

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

IN THE MATTER OF:

Taj Mahal Enterprises, Ltd.	
t/a Fiesta Restaurant&Lounge	Show Cause
1327 Connecticut Ave., NW	Hearing
Retailer CR - ANC-2B	(Status)
License No. 882	
Case #14-AUD-00032	

(Failed to Allow on ABRA	11/12/2014
Investigator to Enter or	
Inspect Without Delay or	
Otherwise Interfered with an	
Investigation, Failed to	
Qualify as a Restaurant,	
Failed to Maintain Books	
and Records)	

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
 HECTOR RODRIGUEZ, Member
 JAMES SHORT, Member

ALSO PRESENT:

CHRISSY GEPHARDT, OAG

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

(9:40 a.m.)

CHAIRPERSON MILLER: Okay. Good morning, ladies and gentlemen. I would like to welcome you to the regularly scheduled meeting of the District of Columbia Alcoholic Beverage Control Board. Today is November 12, 2014.

My name is Ruthanne Miller. I'm the Chairperson. Joining me today to my far right is Mr. Donald Brooks. And next to Mr. Brooks is Mr. Nick Alberti. And to my immediate right is Mr. Hector Rodriguez. To my immediate left is Mr. Mike Silverstein. And next to Mr. Silverstein is Mr. James Short. We have five Members in attendance this morning, with three constituting a quorum. I'm sorry, six Members.

Copies of today's hearing calendar and agenda are available at the receptionist desk. Please be aware that these proceedings are being recorded by a court reporter.

1 Accordingly, we must ask you to refrain from
2 any disruptive noises or actions in the
3 hearing room.

4 If you have any electronic
5 devices, pagers, cell phones or such, please,
6 make certain they are turned off to avoid any
7 interruption of the proceedings.

8 When I call your case, please,
9 come forward and take a seat at one of the
10 tables. You will note there is a piece of
11 paper on each table for you to sign-in. This
12 is to ensure the correct spelling of your name
13 for the record.

14 The Open Meetings Act requires
15 that the public hearing on each case be open
16 to the public. The Board may, consistent with
17 Section 405(b) of the Open Meetings Act, enter
18 a closed meeting during or after the public
19 hearing on a case to consult with an attorney
20 to obtain legal advice, discuss settlement
21 agreements or deliberate upon a decision in an
22 adjudication proceeding.

1 So that concludes my introductory
2 remarks and we can now turn to this morning's
3 calendar.

4 The first case on the calendar is
5 Case No. 14-AUD-00032, Fiesta Restaurant and
6 Lounge located at 1327 Connecticut Avenue,
7 N.W., License No. 882, in ANC-2B.

8 MS. GEPHARDT: Madam Chair, before
9 we start, I wanted to ask --

10 COURT REPORTER: Can you turn your
11 mike on?

12 MS. GEPHARDT: Madam Chair, I
13 would ask that we could pass on this case
14 briefly.

15 CHAIRPERSON MILLER: Okay.

16 MS. GEPHARDT: We just need to
17 speak to some people to try to figure out
18 something.

19 CHAIRPERSON MILLER: Okay. That's
20 fine.

21 CHAIRPERSON MILLER: So if we
22 could go to the next case?

1 CHAIRPERSON MILLER: Okay.

2 (Whereupon, the above-entitled
3 matter went off the record at 9:43 a.m. and
4 resumed at 9:49 a.m.)

5 MR. MALIK: Good morning,
6 everybody.

7 CHAIRPERSON MILLER: Okay. We are
8 ready. We are calling the case of Fiesta
9 Restaurant and Lounge, correct? Okay. Case
10 No. 14-AUD-00032. You can have a seat.

11 COURT REPORTER: Ms. Miller, could
12 you turn on your mike?

13 CHAIRPERSON MILLER: Right. I
14 did. Okay. Case No. 14-AUD-00032, Fiesta
15 Restaurant and Lounge is being recalled.

16 Okay. Would you introduce
17 yourselves for the record, please?

18 MS. GEPHARDT: Chrissy Gephardt on
19 behalf of the Office of the Attorney General
20 for the District of Columbia.

21 MR. MALIK: Raj Malik.

22 CHAIRPERSON MILLER: Okay. And

1 are you the owner?

