

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 Fetlework Wolde, :
8 t/a Ethiopia Restaurant & : Show Cause
9 Market : Hearing (Status)
10 4630 14th Street, NW :
11 License #ABRA-91373 :
12 Retailer Class CR :
13 ANC-4C Case #14-CMP-00399 :
14 Failed to File Quarterly :
15 Statements (1st Quarter 2014):

16 - - - - -X

17 Wednesday, March 23, 2016

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

1 CHAIRPERSON:

2 DONOVAN ANDERSON, Presiding

3

4 BOARD MEMBERS:

5 RUTHANNE MILLER

6 MICHAEL SILVERSTEIN

7 JAMES SHORT

8

9 ALSO PRESENT:

10

11 FERNANDO RIVERO,

12 On behalf of the District of Columbia

13 PEARL KENG,

14 On behalf of the District of Columbia

15 MARTHA JENKINS, ESQ.

16 On behalf of ABRA

17 DANETTE WALKER,

18 On behalf of ABRA

19 APRIL RANDALL,

20 On behalf of ABRA

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

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3 CHAIRMAN DONOVAN ANDERSON: All right.
4 Good morning, everyone. I'd like to welcome you
5 to the regular scheduled meeting of the District
6 of Columbia Alcoholic Beverage Control Board.
7 Please note that today's hearings will be
8 conducted in accordance with D.C. Official Code
9 Section 2-574 of the Open Meetings Act. Today is
10 March 23, 2016.

11 I would like to introduce members of the
12 Board with us today. To my far right is Ms.
13 Ruthanne Miller. To my immediate left is Mr.
14 James Short, and, uh, my name is Donovan
15 Anderson; I'm the chairman of the Board. We have
16 three members, um, here today, so therefore, that
17 constitutes a quorum.

18 I would like to mention two things before
19 we get started. First of all, if you have any
20 electronic devices, pagers, cell phones, or -- or
21 such, please make certain that they are --
22 they're turned off to avoid any interruption of

1 the proceedings.

2 Secondly, there is a piece of paper on
3 each table. When you come forward as your case is
4 called, please take a seat at the table, and
5 please sign in. This is to ensure the correct
6 spelling of your name for the record.

7 Additionally, when you introduce yourself for the
8 record, please spell your name aloud for the
9 court reporter.

10 Um, I would like to note that it's
11 approximately 9:36, and, um, we'll start our
12 business for the day. Uh, Mr., uh, Mike
13 Silverstein has joined us. All right. All right.

14 The first case on our show cause hearing
15 status, um, calendar is Case #14-CMP-00399,
16 Ethiopian Restaurant & Market, License #91373.
17 Will the parties please approach, please?

18 MR. FERNANDO RIVERO: Good morning, Board
19 Members, Fernando Rivero and Pearl Keng for the
20 District of Columbia.

21 CHAIRMAN DONOVAN ANDERSON: I see the --
22 the licensee is not here. Should I -- is there a

1 problem, are you aware of? I thought there were
2 some --

3 MS. PEARL KENG: Um, good morning. Um, my
4 name is Pearl Keng. K-e-n-g is the last name. The
5 Office did speak with, uh, the licensee on March
6 08 regarding today's date. An offer in compromise
7 has been offered. Um, the licensee did say that
8 she understood she needed to be here today.

9 MR. FERNANDO RIVERO: So we don't know --
10 We expected her here. I -- I know she did say
11 that she's a nurse, and one of the reasons why
12 the -- there was a change in date previously had
13 to do with her shift, um, but I'm not aware of
14 any similar issues with this date.

15 CHAIRMAN DONOVAN ANDERSON: Does the
16 Government -- should I just, um, set a -- set a -
17 - set another, um -- What -- what -- what -- what
18 is it -- what is it the Government is -- is -- is
19 suggesting that I do? Should I pass on it and
20 call -- recall this case later on in the morning,
21 or --

22 MR. FERNANDO RIVERO: Uh, well, we may

1 not be here later on in the morning, so we could
2 just set a show cause date, uh, you know, and we
3 don't need to set that today. I'm sure that we
4 could work with Counsel to do that.

5 CHAIRMAN DONOVAN ANDERSON: All right.
6 All right. Um, please contact the general
7 counsel's -- the general counsel. They'll provide
8 you with another date for, um -- for -- for the
9 show cause hearing. I don't -- I don't have a
10 date schedule, so --

11 MR. FERNANDO RIVERO: That's fine.

12 CHAIRMAN DONOVAN ANDERSON: Right.

13 MR. FERNANDO RIVERO: And I can reach out
14 to the licensee to see what happened today,
15 because we did expect her here, and she had
16 agreed to an offer in compromise.

17 CHAIRMAN DONOVAN ANDERSON: Okay. Fine.

18 MR. FERNANDO RIVERO: Thank you.

19 CHAIRMAN DONOVAN ANDERSON: All right.

20 MS. PEARL KENG: Thank you.

21 MALE SPEAKER: Mr. Chairman, if she shows
22 up before 10:00 --

1 CHAIRMAN DONOVAN ANDERSON: Right. That's

2 --

3 MALE SPEAKER: -- 10:15, we can always
4 recall it.

5 CHAIRMAN DONOVAN ANDERSON: Right. I was
6 going to say that --

7 MR. FERNANDO RIVERO: Oh, yeah. We don't
8 have a problem with that.

9 CHAIRMAN DONOVAN ANDERSON: Right.

10 MR. FERNANDO RIVERO: If we're here, no
11 problem.

12 CHAIRMAN DONOVAN ANDERSON: Right. Okay.
13 Thank you.

14 MALE SPEAKER: Thank you.

15 (Whereupon, the above-entitled matter was
16 recalled.)

