

Capital Reporting Company

In the Matter of Jose & Maria Carcamo t/a El Sauce Restaurant & Carry Out 11-14-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
 :
Jose A. Carcamo & Maria R. :
Carcamo :
t/a El Sauce Restaurant & :
Carry out :
Retailer DR : Show Cause
License No. 72654 : Hearing
ANC 2-F : (Status)
Case No. 12-AUD-0025 and :
12-AUD-0025(a) :
Failed to File Quarterly :
Statements (1st Quarter 2009, :
4th Quarter 2009, 2nd Quarter :
2011, 4th Quarter 2011 :
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November 14, 2012

The Alcoholic Beverage Control

Board met in the 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
HERMAN JONES, Member
MIKE SILVERSTEIN, Member

ALSO PRESENT

Michael Stern, OAG

(866) 448 - DEPO

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

2 9:34 a.m.

3 CHAIRPERSON MILLER: Good morning. I'd like
4 to welcome you to the regularly scheduled meeting of
5 The District of Columbia Alcohol Beverage Control
6 Board. Today is November 14th 2012.

7 My name is Ruthanne Miller, I'm the
8 Chairperson. Joining me today to my far right is Mr.
9 Donald Brooks, to my immediate right is Mr. Nick
10 Alberti and to my immediate left is Mr. Mike
11 Silverstein. The Board has four members in attendance
12 for the conduct of business this morning with three
13 constituting a quorum.

14 Copies of today's hearing calendar and agenda
15 are available at the receptionist desk. Please be
16 aware of these proceedings are being recorded by a
17 court recorder. Accordingly, we must ask you to
18 refrain from any disruptive noises or actions in the
19 hearing room. If you have any electronic devices:
20 pagers, cell phones or such, please make certain they
21 are turned off to avoid any interruption of the
22 proceedings.

1 Please note when you come forward to the
2 tables in the front you'll find a piece of paper there,
3 please sign-in. This is to insure the correct spelling
4 of your name for the record.

5 The Open Meetings Act requires that the
6 public hearing on each case be open to the public. The
7 Board may, consistent with section 405(B) of the Open
8 Meetings Act, enter a closed meeting during or after
9 the public hearing on a cast to consult with an
10 attorney, to obtain legal advice, discuss settlement
11 agreements or deliberate upon a decision in an
12 adjudication proceeding.

13 Okay. We have a lot of show cause hearing
14 statuses on the agenda as well as a protest status this
15 morning, so I'm going to now move to call our first
16 case.

17 And that is a show cause status hearing case,
18 Case Number 12-AUD-00025 and 12-AUD-0025(a). It's the
19 case of El Sauce Restaurant and Carry-Out, located at
20 1227 11th Street NW, License Number 72654, in ANC 2-F.
21 Will the parties on this case come forward.

22 MR. STERN: Good Morning. Michael Stern

1 representing the District of Columbia.

2 CHAIRPERSON MILLER: Okay, and I believe --
3 good morning Mr. Stern -- is here on behalf of the
4 government. And I believe we have an interpreter in
5 this case also. Could you come forward and --

6 UNIDENTIFIED FEMALE: We're waiting for the
7 interpreter.

8 CHAIRPERSON MILLER: Waiting on the
9 interpreter. Okay, we'll come back to this case. We're
10 going to pass you then come back.

11 UNIDENTIFIED FEMALE: Okay.

12 CHAIRPERSON MILLER: okay. And maybe you can
13 indicate when your interpreter is here.

14 (Case recessed and resumed at 9:51 a.m.)

15 CHAIRPERSON MILLER: Is this the Queen
16 Makeda, Makeda case?

17 MR. ALBERTI: Its' El Sauce.

18 CHAIRPERSON MILLER: El Sauce, okay. El
19 Sauce.

20 Okay, our first case. Oh, we have an
21 interpreter again. Let me just -- Korean?

22 MR. CARCAMO: Espanol.

Capital Reporting Company

In the Matter of Jose & Maria Carcamo t/a El Sauce Restaurant & Carry Out 11-14-2012

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1 CHAIRPERSON MILLER: Spanish? Spanish.

