

Capital Reporting Company  
In the Matter of: 2333, Inc. t/a Tom-Tom 07-18-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :  
 :  
2333, Inc. :  
t/a Tom-Tom :  
2333 18th Street, NW :  
Retailer CR : Show Cause  
License No. 60401 : Hearing  
ANC 1C : (Status)  
Case No. 11-CMP-00465 :  
Violation of Voluntary Agreement:  
Failed to Produce a Copy of the :  
Voluntary Agreement :  
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July 18, 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

FERNANDO RIVERO, OAG

Capital Reporting Company  
In the Matter of: 2333, Inc. t/a Tom-Tom 07-18-2012

<p style="text-align: right;">2</p> <p>1           P R O C E E D I N G S</p> <p>2                               10:18 a.m.</p> <p>3           CHAIRPERSON MILLER: Okay. So now that takes</p> <p>4 us to our show cause status hearing, Case No. 11-CMP-</p> <p>5 00465, Tom-Tom, at 2333 18th Street, N.W., License No.</p> <p>6 60401, in</p> <p>7 ANC IC.</p> <p>8           Okay. Would the parties introduce themselves</p> <p>9 when we're ready?</p> <p>10          MR. RIVERO: Good morning, Board members.</p> <p>11 Fernando Rivero for the District of Columbia.</p> <p>12          MR. ASKARINAM: Iraj Askarinam from Tom-Tom.</p> <p>13 Good morning.</p> <p>14          CHAIRPERSON MILLER: I can't hear you, sir.</p> <p>15          MR. BROOKS: Can you speak in the mike,</p> <p>16 please?</p> <p>17          CHAIRPERSON MILLER: Yeah.</p> <p>18          MR. ASKARINAM: Iraj Askarinam, owner of Tom-</p> <p>19 Tom Restaurant.</p> <p>20          MR. ALBERTI: Is your -- the green light on?</p> <p>21 Is the green light on the mike?</p> <p>22          MR. RIVERO: No.</p>	<p style="text-align: right;">4</p> <p>1           CHAIRPERSON MILLER: Okay. And do you waive</p> <p>2 the Board's reading of the notice into the record?</p> <p>3           MR. ASKARINAM: Yeah, I do.</p> <p>4           CHAIRPERSON MILLER: Okay. Good. All right.</p> <p>5 Mr. Rivero?</p> <p>6           MR. RIVERO: We have offer in compromise to</p> <p>7 present to the Board at this time.</p> <p>8           CHAIRPERSON MILLER: Okay.</p> <p>9           MR. RIVERO: The offer consists of a fine of</p> <p>10 \$1000 payable immediately. We believe this is an</p> <p>11 adequate OIC that takes into account the facts of the</p> <p>12 case. And we also know if Jackie (ph) -- the Licensee</p> <p>13 has not been opened for quite some time.</p> <p>14          CHAIRPERSON MILLER: Okay. Why is that? The</p> <p>15 Licensee has not been opened?</p> <p>16          MR. RIVERO: Right. The Licensee --</p> <p>17          CHAIRPERSON MILLER: How many days?</p> <p>18          MR. RIVERO: About three.</p> <p>19          CHAIRPERSON MILLER: Okay.</p> <p>20          MR. ASKARINAM: It's been about seven months</p> <p>21 we are closed.</p> <p>22          CHAIRPERSON MILLER: Oh, okay. Okay. All</p>
<p style="text-align: right;">3</p> <p>1           MR. ASKARINAM: No. I'm sorry about that.</p> <p>2           MR. ALBERTI: Thank you.</p> <p>3           CHAIRPERSON MILLER: Press -- push the</p> <p>4 button.</p> <p>5           MR. RIVERO: There's a little bar. It says,</p> <p>6 "Push." No, no. On the -- on the very edge. Yes,</p> <p>7 there you go. Thank you, Ms. Green.</p> <p>8           MR. ASKARINAM: Good morning, gentlemen,</p> <p>9 ladies. My name's Iraj Askarinam, owner of 2323 18th</p> <p>10 Street, N.W., Tom-Tom's.</p> <p>11          CHAIRPERSON MILLER: That's much better.</p> <p>12 Thank you. Okay. This is a show cause status hearing.</p> <p>13 And so I need to ask you, Mr. Askarinam -- how do I</p> <p>14 pronounce your name?</p> <p>15          MR. ASKARINAM: Yes, Askarinam.</p> <p>16          CHAIRPERSON MILLER: Askarinam. Okay. Did</p> <p>17 you receive notice of this hearing?</p> <p>18          MR. ASKARINAM: Yes.</p> <p>19          CHAIRPERSON MILLER: And did you read it?</p> <p>20          MR. ASKARINAM: Yes.</p> <p>21          CHAIRPERSON MILLER: Did you understand it?</p> <p>22          MR. ASKARINAM: Yes.</p>	<p style="text-align: right;">5</p> <p>1 right. Mr. Askarinam, is that -- I have heard the</p> <p>2 government present an OIC for a fine of \$1000 payable</p> <p>3 immediately. Is -- are you agreeable to that?</p> <p>4           MR. ASKARINAM: I agree actually.</p> <p>5           CHAIRPERSON MILLER: Okay. And you</p> <p>6 understand that you waive your right to a hearing by</p> <p>7 accepting it?</p> <p>8           MR. ASKARINAM: I do.</p> <p>9           CHAIRPERSON MILLER: Okay. Anything else?</p> <p>10          MR. ALBERTI: Yes, a quick question.</p> <p>11          CHAIRPERSON MILLER: All right. Yes? Uh-</p> <p>12 huh.</p> <p>13          MR. ALBERTI: Mr. Rivero, just for the</p> <p>14 record, how does that break down those two charges, the</p> <p>15 \$1000? How does it break down?</p> <p>16          MR. RIVERO: It was broken down to \$500 per</p> <p>17 charge.</p> <p>18          MR. ALBERTI: Thank you very much.</p> <p>19          CHAIRPERSON MILLER: Any other questions?</p> <p>20 Okay. I would move that we accept this offer in</p> <p>21 compromise, a fine of \$1000, payable immediately. Do I</p> <p>22 have a second?</p>

