

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

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|                         |                    |
|-------------------------|--------------------|
| IN THE MATTER OF:       | :                  |
| Al-Hamd Inc.            | :                  |
| t/a Aatish on the Hill  | : Show Cause       |
| 609 Pennsylvania Ave SE | : Hearing (Status) |
| License #25153          | : Case No.         |
| Retailer CR             | : 12-CMP-00491     |
| ANC 6B                  | :                  |

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December 12, 2012

The Alcoholic Beverage Control Board met in 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:

FERNANDO RIVERO

IFTIKHAR KHAN

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

9:51 a.m.

CHAIRPERSON MILLER: The next case on the calendar is another Show Cause Status hearing, Case No. 12-CMP-00491, Aatish on the Hill, 609 Pennsylvania Avenue SE, License No. 25153, in ANC 6B.

Did I skip one? Okay. We'll go back.

(Whereupon, at 9:52 a.m., a recess until 9:55 a.m.)

Okay, now the next case is Case No. 12-CMP-00491, Aatish on the Hill, 609 Pennsylvania Avenue SE, License No. 25153, in ANC 6B.

MR. KHAN: Good morning.

CHAIRPERSON MILLER: Good morning.

MR. RIVERO: Fernando Rivero for the District of Columbia.

CHAIRPERSON MILLER: Thank you.

And, you are, sir?

MR. KHAN: Iftikhar Khan.

1 CHAIRPERSON MILLER: Mr. Khan?

2 MR. KHAN: Yes.

3 CHAIRPERSON MILLER: And, you are  
4 the owner?

5 MR. KHAN: Yes.

6 CHAIRPERSON MILLER: Okay. And,  
7 when you have a chance, if you could sign in,  
8 if you haven't already.

9 Mr. Khan, did you receive notice  
10 of this hearing?

11 MR. KHAN: Yes.

12 CHAIRPERSON MILLER: Did you read  
13 it?

14 MR. KHAN: Yes.

15 CHAIRPERSON MILLER: Did you  
16 understand it?

17 MR. KHAN: Yes.

18 CHAIRPERSON MILLER: And, do you  
19 waive the Board's reading of the notice into  
20 the record?

21 MR. KHAN: Yes.

22 CHAIRPERSON MILLER: Okay. Mr.

1 Rivero, do we have any preliminary matters in  
2 this case?

3 MR. RIVERO: Yes. The parties  
4 have an offer in compromise to present to the  
5 Board at this time.

6 CHAIRPERSON MILLER: Okay.

7 MR. RIVERO: And, that offer  
8 consists of a fine of \$350 --

9 MEMBER SILVERSTEIN: Say again.

10 MR. RIVERO: A fine of \$350,  
11 payable immediately.

12 CHAIRPERSON MILLER: Okay. Mr.  
13 Khan, are you agreeable to that offer in  
14 compromise?

15 MR. KHAN: Yes.

16 CHAIRPERSON MILLER: Okay. A fine  
17 of \$350, payable immediately. Okay.

18 And, have all your quarterly  
19 statements been submitted?

20 MR. KHAN: Yes, I leave them  
21 there. They have them. They are all on file.

22 CHAIRPERSON MILLER: Okay. Okay.

1 Any other questions from Board Members?

2 Okay. Then I would move that --

3 oh, let me ask you this, Mr. Khan, do you

4 realize that by accepting an offer in

5 compromise you waive your right to a hearing?

6 MR. KHAN: Excuse me?

7 CHAIRPERSON MILLER: If you accept

8 this offer in compromise you waive a right to

9 a hearing.

10 MR. KHAN: No, I want to pay the

11 fine.

12 CHAIRPERSON MILLER: You want to

13 pay the fine. Okay. I just wanted to make

14 sure you understood.

15 MR. KHAN: I want to pay the fine.

16 CHAIRPERSON MILLER: Okay. All

17 right. Then, I would move that the Board

18 accept the offer in compromise of a fine of

19 \$350, payable immediately.