2 Sorry. Where was this? Would you introduce yourself
3 for the record first?

4 MR. KIM: My name is David Kim.

5 CHAIRPERSON MILLER: Right. And you're here
6 with?

7 MR. CARCAMO: Jose Avila Carcamo. Jose Avila
8 Carcamo.

9 MR. KIM: Jose Avila Carcamo.

10 CHAIRPERSON MILLER: Okay. Mr. Kim, I'm
11 going to swear you in like I did in the other one. Do
12 you solemnly affirm that you will faithfully and
13 accurately interpret the proceedings of this matter
14 from, Spanish into English and from English into
15 Spanish, to the best of your ability?

16 MR. KIM: Yes.

17 CHAIRPERSON MILLER: Okay. This is a show
18 cause status hearing. I'm going to ask, it's Mr.
19 Carsamo?

20 MR. CARCAMO: Carcamo. Yes.

21 CHAIRPERSON MILLER: Carcamo. Did you
22 receive notice of this hearing?

Capital Reporting Company

In the Matter of Jose & Maria Carcamo t/a El Sauce Restaurant & Carry Out 11-14-2012

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1 MR. CARCAMO: Yes.

2 CHAIRPERSON MILLER: Did you read it?

3 MR. CARCAMO: I read what they gave me.

4 CHAIRPERSON MILLER: Okay. And did he say--

5 he said he received it. Correct?

6 MR. CARCAMO: Yes.

7 CHAIRPERSON MILLER: Did he understand it?

8 MR. CARCAMO: Yeah.

9 CHAIRPERSON MILLER: Does he waive the
10 board's reading of the notice into the record?

11 MR. CARCAMO: Yes.

12 CHAIRPERSON MILLER: Okay. Mr. Stern, do we
13 have any preliminary matters in this case?

14 MR. STERN: If I can get the board's
15 indulgence I didn't get to speak to him earlier.

16 CHAIRPERSON MILLER: Okay.

17 (OAG and Licensee confer.)

18 MR. ALBERTI: Please turn off the mic.

19 CHAIRPERSON MILLER: You know --

20 MR. ALBERTI: Mr. Stern, if you would turn
21 off the mic please.

22 CHAIRPERSON MILLER: Mr. Stern, we can take a

Capital Reporting Company

In the Matter of Jose & Maria Carcamo t/a El Sauce Restaurant & Carry Out 11-14-2012

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1 five minute break. Okay.

2 (Recess.)

3 CHAIRPERSON MILLER: Okay. All right. We
4 are back on the record in the El Sauce case.

5 Are there any preliminary matters in this
6 case?

7 MR. STERN: There are none.

8 CHAIRPERSON MILLER: There are none?

9 MR. STERN: Yes.

10 CHAIRPERSON MILLER: Okay. So this is
11 another one that we will set for show cause hearing.
12 That date will be January 23rd, 2013 at 10:00 a.m.

13 That concludes this case. Thank you.

14 (The hearing concluded at 9:55 a.m.)

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CERTIFICATE OF NOTARY PUBLIC

I, ANDREW KNOUS, the officer before whom the foregoing hearing was taken, do hereby certify that the testimony appearing in the foregoing pages was recorded by me and thereafter reduced to typewriting under my direction; that said transcription is a true record of the testimony given by said parties; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

ANDREW KNOUS

Notary Public in and for the
District of Columbia

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CERTIFICATE OF TRANSCRIPTION

I, SUSAN LaPOOH, hereby certify that I am not the Court Reporter who reported the proceeding and that I have typed the transcript of the proceeding using the Court Reporter's notes and recordings. The foregoing/attached transcript is a true, correct and complete transcription of the proceedings.

