

Capital Reporting Company
In the Matter of: 1600 U, Inc. t/a Local 16 08-01-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
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1600 U, Inc. :
t/a Local 16 :
1600 U Street, NW :
Retailer CR : Show Cause
License No. 60467 : Hearing
ANC 2B : (Status)
Case No. 11-AUD-00005 :
Failed to File Quarterly :
Statements :
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August 1, 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

CALVIN NOPHLIN, Member

MIKE SILVERSTEIN, Member

ALSO PRESENT

MICHAEL STERN, OAG

(866) 448 - DEPO

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<p style="text-align: right;">2</p> <p>1 P R O C E E D I N G S</p> <p>2 9:52 a.m.</p> <p>3 CHAIRPERSON MILLER: The next case on our</p> <p>4 calendar is another show cause status hearing, Case No.</p> <p>5 11-AUD-00005, Local 16, located at 1600 U Street, N.W.,</p> <p>6 License No. 60467, in ANC 2B.</p> <p>7 Good morning.</p> <p>8 MR. COBURN: Hello.</p> <p>9 MS. AYOUBI: Good morning.</p> <p>10 CHAIRPERSON MILLER: How are you?</p> <p>11 MR. STERN: Michael Stern representing the</p> <p>12 District of Columbia.</p> <p>13 MS. AYOUBI: Justyna Ayoubi, the owner.</p> <p>14 MR. COBURN: And Skip Coburn representing</p> <p>15 Local 16.</p> <p>16 CHAIRPERSON MILLER: Okay. Mr. Coburn, now,</p> <p>17 did your client receive notice of this show cause</p> <p>18 status hearing?</p> <p>19 MR. COBURN: Yes, ma'am.</p> <p>20 CHAIRPERSON MILLER: Okay. And did you read</p> <p>21 it?</p> <p>22 MS. AYOUBI: Yes.</p>	<p style="text-align: right;">4</p> <p>1 MR. COBURN: That is acceptable. At some</p> <p>2 point in time we would like to make a statement for the</p> <p>3 record. We --</p> <p>4 CHAIRPERSON MILLER: Okay.</p> <p>5 MR. COBURN: -- accept the offer in</p> <p>6 compromise but we would like to provide some</p> <p>7 explanation for your benefit.</p> <p>8 CHAIRPERSON MILLER: Why don't you make it</p> <p>9 now then before we decide on this one?</p> <p>10 MR. COBURN: Thank you. All that we would</p> <p>11 like to say is that Local 16 is a very responsible</p> <p>12 business. I assume you guys know that they don't show</p> <p>13 up here very often for anything. They have an</p> <p>14 accountant that dutifully files these reports every</p> <p>15 month. They filed this report. They -- when I went</p> <p>16 and inquired about this, they went to their file and</p> <p>17 pulled out the report from a year ago, saying, "Here's</p> <p>18 the report."</p> <p>19 They had sent it in by mail. And -- but I</p> <p>20 met with Neal. Neal says, "Well, we never got it."</p> <p>21 And all I would like to say to you is that I've already</p> <p>22 spoken with people on the staff saying that, "We all</p>
<p style="text-align: right;">3</p> <p>1 CHAIRPERSON MILLER: Okay. And did you</p> <p>2 understand it?</p> <p>3 MS. AYOUBI: Yes.</p> <p>4 CHAIRPERSON MILLER: And do you waive the</p> <p>5 Board's reading of the notice into the record?</p> <p>6 MS. AYOUBI: Yes.</p> <p>7 MR. COBURN: Yes, ma'am.</p> <p>8 CHAIRPERSON MILLER: Okay. So are there</p> <p>9 preliminary matters in this case?</p> <p>10 MR. STERN: There are. The parties have</p> <p>11 entered into an agreement, which we hope the Board will</p> <p>12 accept as an offer in compromise. The agreement is</p> <p>13 that the Respondent will pay a \$2000 fine within 30</p> <p>14 days to resolve this violation.</p> <p>15 CHAIRPERSON MILLER: Okay. The government</p> <p>16 has stated that there is an offer in compromise of a</p> <p>17 \$2000 fine to be paid within 30 days. Is that your</p> <p>18 understanding of the agreement --</p> <p>19 MR. COBURN: Yes.</p> <p>20 CHAIRPERSON MILLER: -- and you agree with</p> <p>21 it?</p> <p>22 MS. AYOUBI: Yes, ma'am.</p>	<p style="text-align: right;">5</p> <p>1 think for your benefit and for the OAG's benefit and</p> <p>2 for the business's benefit, it would be great if</p> <p>3 somebody notified a business earlier than a year in</p> <p>4 advance." But they were first notified last month</p> <p>5 that, "Hey, a year ago we didn't get a report for the</p> <p>6 second quarter, 2011."</p> <p>7 We would appreciate the Board's support in</p> <p>8 encouraging the businesses to be more complaint and</p> <p>9 that -- and some system to be worked up where if it's</p> <p>10 some -- if some report doesn't show up, maybe after 30</p> <p>11 days, you know, give a call, send an email. Don't wait</p> <p>12 a year to let a business know, "Hey, something didn't</p> <p>13 happen." That was my only point is that I'm working</p> <p>14 very hard to make people comply, have their licenses,</p> <p>15 fulfill their commitments.</p> <p>16 We all need to be working together to try and</p> <p>17 just get these things done rather than all show up here</p> <p>18 a year after the fact when nobody knew there was a</p> <p>19 problem until a month ago.</p> <p>20 CHAIRPERSON MILLER: Okay.</p> <p>21 MR. COBURN: That's all.</p> <p>22 CHAIRPERSON MILLER: Thank you. Thank you.</p>