20 Is there a second?

21 MEMBER BROOKS: Second.

22 CHAIRPERSON MILLER: Mr. Brooks

1 has seconded the motion.

2 Any comments?

3 All those in favor say aye.

4 (Ayes.)

5 CHAIRPERSON MILLER: All those  
6 opposed?

7 All those abstaining?

8 The motion passes 4:0:0 to accept  
9 the offer in compromise.

10 (Whereupon, the above-entitled  
11 matter was concluded at 9:57 a.m.)

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| <b>A</b>                    | <b>D</b>                  | <b>Members</b> 5:1          | <b>realize</b> 5:4      | <b>\$350</b> 4:8,10,17 5:19 |
| <b>Aatish</b> 1:6 2:5,13    | <b>December</b> 1:10      | <b>met</b> 1:12             | <b>receive</b> 3:9      | <b>#</b>                    |
| <b>above-entitled</b> 6:10  | <b>District</b> 1:1 2:19  | <b>MIKE</b> 1:18            | <b>recess</b> 2:10      | <b>#25153</b> 1:8           |
| <b>abstaining</b> 6:7       | <b>DONALD</b> 1:17        | <b>Miller</b> 1:14,16 2:3   | <b>record</b> 3:20      | <b>1</b>                    |
| <b>accept</b> 5:7,18 6:8    | <b>D.C</b> 1:13           | 2:17,20 3:1,3,6,12          | <b>Reeves</b> 1:13      | <b>12</b> 1:10              |
| <b>accepting</b> 5:4        | <b>E</b>                  | 3:15,18,22 4:6,12           | <b>Retailer</b> 1:8     | <b>12-CMP-00491</b> 1:8     |
| <b>agreeable</b> 4:13       | <b>Excuse</b> 5:6         | 4:16,22 5:7,12,16           | <b>right</b> 5:5,8,17   | 2:5,13                      |
| <b>ALBERTI</b> 1:17         | <b>F</b>                  | 5:22 6:5                    | <b>Rivero</b> 1:21 2:18 | <b>14th</b> 1:13            |
| <b>Alcoholic</b> 1:2,12,12  | <b>favor</b> 6:3          | <b>morning</b> 2:16,17      | 2:18 4:1,3,7,10         | <b>2</b>                    |
| <b>Al-Hamd</b> 1:6          | <b>Fernando</b> 1:21      | <b>motion</b> 6:1,8         | <b>Room</b> 1:13        | <b>2000</b> 1:13            |
| <b>ANC</b> 1:9 2:7,15       | 2:18                      | <b>move</b> 5:2,17          | <b>Ruthanne</b> 1:13,16 | <b>2012</b> 1:10            |
| <b>Ave</b> 1:7              | <b>G</b>                  | <b>N</b>                    | <b>S</b>                | <b>25153</b> 2:7,14         |
| <b>Avenue</b> 2:6,14        | <b>go</b> 2:8             | <b>NICK</b> 1:17            | <b>SE</b> 1:7 2:6,14    | <b>4</b>                    |
| <b>aye</b> 6:3              | <b>Good</b> 2:16,17       | <b>notice</b> 3:9,19        | <b>second</b> 5:20,21   | <b>4:0:0</b> 6:8            |
| <b>Ayes</b> 6:4             | <b>H</b>                  | <b>N.W</b> 1:13             | <b>seconded</b> 6:1     | <b>6</b>                    |
| <b>a.m</b> 2:2,10,11 6:11   | <b>hearing</b> 1:7,13 2:5 | <b>O</b>                    | <b>Show</b> 1:6 2:4     | <b>6B</b> 1:9 2:7,15        |
| <b>B</b>                    | 3:10 5:5,9                | <b>offer</b> 4:4,7,13 5:4,8 | <b>sign</b> 3:7         | <b>609</b> 1:7 2:6,13       |
| <b>back</b> 2:9             | <b>Hill</b> 1:6 2:6,13    | 5:18 6:9                    | <b>SILVERSTEIN</b>      | <b>9</b>                    |
| <b>Beverage</b> 1:2,12,12   | <b>I</b>                  | <b>oh</b> 5:3               | 1:18 4:9                | <b>9:51</b> 2:2             |
| <b>Board</b> 1:2,12 4:5     | <b>Iftikhar</b> 1:22 2:22 | <b>Okay</b> 2:8,12 3:6,22   | <b>sir</b> 2:21         | <b>9:52</b> 2:10            |