Date

SUSAN LaPOOH

Transcriptionist

<hr/> <p style="text-align: center;">1</p> <hr/> <p>10:00 7:12 11th 3:20 1227 3:20 12-AUD-00025 3:18 12-AUD-0025 1:9 12-AUD-0025(a) 1:9 3:18 14 1:13 14th 1:15 2:6 1st 1:10</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2000 1:15 2009 1:10,11 2011 1:11 2012 1:13 2:6 2013 7:12 23rd 7:12 2-F 1:8 3:20 2nd 1:11</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>405(B) 3:7 4th 1:11</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>72654 1:8 3:20</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9:34 2:2 9:51 4:14 9:55 7:14</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>a.m 2:2 4:14</p>	<p>7:12,14 ability 5:15 Accordingly 2:17 accurately 5:13 Act 3:5,8 action 8:10,14 actions 2:18 adjudication 3:12 advice 3:10 affirm 5:12 agenda 2:14 3:14 agreements 3:11 Alberti 1:19 2:10 4:17 6:18,20 Alcohol 2:5 Alcoholic 1:2,14,15 am 8:8,11 9:3 ANC 1:8 3:20 ANDREW 8:3,18 appearing 8:5 attendance 2:11 attorney 3:10 8:12 available 2:15 Avila 5:7,9 avoid 2:21 aware 2:16</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>believe 4:2,4 best 5:15 Beverage 1:2,14,15 2:5 Board 1:2,15 2:6,11 3:7</p>	<p>board's 6:10,14 break 7:1 Brooks 1:19 2:9 Building 1:15 business 2:12</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>calendar 2:14 Carcamo 1:5,6 4:22 5:7,8,9,20,21 6:1,3,6,8,11 Carry 1:7 Carry-Out 3:19 Carsamo 5:19 case 1:9 3:6,16,17,18,19, 21 4:5,9,14,16,20 6:13 7:4,6,13 cast 3:9 cause 1:7 3:13,17 5:18 7:11 cell 2:20 certain 2:20 CERTIFICATE 8:1 9:1 certify 8:4 9:3 Chairperson 1:16,18 2:3,8 4:2,8,12,15,18 5:1,5,10,17,21 6:2,4,7,9,12,16,1 9,22 7:3,8,10 closed 3:8 Columbia 1:1 2:5 4:1 8:20 complete 9:8</p>	<p>concluded 7:14 concludes 7:13 conduct 2:12 confer 6:17 consistent 3:7 constituting 2:13 consult 3:9 Control 1:2,14,15 2:5 Copies 2:14 correct 3:3 6:5 9:7 counsel 8:9,12 court 2:17 9:4,6</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D.C 1:16 date 7:12 9:14 David 5:4 decision 3:11 deliberate 3:11 desk 2:15 devices 2:19 direction 8:7 discuss 3:10 disruptive 2:18 District 1:1 2:5 4:1 8:20 Donald 1:19 2:9 DR 1:7 during 3:8</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>earlier 6:15 El 1:6 3:19 4:17,18 7:4</p>
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<p>electronic 2:19 employed 8:9,12 employee 8:11 English 5:14 enter 3:8 Espanol 4:22</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>Failed 1:10 faithfully 5:12 FEMALE 4:6,11 File 1:10 financially 8:13 first 3:15 4:20 5:3 five 7:1 foregoing 8:4,5 foregoing/ attached 9:7 forward 3:1,21 4:5 front 3:2</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>given 8:8 government 4:4</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>hearing 1:8,15 2:14,19 3:6,9,13,17 5:18,22 7:11,14 8:4,10 hereby 8:4 9:3 hereto 8:12 HERMAN 1:20</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>I'd 2:3</p>	<p>I'm 2:7 3:15 5:10,18 immediate 2:9,10 indicate 4:13 indulgence 6:15 insure 3:3 interested 8:13 interpret 5:13 interpreter 4:4,7,9,13,21 interruption 2:21 introduce 5:2 