

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
: :
The Stadium Group, LLC :
t/a Stadium : Show Cause
2127 Queens Chapel Road, NE : Hearing
Retailer CN - ANC-5C :
License No. 82005 :
Case #12-251-00316 and :
Case #12-251-00316(a) :
:
(Allowed the Establishment to :
be used for an Unlawful or :
Disorderly Purpose, Violation :
of Settlement Agreement) :

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October 16, 2013
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
MIKE SILVERSTEIN, Member

ALSO PRESENT:

LOUISE PHILLIPS, OAG

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

2 (10:23 a.m.)

3 CHAIRPERSON MILLER: Yes, okay.

4 The next case is a Show Cause Hearing, Case
5 No. 12-251-00316 and 12-251-00316(a), Stadium
6 located at 2127 Queen Chapel Road, N.E.,
7 License No. 82005, in ANC-5C.

8 MS. PHILLIPS: Good morning,
9 Louise Phillips.

10 CHAIRPERSON MILLER: Good morning.

11 MS. PHILLIPS: Assistant Attorney
12 General for the District of Columbia. Good
13 morning again, Board Members.

14 CHAIRPERSON MILLER: Good morning.

15 MS. TODD: Good morning, Karen
16 Todd on behalf of Stadium Group.

17 CHAIRPERSON MILLER: Okay. So
18 this is a Show Cause Hearing. Are there any
19 preliminary matters?

20 MS. PHILLIPS: Yes, Madam Chair,
21 there are. I have spoken with counsel and we
22 are prepared to offer an offer in compromise,

1 but there have been certain circumstances
2 which have changed and because I was ill the
3 latter part of last week, I was unable to put
4 in effect some other ways of proving this case
5 and I was unable to discuss the alternate
6 methods of proof with Ms. Todd.

7 Her client is not here. He got
8 the dates confused. The Investigator has
9 left, but I can subpoena him, I understand and
10 I might be able to subpoena him.

11 But Ms. -- and I would like to
12 have subpoenas issues for some other matters,
13 if need be.

14 So what I'm asking for right now
15 is for a continuance of the Show Cause Hearing
16 so that either we can enter another OIC or I
17 can have subpoenas issued that I need because
18 of the altered circumstances in the evidence,
19 i.e., the Investigator no longer being here
20 and other issues.

21 CHAIRPERSON MILLER: Okay.

22 MS. PHILLIPS: Ms. Todd consented,

1 I believe.

2 MS. TODD: Yes, I was going to
3 say.

4 CHAIRPERSON MILLER: All right.
5 And you are authorized to represent Stadium,
6 I believe.

7 MS. TODD: I am.

8 CHAIRPERSON MILLER: Yes, okay.
9 All right. So you two are in agreement for a
10 continuance?

11 MS. TODD: Yes.

12 CHAIRPERSON MILLER: That's all
13 that is being asked for specifically right
14 now?

15 MS. PHILLIPS: That's all that is
16 being asked for, right. Altered circumstances
17 require discussion with her client.

18 CHAIRPERSON MILLER: Okay. And
19 how much time do you need?

20 MS. PHILLIPS: The next convenient
21 date if it's convenient for Ms. Todd or for me
22 and if we call around --

1 CHAIRPERSON MILLER: Okay.

2 MS. PHILLIPS: -- maybe not decide
3 right this minute.

4 CHAIRPERSON MILLER: Right.

5 MS. PHILLIPS: You know, we can
6 conference call with Ms. Jenkins.

7 CHAIRPERSON MILLER: Okay. All
8 right.

9 MS. TODD: That's fine with me.

10 CHAIRPERSON MILLER: That's fine
11 with you also. Okay. Do Board Members have
12 any questions?

13 MEMBER ALBERTI: No.

14 CHAIRPERSON MILLER: All right.
15 Then there is a motion, a joint motion from --
16 is it a joint motion or --

17 MS. PHILLIPS: It's a Consent
18 Motion is what I call them.

19 CHAIRPERSON MILLER: Consent
20 Motion.

21 MS. PHILLIPS: And it's oral,
22 because I didn't realize this issue since

1 yesterday.

2 CHAIRPERSON MILLER: Okay. Our
3 general counsel has identified a date and time
4 and that would be February 5th at 10:00 a.m.