| 5:1,17                      | <b>immediately</b> 4:11   | 4:6,12,16,17,22             | <b>skip</b> 2:8         | <b>9:55</b> 2:11            |
| <b>Board's</b> 3:19         | 4:17 5:19                 | 4:22 5:2,13,16              | <b>statements</b> 4:19  | <b>9:57</b> 6:11            |
| <b>Brooks</b> 1:17 5:21     | <b>K</b>                  | <b>opposed</b> 6:6          | <b>Status</b> 1:7 2:4   |                             |
| 5:22                        | <b>Khan</b> 1:22 2:16,22  | <b>owner</b> 3:4            | <b>Street</b> 1:13      |                             |
| <b>Building</b> 1:13        | 2:22 3:1,2,5,9,11         | <b>P</b>                    | <b>submitted</b> 4:19   |                             |
| <b>C</b>                    | 3:14,17,21 4:13           | <b>parties</b> 4:3          | <b>sure</b> 5:14        |                             |
| <b>calendar</b> 2:4         | 4:15,20 5:3,6,10          | <b>passes</b> 6:8           | <b>T</b>                |                             |
| <b>case</b> 1:8 2:3,5,12,12 | 5:15                      | <b>pay</b> 5:10,13,15       | <b>Thank</b> 2:20       |                             |
| 4:2                         | <b>L</b>                  | <b>payable</b> 4:11,17      | <b>time</b> 4:5         |                             |
| <b>Cause</b> 1:6 2:4        | <b>leave</b> 4:20         | 5:19                        | <b>t/a</b> 1:6          |                             |
| <b>Chairperson</b> 1:14     | <b>License</b> 1:8 2:6,14 | <b>Pennsylvania</b> 1:7     | <b>U</b>                |                             |
| 1:16 2:3,17,20 3:1          | <b>M</b>                  | 2:6,14                      | <b>understand</b> 3:16  |                             |
| 3:3,6,12,15,18,22           | <b>matter</b> 1:5 6:11    | <b>preliminary</b> 4:1      | <b>understood</b> 5:14  |                             |
| 4:6,12,16,22 5:7            | <b>matters</b> 4:1        | <b>present</b> 1:15,19 4:4  | <b>W</b>                |                             |
| 5:12,16,22 6:5              | <b>MEETING</b> 1:3        | <b>presiding</b> 1:14       | <b>waive</b> 3:19 5:5,8 |                             |
| <b>chance</b> 3:7           | <b>Member</b> 1:17,17     | <b>P-R-O-C-E-E-D-...</b>    | <b>want</b> 5:10,12,15  |                             |
| <b>Columbia</b> 1:1 2:19    | 1:18 4:9 5:21             | 2:1                         | <b>wanted</b> 5:13      |                             |
| <b>comments</b> 6:2         |                           | <b>Q</b>                    | <b>Washington</b> 1:13  |                             |
| <b>compromise</b> 4:4,14    |                           | <b>quarterly</b> 4:18       | <b>We'll</b> 2:8        |                             |
| 5:5,8,18 6:9                |                           | <b>questions</b> 5:1        | <b>P</b>                |                             |
| <b>concluded</b> 6:11       |                           | <b>R</b>                    | <b>p</b> 1:5,9          |                             |
| <b>consists</b> 4:8         |                           | <b>read</b> 3:12            | <b>\$</b>               |                             |
| <b>Control</b> 1:2,12,12    |                           | <b>reading</b> 3:19         |                         |                             |
| <b>CR</b> 1:8               |                           |                             |                         |                             |