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<p>1 BOARD MEMBER: Second. 2 CHAIRPERSON MILLER: Any comments? All those 3 in favor, say aye? 4 (Chorus of ayes.) 5 CHAIRPERSON MILLER: All those opposed? 6 (No audible response.) 7 CHAIRPERSON MILLER: All those abstaining? 8 (No audible response.) 9 CHAIRPERSON MILLER: Then the vote is 6-0-0 10 to accept the offer in compromise. Thank you. 11 MR. RIVERO: Thank you. 12 MR. ASKARINAM: Thank you. 13 CHAIRPERSON MILLER: Okay. 14 (WHEREUPON, at 10:18 a.m., the hearing was 15 concluded.) 16 17 18 19 20 21 22</p>	<p>1 CERTIFICATE OF TRANSCRIPTION 2 3 I, MIRANDA PENNACHI, hereby certify that I am not 4 the Court Reporter who reported the following 5 proceeding and that I have typed the transcript of this 6 proceeding using the Court Reporter's notes and 7 recordings. The foregoing/attached transcript is a 8 true, correct and complete transcription of said 9 proceeding. 10 11 12 13 14 15 _____ 16 Date MIRANDA PENNACHI 17 Transcriptionist 18 19 20 21 22</p>
7	
<p>1 CERTIFICATE OF NOTARY PUBLIC 2 3 I, BRADLEY ANGLIN, the officer before whom the 4 foregoing hearing was taken, do hereby certify that the 5 testimony appearing in the foregoing transcript was 6 recorded by me and thereafter reduced to typewriting 7 under my direction; that said transcription is a true 8 record of the testimony given by said parties; that I 9 am neither counsel for, related to, nor employed by any 10 of the parties to the action in which this was taken; 11 and, further, that I am not a relative or employee of 12 any counsel or attorney employed by the parties hereto, 13 nor financially or otherwise interested in the outcome 14 of this action. 15 16 17 18 19 _____ 20 BRADLEY ANGLIN 21 Notary Public in and for 22 DISTRICT OF COLUMBIA</p>	