5 MS. TODD: February?

6 CHAIRPERSON MILLER: Yes.

7 MS. PHILLIPS: Well, I don't even
8 have to look at my calendar to say that it's
9 free.

10 CHAIRPERSON MILLER: Okay. Ms.
11 Todd does though.

12 MS. PHILLIPS: So 2/5/14 at 10:00?

13 CHAIRPERSON MILLER: I'm just
14 waiting to hear from Ms. Todd.

15 MS. TODD: Yes, that's fine.

16 CHAIRPERSON MILLER: Oh, okay,
17 fine.

18 MS. TODD: Yes, I'm sorry.

19 CHAIRPERSON MILLER: Then I'm
20 going to have the Board vote on that
21 continuance. I move to continue this case and
22 that we grant the Consent Motion to continue

1 this case for Show Cause Hearing and the date
2 that it would be continued to will be February
3 5, 2014.

4 Do I have a second?

5 MEMBER SILVERSTEIN: Second.

6 CHAIRPERSON MILLER: Mr.

7 Silverstein seconded the motion.

8 All those in favor say aye.

9 ALL: Aye.

10 CHAIRPERSON MILLER: All those
11 opposed? All those abstaining? Okay. The
12 motion passes and this case is continued to
13 February 5, 2014 at 10:00 a.m.

14 MS. TODD: Thank you.

15 CHAIRPERSON MILLER: Okay. Thank
16 you.

17 (Whereupon, the Show Cause Hearing
18 in the above-entitled matter was concluded at
19 10:28 a.m.)

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| <p>A</p> <p>a.m 2:2 6:4 7:13,19 able 3:10 above-entitled 7:18 abstaining 7:11 agreement 1:12 4:9 ALBERTI 1:21 5:13 Alcoholic 1:2,15,15 Allowed 1:10 altered 3:18 4:16 alternate 3:5 ANC-5C 1:8 2:7 asked 4:13,16 asking 3:14 Assistant 2:11 Attorney 2:11 authorized 4:5 aye 7:8,9</p> | <p>3:18 4:16 client 3:7 4:17 CN 1:8 Columbia 1:1 2:12 compromise 2:22 concluded 7:18 conference 5:6 confused 3:8 Consent 5:17,19 6:22 consented 3:22 continuance 3:15 4:10 6:21 continue 6:21,22 continued 7:2,12 Control 1:2,15,15 convenient 4:20,21 counsel 2:21 6:3</p> | <p>2:15 grant 6:22 Group 1:6 2:16</p> <p>H</p> <p>hear 6:14 Hearing 1:7,16 2:4 2:18 3:15 7:1,17</p> <p>I</p> <p>i.e 3:19 identified 6:3 ill 3:2 Investigator 3:8,19 issue 5:22 issued 3:17 issues 3:12,20</p> <p>J</p> <p>Jenkins 5:6 joint 5:15,16</p> | <p>4:4,8,12,18 5:1,4 5:7,10,14,19 6:2,6 6:10,13,16,19 7:6 7:10,15 minute 5:3 morning 2:8,10,13 2:14,15 motion 5:15,15,16 5:18,20 6:22 7:7 7:12 move 6:21</p> <p>N</p> <p>N.E 2:6 N.W 1:17 NE 1:7 need 3:13,17 4:19 NICK 1:21</p> <p>O</p> <p>OAG 1:25 October 1:14 offer 2:22,22 Oh 6:16 OIC 3:16 okay 2:3,17 3:21 4:8,18 5:1,7,11 6:2,10,16 7:11,15 opposed 7:11 oral 5:21</p> | <p>Q</p> <p>Queen 2:6 Queens 1:7 questions 5:12</p> <p>R</p> <p>realize 5:22 Reeves 1:16 represent 4:5 require 4:17 Retailer 1:8 right 3:14 4:4,9,13 4:16 5:3,4,8,14 Road 1:7 2:6 Room 1:16 Ruthanne 1:17,21</p> <p>S</p> <p>second 7:4,5 seconded 7:7 Settlement 1:12 Show 1:6 2:4,18 3:15 7:1,17 Silverstein 1:22 7:5 7:7 sorry 6:18 specifically 4:13 spoken 2:21 Stadium 1:6,6 2:5 2:16 4:5 Street 1:17 subpoena 3:9,10 subpoenas 3:12,17 Suite 1:17</p> |
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