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1 Thank you for bringing that to our attention really.
2 Okay. Now, I don't remember. You -- I was about to
3 bring the motion.
4 MR. COBURN: We agreed to everything.
5 CHAIRPERSON MILLER: But did I ask -- I did
6 ask you that you know you waive your right to a hearing
7 if you accept this? Okay. Okay. Thank you. All
8 right then. I would move that we accept this offer in
9 compromise of a \$2000 fine be paid within 30 days.
10 Do I have a second?
11 MR. NOPHLIN: Second.
12 CHAIRPERSON MILLER: Any comments?
13 (No audible response.)
14 CHAIRPERSON MILLER: Okay. All those in
15 favor of the motion, say aye?
16 (Chorus of ayes.)
17 CHAIRPERSON MILLER: All those opposed?
18 MR. BROOKS: Opposed.
19 CHAIRPERSON MILLER: All those abstaining?
20 (No audible response.)
21 CHAIRPERSON MILLER: And then the vote is 5-
22 1-0 to accept the offer. Thank you.

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1 MR. COBURN: Thank you.
2 MS. AYOUBI: Thank you.
3 MR. COBURN: Thank you, sir.
4 (WHEREUPON, at 9:57 a.m., the hearing was
5 concluded.)
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<p>_____</p> <p style="text-align: center;">\$</p> <hr/> <p>\$2000 3:13,17 6:9</p> <p>_____</p> <p style="text-align: center;">1</p> <hr/> <p>1 1:13</p> <p>1-0 6:22</p> <p>11-AUD-00005 1:9 2:5</p> <p>14th 1:16</p> <p>16 1:7 2:5,15 4:11</p> <p>1600 1:6,7 2:5</p> <p>_____</p> <p style="text-align: center;">2</p> <hr/> <p>2000 1:16</p> <p>2011 5:6</p> <p>2012 1:13</p> <p>2B 1:9 2:6</p> <p>_____</p> <p style="text-align: center;">3</p> <hr/> <p>30 3:13,17 5:10 6:9</p> <p>_____</p> <p style="text-align: center;">5</p> <hr/> <p>5 6:21</p> <p>_____</p> <p style="text-align: center;">6</p> <hr/> <p>60467 1:8 2:6</p> <p>_____</p> <p style="text-align: center;">9</p> <hr/> <p>9:52 2:2</p> <p>9:57 7:4</p> <p>_____</p> <p style="text-align: center;">A</p> <hr/> <p>a.m 2:2 7:4</p> <p>abstaining 6:19</p> <p>accept 3:12 4:5 6:7,8,22</p> <p>acceptable 4:1</p>	<p>accountant 4:14</p> <p>advance 5:4</p> <p>ago 4:17 5:5,19</p> <p>agreed 6:4</p> <p>agreement 3:11,12,18</p> <p>ALBERTI 1:19</p> <p>Alcoholic 1:2,14,16</p> <p>already 4:21</p> <p>ANC 1:9 2:6</p> <p>anything 4:13</p> <p>appreciate 5:7</p> <p>assume 4:12</p> <p>attention 6:1</p> <p>audible 6:13,20</p> <p>August 1:13</p> <p>aye 6:15</p> <p>eyes 6:16</p> <p>Ayoubi 2:9,13,22 3:3,6,22 7:2</p> <p>_____</p> <p style="text-align: center;">B</p> <hr/> <p>benefit 4:7 5:1,2</p> <p>Beverage 1:2,14,16</p> <p>Board 1:2,16 3:11</p> <p>Board's 3:5 5:7</p> <p>bring 6:3</p> <p>bringing 6:1</p> <p>BROOKS 1:20 6:18</p> <p>Building 1:16</p> <p>business 4:12 5:3,12</p>	<p>businesses 5:8</p> <p>business's 5:2</p> <p>_____</p> <p style="text-align: center;">C</p> <hr/> <p>calendar 2:4</p> <p>CALVIN 1:21</p> <p>case 1:9 2:3,4 3:9</p> <p>cause 1:8 2:4,17</p> <p>Chairperson 1:17,19 2:3,10,16,20 3:1,4,8,15,20 4:4,8 5:20,22 6:5,12,14,17,19, 21</p> <p>Chorus 6:16</p> <p>client 2:17</p> <p>Coburn 2:8,14,16,19 3:7,19 4:1,5,10 5:21 6:4 7:1,3</p> <p>Columbia 1:1 2:12</p> <p>comments 6:12</p> <p>commitments 5:15</p> <p>complaint 5:8</p> <p>comply 5:14</p> <p>compromise 3:12,16 4:6 6:9</p> <p>concluded 7:5</p> <p>Control 1:2,14,16</p> <p>CR 1:8</p> <p>_____</p> <p style="text-align: center;">D</p> <hr/> <p>D.C 1:17</p> <p>days 