it's 3:18 5:18</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>January 7:12 Joining 2:8 JONES 1:20 Jose 1:5 5:7,9</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>Kim 5:4,9,10,16 KNOUS 8:3,18 Korean 4:21</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>LaPOOH 9:3,14 legal 3:10 License 1:8 3:20 Licensee 6:17 located 3:19 lot 3:13</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>Makeda 4:16 Maria 1:5</p>	<p>matter 1:4 5:13 matters 6:13 7:5 may 3:7 maybe 4:12 meeting 1:3 2:4 3:8 Meetings 3:5,8 Member 1:19,20 members 2:11 met 1:15 mic 6:18,21 Michael 1:22 3:22 Mike 1:20 2:10 Miller 1:16,18 2:3,7 4:2,8,12,15,18 5:1,5,10,17,21 6:2,4,7,9,12,16,1 9,22 7:3,8,10 minute 7:1 morning 2:3,12 3:15,22 4:3 move 3:15</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N.W 1:15 neither 8:8 Nick 1:19 2:9 noises 2:18 none 7:7,8 nor 8:9,13 Notary 8:1,19 note 3:1 notes 9:6 notice 5:22 6:10 November 1:13</p>	<p>2:6 NW 3:20</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>OAG 1:22 6:17 obtain 3:10 officer 8:3 Oh 4:20 okay 3:13 4:2,9,11,12,18,2 0 5:10,17 6:4,12,16 7:1,3,10 open 3:5,6,7 otherwise 8:13 outcome 8:13</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>paggers 2:20 pages 8:5 paper 3:2 parties 3:21 8:8,10,12 pass 4:10 phones 2:20 piece 3:2 please 2:15,20 3:1,3 6:18,21 preliminary 6:13 7:5 PRESENT 1:18,21 presiding 1:16 proceeding 3:12 9:4,5 proceedings 2:16,22 5:13 9:8</p>
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<p>protest 3:14 public 3:6,9 8:1,19</p> <hr/> <p style="text-align: center;">Q</p> <p>Quarter 1:10,11 Quarterly 1:10 Queen 4:15 quorum 2:13</p> <hr/> <p style="text-align: center;">R</p> <p>reading 6:10 receive 5:22 received 6:5 receptionist 2:15 Recess 7:2 recessed 4:14 record 3:4 5:3 6:10 7:4 8:7 recorded 2:16 8:5 recorder 2:17 recordings 9:6 reduced 8:6 Reeves 1:15 refrain 2:18 regularly 2:4 related 8:9 relative 8:11 reported 9:4 Reporter 9:4 Reporter's 9:6 representing 4:1 requires 3:5 Restaurant 1:6 3:19 resumed 4:14</p>	<p>Retailer 1:7 room 1:15 2:19 Ruthanne 1:16,18 2:7</p> <hr/> <p style="text-align: center;">S</p> <p>Sauce 1:6 3:19 4:17,18,19 7:4 scheduled 2:4 section 3:7 settlement 3:10 sign-in 3:3 Silverstein 1:20 2:11 solemnly 5:12 Sorry 5:2 Spanish 5:1,14,15 speak 6:15 spelling 3:3 Statements 1:10 status 1:8 3:14,17 5:18 statuses 3:14 Stern 1:22 3:22 4:3 6:12,14,20,22 7:7,9 Street 1:15 3:20 SUSAN 9:3,14 swear 5:11</p> <hr/> <p style="text-align: center;">T</p> <p>t/a 1:6 tables 3:2 testimony 8:5,8 Thank 7:13</p>	<p>thereafter 8:6 today 2:6,8 today's 2:14 transcript 9:5,7 transcription 8:7 9:1,8 Transcriptionist 9:15 true 8:7 9:7 turn 6:18,20 turned 2:21 typed 9:5 typewriting 8:6</p> <hr/> <p style="text-align: center;">U</p> <p>understand 6:7 UNIDENTIFIED 4:6,11 upon 3:11</p> <hr/> <p style="text-align: center;">W</p> <p>waiting 4:6,8 waive 6:9 Washington 1:16 welcome 2:4 we'll 4:9 We're 4:6,9 whom 8:3</p> <hr/> <p style="text-align: center;">Y</p> <p>you'll 3:2 yourself 5:2</p>	
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