</b> 1:14,16 2:3 2:9,13,16,22 3:3,7 3:14,17,22 4:9,15 4:18,22 5:12,15 6:2,6 <b>mind</b> 5:16 <b>minute</b> 6:10 <b>Mm-hmm</b> 2:18 <b>morning</b> 2:6,7,9,10 <b>Motion</b> 6:3,7 <b>move</b> 5:21	<b>Order</b> 5:6 <b>owed</b> 4:11 5:5 <b>P</b> 1:7 2:1,4 <b>paid</b> 5:4,6,7,10,12 5:15 <b>part</b> 5:7 <b>parties</b> 4:2 <b>passes</b> 6:7 <b>pay</b> 4:7 <b>penalty</b> 5:19 <b>person</b> 2:20 <b>plus</b> 5:4,19 <b>preliminary</b> 3:8 4:2 <b>present</b> 1:15,21 4:4 <b>presiding</b> 1:14 <b>Preston</b> 2:11 <b>prior</b> 4:11 <b>priori</b> 4:12 <b>pursuant</b> 5:5 <b>put</b> 2:22	<b>Ruthanne</b> 1:14,16 <b>S</b> 2:1 <b>Saigon</b> 1:6,7 2:4,12 <b>Scratch</b> 5:17 <b>second</b> 5:22 6:1,3 <b>see</b> 3:7 <b>SHORT</b> 1:19 <b>Show</b> 1:7 <b>sign</b> 2:21 <b>SILVERSTEIN</b> 1:18 <b>sorry</b> 3:16 5:12,16 <b>Status</b> 1:8 <b>Stern</b> 2:7,8 3:10,15 3:18,20 4:1,10 5:10,14 <b>Street</b> 1:7,13 2:5 <b>suspended</b> 5:9
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<b>Beverage</b> 1:2,12,13 <b>Bistro</b> 1:6,7 2:4,12 <b>board</b> 1:2,12 3:11 4:4,5 5:1,5 <b>BROOKS</b> 1:16 <b>Building</b> 1:13	<b>E</b> 2:1,1 <b>F</b> <b>favor</b> 6:3 <b>fine</b> 5:4 <b>G</b> <b>G</b> 2:1 <b>going</b> 3:3 5:3 <b>Good</b> 2:6,7,9,10 <b>Great</b> 3:8 <b>H</b> <b>hear</b> 3:21 <b>hearing</b> 1:7,13 2:14 4:20 5:2 6:12 <b>HECTOR</b> 1:18 <b>HERMAN</b> 1:17 <b>hope</b> 4:5	<b>N</b> 2:1 <b>N.W</b> 1:13 <b>Nah</b> 2:20 <b>Never</b> 5:16 <b>new</b> 4:12,13 <b>Nguyen</b> 2:10,11,15 2:18 3:2,5 4:17,21 <b>NICK</b> 1:17 <b>Northwest</b> 2:5 <b>Notice</b> 2:14 3:19 <b>NW</b> 1:7 <b>O</b> <b>O</b> 2:1 <b>OCTOBER</b> 1:11 <b>offer</b> 4:4,6,18 <b>Oh</b> 5:15 <b>OIC</b> 5:18 <b>okay</b> 2:3,13 3:3,8 3:15,20,22 4:9,15 4:22 5:1,16,17,18 5:21 6:8,8,11 <b>opposed</b> 6:6	<b>questioned</b> 3:11 <b>questions</b> 5:1,18 <b>R</b> <b>R</b> 2:1 <b>reached</b> 4:3 <b>read</b> 2:16 <b>receive</b> 2:14 3:19 <b>received</b> 3:12 <b>Reeves</b> 1:13 <b>repeat</b> 5:3 <b>represent</b> 3:1 <b>representing</b> 2:11 <b>require</b> 4:7 <b>resolve</b> 4:8 <b>respondent</b> 3:12 4:7 <b>Retailer</b> 1:8 <b>right</b> 3:17 4:20 5:17 <b>Rodriguez</b> 1:18 6:1 6:2 <b>Room</b> 1:13	<b>t/a</b> 1:7 <b>Thank</b> 6:8,9 <b>think</b> 3:11 <b>today</b> 4:7 5:4,6,11 5:16,21 <b>U</b> <b>underlying</b> 5:20 <b>understand</b> 2:17 4:19 <b>understood</b> 3:13 <b>V</b> <b>violation</b> 4:12,13 <b>vote</b> 6:8 <b>W</b> <b>wait</b> 3:7 6:9,10 <b>waive</b> 4:20 <b>want</b> 3:18 <b>Washington</b> 1:14 <b>way</b> 4:10 <b>We're</b> 3:3 <b>week</b> 2:19
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