3:14,17 5:11 6:9</p> <p>decide 4:9</p>	<p>District 1:1 2:12</p> <p>DONALD 1:20</p> <p>done 5:17</p> <p>dutifully 4:14</p> <p>_____</p> <p style="text-align: center;">E</p> <hr/> <p>earlier 5:3</p> <p>email 5:11</p> <p>encouraging 5:8</p> <p>entered 3:11</p> <p>everything 6:4</p> <p>explanation 4:7</p> <p>_____</p> <p style="text-align: center;">F</p> <hr/> <p>fact 5:18</p> <p>Failed 1:10</p> <p>favor 6:15</p> <p>file 1:10 4:16</p> <p>filed 4:15</p> <p>files 4:14</p> <p>fine 3:13,17 6:9</p> <p>first 5:4</p> <p>fulfill 5:15</p> <p>_____</p> <p style="text-align: center;">G</p> <hr/> <p>government 3:15</p> <p>great 5:2</p> <p>guys 4:12</p> <p>_____</p> <p style="text-align: center;">H</p> <hr/> <p>happen 5:13</p> <p>hard 5:14</p> <p>hearing 1:8,16 2:4,18 6:6 7:4</p> <p>Hello 2:8</p>
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<p>Here's 4:17 HERMAN 1:20 Hey 5:5,12 hope 3:11</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>I'm 5:13 Inc 1:6 inquired 4:16 it's 5:9 I've 4:21</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>JONES 1:20 Justyna 2:13</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>knew 5:18</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>last 5:4 License 1:8 2:6 licenses 5:14 Local 1:7 2:5,15 4:11 located 2:5</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>ma'am 2:19 3:7,22 mail 4:19 MATTER 1:5 matters 3:9 maybe 5:10 MEETING 1:3 Member 1:19,20,21</p>	<p>met 1:16 4:20 Michael 1:22 2:11 MIKE 1:21 Miller 1:17,19 2:3,10,16,20 3:1,4,8,15,20 4:4,8 5:20,22 6:5,12,14,17,19, 21 month 4:15 5:4,19 morning 2:7,9 motion 6:3,15 move 6:8</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N.W 1:16 2:5 Neal 4:20 NICK 1:19 nobody 5:18 NOPHLIN 1:21 6:11 notice 2:17 3:5 notified 5:3,4 NW 1:7</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>OAG 1:22 OAG's 5:1 offer 3:12,16 4:5 6:8,22 opposed 6:17,18 owner 2:13</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>paid 3:17 6:9 parties 3:10</p>	<p>pay 3:13 people 4:22 5:14 point 4:2 5:13 preliminary 3:9 PRESENT 1:18,22 presiding 1:17 problem 5:19 provide 4:6 pulled 4:17</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>quarter 5:6 Quarterly 1:10</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>rather 5:17 reading 3:5 really 6:1 receive 2:17 record 3:5 4:3 Reeves 1:16 remember 6:2 report 4:15,17,18 5:5,10 reports 4:14 representing 2:11,14 resolve 3:14 Respondent 3:13 response 6:13,20 responsible 4:11 Retailer 1:8 Room 1:16 Ruthanne 1:17,19</p>	<hr/> <p style="text-align: center;">S</p> <hr/> <p>second 5:6 6:10,11 send 5:11 sent 4:19 SILVERSTEIN 1:21 sir 7:3 Skip 2:14 somebody 5:3 spoken 4:22 staff 4:22 stated 3:16 statement 4:2 Statements 1:10 status 1:9 2:4,18 Stern 1:22 2:11 3:10 Street 1:7,16 2:5 support 5:7 system 5:9</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>t/a 1:7 Thank 4:10 5:22 6:1,7,22 7:1,2,3 That's 5:21 try 5:16</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>understand 3:2 understanding 3:18</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>violation 3:14</p>
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<p>vote 6:21</p> <hr/> <p>W</p> <hr/> <p>wait 5:11</p> <p>waive 3:4 6:6</p> <p>Washington 1:17</p> <p>WHEREUPON 7:4</p> <p>worked 5:9</p> <p>working 5:13,16</p>			
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