2 MR. MALIK: (No audible answer.)

3 CHAIRPERSON MILLER: Are you the
4 owner?

5 MR. MALIK: No.

6 CHAIRPERSON MILLER: All right.
7 What is your --

8 COURT REPORTER: Is your
9 microphone on?

10 MS. GEPHARDT: Oh, here, hold on.

11 MR. MALIK: Taj Mahal Enterprises.

12 MS. GEPHARDT: No, no, no. Yes,
13 yes. Thanks.

14 CHAIRPERSON MILLER: I'm sorry,
15 could you repeat that?

16 MS. GEPHARDT: No, it's on. It's
17 on.

18 CHAIRPERSON MILLER: And what's
19 your relation to the Fiesta Restaurant and
20 Lounge?

21 MR. MALIK: (No audible answer.)

22 CHAIRPERSON MILLER: Are you the

1 owner?

2 MR. MALIK: (No audible answer.)

3 CHAIRPERSON MILLER: Well, let me
4 see who are you with? Would you introduce
5 yourself?

6 MR. TULI: May I explain on his
7 behalf, if you don't mind?

8 CHAIRPERSON MILLER: Okay. Could
9 you -- yes, the microphone is on the table.
10 Okay.

11 MR. TULI: Okay. I'm sorry. Mr.
12 Malik is the owner of the Taj Mahal
13 Enterprises.

14 CHAIRPERSON MILLER: Okay.

15 MR. TULI: He has the license.

16 CHAIRPERSON MILLER: Okay. Okay.

17 MR. TULI: I was operating under
18 his license trading as Fiesta, Inc.

19 CHAIRPERSON MILLER: Okay.

20 MR. TULI: My name is Sanjeen
21 Tuli. His name is Raj Malik.

22 CHAIRPERSON MILLER: Okay. And I

1 need to ask you all if you got notice of this
2 hearing? Did you receive notice?

3 MR. TULI: Ma'am, the true fact is
4 that we did receive the notice in the month of
5 -- for the audit in the month of January.

6 During that time, I was traveling, so we asked
7 for an extension. And the unfortunate part is
8 that the restaurant always used to be closed
9 in the morning and it was only opening in the
10 evening.

11 We never received the notice for
12 the second time that the audit was supposed to
13 take place.

14 CHAIRPERSON MILLER: Okay. So I'm
15 really asking about the notice for this
16 hearing.

17 MR. TULI: For this hearing?

18 CHAIRPERSON MILLER: I mean, you
19 are here.

20 MR. TULI: Yes, Mr. Malik received
21 the notice.

22 CHAIRPERSON MILLER: Okay. And

1 he --

2 MR. TULI: I'm sorry.

3 CHAIRPERSON MILLER: That's okay.

4 And he read it and understood it?

5 MR. MALIK: What for this hearing?

6 CHAIRPERSON MILLER: For this
7 hearing.

8 MR. MALIK: We received the notice
9 with a copy sent to me.

10 CHAIRPERSON MILLER: Okay. That's
11 fine. We just want to make sure there is no
12 notice issue for the hearing.

13 MR. TULI: That's right.

14 CHAIRPERSON MILLER: Okay. Ms.
15 Gephardt, are there any preliminary issues you
16 want to bring to our attention?

17 MS. GEPHARDT: No, there are no
18 preliminary issues, at this time.

19 CHAIRPERSON MILLER: Okay.

20 MS. GEPHARDT: We would ask that
21 we proceed to the Show Cause Hearing.

22 CHAIRPERSON MILLER: Okay. And

1 I'm going to give you the date for the Show
2 Cause Hearing.

3 MR. TULI: Wonderful.

4 CHAIRPERSON MILLER: And that is
5 January 17, 2015 at 11:00 a.m.

6 MR. TULI: All right.

7 CHAIRPERSON MILLER: Okay. That's
8 it. Thank you.

9 MR. TULI: Thank you for your
10 time.

11 CHAIRPERSON MILLER: Thank you.

12 MS. GEPHARDT: Okay. Thank you.

13 CHAIRPERSON MILLER: Okay.

14 (Whereupon, the Show Cause
15 (Status) Hearing in the above-entitled matter
16 was concluded at 9:52 a.m.)

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