

DISTRICT OF COLUMBIA  
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 ALCOHOLIC BEVERAGE CONTROL BOARD  
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 MEETING

IN THE MATTER OF:

Howard Theatre Entertainment, LLC t/a Howard Theatre 620 T Street, NW Retailer CX - ANC-1B License No. 88646 Case #14-CMP-00240 Case #14-251-00220 Case #14-251-00238	Show Cause Hearing (Status)     12/10/14
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(No Manager on Duty (three Counts), Operating After Hours, Interfered with an Investigation (two Counts), Allowed Establishment to be Used for an Unlawful or Disorderly Purpose)

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:

FERNANDO RIVERO, OAG

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

2 (10:29 a.m.)

3 CHAIRPERSON MILLER: All right.

4 The next case or cases, I guess, are Case No.

5 14-CMP-00240, 14-251-00229 and 14-251-00238,

6 Howard Theatre located at 620 T Street, N.W.,

7 License No. 88646, in ANC-1B.

8 MR. KLINE: Andrew Kline here on

9 behalf of the licensee.

10 CHAIRPERSON MILLER: Okay.

11 MR. ELLIS: Chip Ellis, Howard

12 Theatre Entertainment Hospitality Group.

13 MR. KLINE: Mr. Ellis is on the

14 license. Mr. Fernando has this case and he

15 stepped out, I believe.

16 CHAIRPERSON MILLER: He is coming

17 in right now.

18 MR. RIVERO: Good morning, Board

19 Members. Fernando Rivero for the District of

20 Columbia.

21 CHAIRPERSON MILLER: Okay. Mr.

22 Kline, did your client receive notice of this

1 hearing?

2 MR. KLINE: Yes. Received it,  
3 read it, understood it and waive any required  
4 formal reading.

5 CHAIRPERSON MILLER: All right.  
6 Mr. Rivero, are there any preliminary matters  
7 in this case?

8 MR. RIVERO: Actually, the parties  
9 are working on an Offer in Compromise. The  
10 Government needs a little more time for that.  
11 And as a result, we would like to request an  
12 extension of the currently scheduled Show  
13 Cause Hearing. I believe it is scheduled for  
14 January.

15 CHAIRPERSON MILLER: 14?

16 MR. RIVERO: 14th. And we would  
17 like to be able to have any one of the  
18 Wednesdays in February would suit us. An  
19 extension of 30 days.

20 CHAIRPERSON MILLER: Okay. How  
21 about we --

22 MR. RIVERO: The 18th is good for

1 us.

2 CHAIRPERSON MILLER: The 18th of  
3 what?

4 MR. RIVERO: Of February.

5 CHAIRPERSON MILLER: Is good for a  
6 hearing?

7 MR. RIVERO: Yes.

8 CHAIRPERSON MILLER: January 18th?

9 MR. RIVERO: A Show Cause.

10 MR. KLINE: February.

11 CHAIRPERSON MILLER: February 18th?

12 MR. RIVERO: Yes. If that works  
13 with the Board's calendar.

14 CHAIRPERSON MILLER: Okay. Let me  
15 just ask you if you are amenable or you think  
16 it's a good idea to convert the Show Cause  
17 Hearing to a Status Hearing if you think that  
18 you are trying to work things out?

19 MR. RIVERO: Yes, I don't know  
20 that that --

21 CHAIRPERSON MILLER: Or not?  
22 That's January 14th.

1 MR. RIVERO: Right. That's too  
2 tight for me right now, unfortunately.

3 CHAIRPERSON MILLER: Okay.

4 MR. RIVERO: That's why we need  
5 that extra breathing room of 30 days.

6 CHAIRPERSON MILLER: Breathing  
7 room of how many days? 30?

8 MR. RIVERO: Well, just that extra  
9 bump of 30 days.

10 CHAIRPERSON MILLER: Okay.

11 MR. RIVERO: So that I can work  
12 between mid-January and mid-February.

13 CHAIRPERSON MILLER: Okay.

14 MS. PHILLIPS: Ruthanne?

15 CHAIRPERSON MILLER: Yes?

16 MS. PHILLIPS: Grant the extension  
17 and we will get back to them on a date. It  
18 may not be the 18th.

19 CHAIRPERSON MILLER: Okay. So if  
20 Board Members don't object, what we can do is  
21 grant an extension from that January 14th date  
22 and that date just needs to be confirmed by

1 our General Counsel. So I know you have said  
2 the February 18th date is available to you. I  
3 don't -- if that's a problem, she will get in  
4 touch with you.

5 MR. RIVERO: Okay.

6 MR. KLINE: Great.

7 CHAIRPERSON MILLER: All right.

8 So we will be confirming a new date.

9 MR. KLINE: Thank you.

10 CHAIRPERSON MILLER: Okay. Thank  
11 you.

12 MR. RIVERO: Thank you.

13 CHAIRPERSON MILLER: Have a good  
14 holiday.

15 MR. ELLIS: Happy holidays.

16 CHAIRPERSON MILLER: All right.

17 (Whereupon, the Show Cause  
18 (Status) Hearing in the above-entitled matter  
19 was concluded at 10:33 a.m.)  
20  
21  
22

<b>A</b>	<b>DONALD</b> 1:19 <b>Duty</b> 1:10	<b>located</b> 2:6	<b>required</b> 3:3 <b>result</b> 3:11 <b>Retailer</b> 1:7 <b>right</b> 2:3,17 3:5 5:1,2 6:7,16 <b>Rivero</b> 1:22 2:18,19 3:6 3:8,16,22 4:4,7,9,12 4:19 5:1,4,8,11 6:5,12 <b>RODRIGUEZ</b> 1:20 <b>room</b> 1:15 5:5,7 <b>Ruthanne</b> 1:16,18 5:14
<b>a.m</b> 2:2 6:19 <b>able</b> 3:17 <b>above-entitled</b> 6:18 <b>ALBERTI</b> 1:19 <b>Alcoholic</b> 1:2,14,15 <b>Allowed</b> 1:12 <b>amenable</b> 4:15 <b>ANC-1B</b> 1:7 2:7 <b>Andrew</b> 2:8 <b>available</b> 6:2	<b>E</b>	<b>M</b>	<b>S</b>
<b>B</b>	<b>Ellis</b> 2:11,11,13 6:15 <b>Entertainment</b> 1:5 2:12 <b>Establishment</b> 1:12 <b>extension</b> 3:12,19 5:16 5:21 <b>extra</b> 5:5,8	<b>Manager</b> 1:10 <b>matter</b> 1:4 6:18 <b>matters</b> 3:6 <b>MEETING</b> 1:3 <b>Member</b> 1:19,19,20,20 1:21 <b>Members</b> 2:19 5:20 <b>met</b> 1:15 <b>mid-February</b> 5:12 <b>mid-January</b> 5:12 <b>MIKE</b> 1:20 <b>Miller</b> 1:16,18 2:3,10,16 2:21 3:5,15,20 4:2,5,8 4:11,14,21 5:3,6,10 5:13,15,19 6:7,10,13 6:16 <b>morning</b> 2:18	<b>scheduled</b> 3:12,13 <b>SHORT</b> 1:21 <b>Show</b> 1:6 3:12 4:9,16 6:17 <b>SILVERSTEIN</b> 1:20 <b>Status</b> 1:7 4:17 6:18 <b>stepped</b> 2:15 <b>Street</b> 1:6,16 2:6 <b>suit</b> 3:18 <b>Suite</b> 1:16
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