

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
3 ALCOHOLIC BEVERAGE CONTROL BOARD

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6 IN THE MATTER OF: :
7 E & K, LLC: Case # 16-CC-00059
8 t/a 13th Street Market :
9 3582 13th Street, NW :
10 License #78242 :
11 Retailer B :
12 ANC 1A :
13 Sale to Minor Violation :
14 No ABC Manager on Duty :

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16 Wednesday, October 5, 2016

17
18 Whereupon, the above-referenced matter
19 came on for hearing at the Alcoholic Beverage
20 Control Board, Reeves Center, 2000 14th Street,
21 N.W., Suite 400S, Washington, D.C. 20009.

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3 BOARD MEMBERS PRESENT

4 NICK ALBERTI, BOARD MEMBER

5 JAMES SHORT, BOARD MEMBER

6 MIKE SILVERSTEIN, BOARD MEMBER

7 RUTHANNE MILLER, BOARD MEMBER

8

9 ALSO PRESENT:

10 FERNANDO RIVERO

11 KEBEDSHACHEW GIRMA

12

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

2 SHOW CAUSE HEARING (STATUS)

3 CHAIRPERSON ANDERSON: The next case on
4 our calendar is Case #16-CC-00059, 13th Street
5 Market, license #78242. Will the parties please
6 approach and identify themselves for the record,
7 please?

8 MR. RIVERO: Good morning board members,
9 Fernando Rivero for the District of Columbia
10 standing in for Amy Schmidt.

11 CHAIRPERSON ANDERSON: Good morning, Mr.
12 Rivero. Can you introduce yourself, ma'am, for
13 the record?

14 MS. GIRMA: My name is Kebedshachew
15 Girma.

16 CHAIRPERSON ANDERSON: Girma? How do you
17 spell it? G-

18 MS. GIRMA: G-I-R-M-A.

19 CHAIRPERSON ANDERSON: G-I-R-M-A. Thank
20 you. Are there any preliminary matters in this
21 case?

22 MR. RIVERO: Yes, there are. Board

1 members, the parties have an offer in compromise
2 to present to the board today and that offer
3 consists of a fine of \$4000 payable within 90
4 days. If the fine is not paid within 90 days the
5 license will be suspended until the payment is
6 received. The fine is for \$3000 for charge 1 and
7 \$1000 for charge 2. That is the offer.

8 Let me add that for charge 1 the license
9 will be suspended for five days but that
10 suspension will be stayed for one year if the
11 licensee provides training for the personnel that
12 serves alcoholic beverages. We discussed that
13 and she is going to do that.

14 CHAIRPERSON ANDERSON: Okay, thank you.
15 Ms. Girma?

16 MS. GIRMA: Yes.

17 CHAIRPERSON ANDERSON: Yes. It is my
18 understanding that there is an offer in
19 compromise and the offer in compromise that was
20 presented by the government was that there was a
21 \$4000 fine payable in 90 days and the \$4000 fine
22 -- and if it's not payable in 90 days the license

1 will be suspended until the fine is paid, and
2 that on charge 1 there is a \$3000 fine with a
3 five-day suspension, which means a five days
4 suspension which is stayed for one year and that
5 all servers who serve alcohol will participate in
6 training and that for charge 2 that there is a
7 fine of \$1000. Is this your understanding,
8 ma'am, of the offer in compromise?

9 MS. GIRMA: Yes.

10 CHAIRPERSON ANDERSON: Are you aware that
11 by accepting an offer in compromise that you are
12 giving up your right to a hearing?

13 MS. GIRMA: Yes.

14 CHAIRPERSON ANDERSON: Are you also aware
15 that you are giving up your right to appeal this
16 matter by accepting this offer in compromise?

17 MS. GIRMA: Yes.

18 CHAIRPERSON ANDERSON: All right. I make
19 a motion that this offer in compromise of a \$4000
20 fine payable in 90 days be accepted. If the fine
21 is not payable in 90 days the license will be
22 suspended until compliance has been brought forth

1 and basically the charge is \$3000 for charge 1
2 with a five day suspension, five days stayed for
3 one year with training for personnel who serves
4 alcohol and for charge 2 that there is a \$1000
5 fine.

6 MR. ALBERTI: Second.

7 CHAIRPERSON ANDERSON: Mr. Alberti has
8 seconded the motion. Do we have any discussions
9 by any of the board members? Hearing none, all
10 in favor say aye. (Chorus of ayes.)

11 All those opposed? (No audible
12 response.)

13 The matter passed 4-zero-zero. Thank you
14 very much, Ms. Girma, we'll have you sign some
15 documentation for this matter.

16
17 (Whereupon, the above-entitled matter was
18 concluded.)

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