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

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3 CHAIRMAN DONOVAN ANDERSON: All right. Uh, Ms.
4 Schmidt, is the -- the -- the following case, is
5 that your case?

6 MS. AMY SCHMIDT: Um, which -- Daniel --
7 the fact finding hearing? No.

8 CHAIRMAN DONOVAN ANDERSON: Oh. All
9 right. Then -- okay. Then -- All right. Uh, then
10 I want to recall Case #14-CMP-00399, Ethiopian
11 Restaurant & Market, License #91373. Will the
12 parties please approach?

13 MR. FERNANDO RIVERO: Good morning, Board
14 Members, Fernando Rivero and Pearl Keng for the -
15 - the District of Columbia.

16 MS. PEARL KENG: Um, good morning, again.
17 Uh, the licensee is here, and we --

18 CHAIRMAN DONOVAN ANDERSON: No, hold on,
19 hold on, hold on one minute, please. You need to
20 introduce yourself. If you -- if -- I thought you
21 were just introducing yourself.

22 MS. PEARL KENG: Sorry.

1 CHAIRMAN DONOVAN ANDERSON: Uh, ma'am,
2 can you please introduce yourself for the record,
3 please?

4 MS. FETLEWORK WOLDE: Fetlework Wolde.

5 CHAIRMAN DONOVAN ANDERSON: And who are
6 you, ma'am?

7 MS. FETLEWORK WOLDE: I'm the owner of
8 Ethiopia Restaurant.

9 CHAIRMAN DONOVAN ANDERSON: Oh. Okay. And
10 I'm sorry, what -- I didn't hear your name, so I
11 guess I need to -- All right. Hold on. Ms. --

12 MS. FETLEWORK WOLDE: Fetlework --

13 CHAIRMAN DONOVAN ANDERSON: -- Wolde? W-
14 o-l- -- Okay. All right. Are there any
15 preliminary matters?

16 MS. PEARL KENG: Yes, there is a
17 preliminary matter. Um, an offer in compromise,
18 um, has been entered into between the parties,
19 uh, for a fine to be paid, uh, \$350, um, in 30
20 days or the license to be suspended.

21 (Off-mic speaking)

22 CHAIRMAN DONOVAN ANDERSON: All right,

1 Ms. Wolde. It's my understanding that you have
2 agreed with the Government that, um -- to an
3 offer in compromise, and the offer in compromise
4 is that you will pay a fine of \$350, and if this
5 fine is not paid in 300 -- I'm sorry, this \$350
6 fine is not paid within 30 days that the license
7 -- your license will be suspended until you pay
8 the fine. Is this your understanding of the offer
9 in compromise that you made with the Government?

10 (No audible response)

11 CHAIRMAN DONOVAN ANDERSON: Yes?

12 MS. FETLEWORK WOLDE: Yes.

13 CHAIRMAN DONOVAN ANDERSON: And do you
14 know -- are you aware that by accepting an offer
15 in compromise with the Government, you are giving
16 up your right to have a hearing?

17 MS. FETLEWORK WOLDE: Yes.

18 CHAIRMAN DONOVAN ANDERSON: And do you
19 also know that, also, you are giving up your
20 right to appeal this matter?

21 (No audible response)

22 CHAIRMAN DONOVAN ANDERSON: Thank you.

1 All right. Then I make a motion that this offer
2 in compromise of \$350, payable within 30 days,
3 and if the fine is not payable within 30 days,
4 the license will be suspended. Um, is there a
5 second?

6 MR. JAMES SHORT: Second.

7 CHAIRMAN DONOVAN ANDERSON: Mr. Short has
8 seconded the motion. Um, are there any
9 discussions?

10 MR. JAMES SHORT: I'd like to make a
11 comment.

12 CHAIRMAN DONOVAN ANDERSON: Yes, Mr.
13 Short.

14 MR. JAMES SHORT: I'd like to ask Ms.
15 Wolde, um, it seems like you -- you've had this
16 problem before, is that correct?

17 (No audible response)

18 MR. JAMES SHORT: Can you explain to the
19 Board what you're going to do to correct this
20 from now on, or is that -- Have you made any
21 arrangements so that this doesn't reoccur?

22 MS. FETLEWORK WOLDE: Yes.

1 MR. JAMES SHORT: All right. Thank you.
2 That's all I have, Mr. Chair. Thank you.

3 CHAIRMAN DONOVAN ANDERSON: All right.
4 Those in favor say aye.

5 (Chorus of ayes)

6 CHAIRMAN DONOVAN ANDERSON: Those
7 opposed?

8 (No audible response)

9 CHAIRMAN DONOVAN ANDERSON: The matter
10 passed, 5-0-0. Uh, Ms. Walker will provide you
11 some documents to sign. Thank you very much for
12 being here this morning.

13 MS. FETLEWORK WOLDE: Thank you.

14 MR. FERNANDO RIVERO: Thank you.

15 MS. PEARL KENG: Thank you.

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