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<hr/> <p style="text-align: center;">\$</p> <hr/> <p><b>\$1000</b> 4:10 5:2,15,21</p> <p><b>\$500</b> 5:16</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p><b>00465</b> 2:5</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p><b>10:18</b> 2:2 6:14</p> <p><b>11-CMP</b> 2:4</p> <p><b>11-CMP-00465</b> 1:8</p> <p><b>14th</b> 1:14</p> <p><b>18</b> 1:11</p> <p><b>18th</b> 1:6 2:5 3:9</p> <p><b>1C</b> 1:8 2:7</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p><b>2000</b> 1:14</p> <p><b>2012</b> 1:11</p> <p><b>2323</b> 3:9</p> <p><b>2333</b> 1:5,6 2:5</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p><b>6-0-0</b> 6:9</p> <p><b>60401</b> 1:7 2:6</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p><b>a.m</b> 2:2 6:14</p> <p><b>abstaining</b> 6:7</p> <p><b>accept</b> 5:20 6:10</p> <p><b>accepting</b> 5:7</p> <p><b>account</b> 4:11</p> <p><b>action</b> 7:10,14</p> <p><b>actually</b> 5:4</p>	<p><b>adequate</b> 4:11</p> <p><b>agreeable</b> 5:3</p> <p><b>Agreement</b> 1:9,10</p> <p><b>ALBERTI</b> 1:17 2:20 3:2 5:10,13,18</p> <p><b>Alcoholic</b> 1:2,12,13</p> <p><b>am</b> 7:9,11 8:3</p> <p><b>ANC</b> 1:8 2:7</p> <p><b>ANGLIN</b> 7:3,19</p> <p><b>Anything</b> 5:9</p> <p><b>appearing</b> 7:5</p> <p><b>Askarinam</b> 2:12,18 3:1,8,9,13,15,16, 18,20,22 4:3,20 5:1,4,8 6:12</p> <p><b>attorney</b> 7:12</p> <p><b>audible</b> 6:6,8</p> <p><b>aye</b> 6:3</p> <p><b>ayes</b> 6:4</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p><b>bar</b> 3:5</p> <p><b>believe</b> 4:10</p> <p><b>better</b> 3:11</p> <p><b>Beverage</b> 1:2,12,13</p> <p><b>Board</b> 1:2,13 2:10 4:7 6:1</p> <p><b>Board's</b> 4:2</p> <p><b>BRADLEY</b> 7:3,19</p> <p><b>break</b> 5:14,15</p> <p><b>broken</b> 5:16</p> <p><b>BROOKS</b> 1:17</p>	<p>2:15</p> <p><b>Building</b> 1:14</p> <p><b>button</b> 3:4</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p><b>CALVIN</b> 1:18</p> <p><b>case</b> 1:8 2:4 4:12</p> <p><b>cause</b> 1:7 2:4 3:12</p> <p><b>CERTIFICATE</b> 7:1 8:1</p> <p><b>certify</b> 7:4 8:3</p> <p><b>Chairperson</b> 1:14,16 2:3,14,17 3:3,11,16,19,21 4:1,4,8,14,17,19, 22 5:5,9,11,19 6:2,5,7,9,13</p> <p><b>charge</b> 5:17</p> <p><b>charges</b> 5:14</p> <p><b>Chorus</b> 6:4</p> <p><b>closed</b> 4:21</p> <p><b>Columbia</b> 1:1 2:11 7:21</p> <p><b>comments</b> 6:2</p> <p><b>complete</b> 8:8</p> <p><b>compromise</b> 4:6 5:21 6:10</p> <p><b>concluded</b> 6:15</p> <p><b>consists</b> 4:9</p> <p><b>Control</b> 1:2,12,13</p> <p><b>Copy</b> 1:9</p> <p><b>correct</b> 8:8</p> <p><b>counsel</b> 7:9,12</p> <p><b>Court</b> 8:4,6</p> <p><b>CR</b> 1:7</p>	<hr/> <p style="text-align: center;">D</p> <hr/> <p><b>D.C</b> 1:14</p> <p><b>Date</b> 8:16</p> <p><b>days</b> 4:17</p> <p><b>direction</b> 7:7</p> <p><b>District</b> 1:1 2:11 7:21</p> <p><b>DONALD</b> 1:17</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p><b>edge</b> 3:6</p> <p><b>else</b> 5:9</p> <p><b>employed</b> 7:9,12</p> <p><b>employee</b> 7:11</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p><b>facts</b> 4:11</p> <p><b>Failed</b> 1:9</p> <p><b>favor</b> 6:3</p> <p><b>Fernando</b> 1:20 2:11</p> <p><b>financially</b> 7:13</p> <p><b>fine</b> 4:9 5:2,21</p> <p><b>foregoing</b> 7:4,5</p> <p><b>foregoing/ attached</b> 8:7</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p><b>gentlemen</b> 3:8</p> <p><b>given</b> 7:8</p> <p><b>government</b> 5:2</p> <p><b>green</b> 2:20,21 3:7</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p><b>hear</b> 2:14</p>
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<p><b>heard</b> 5:1  <b>hearing</b> 1:7,13 2:4          3:12,17 5:6 6:14          7:4  <b>hereby</b> 7:4 8:3  <b>hereto</b> 7:12  <b>HERMAN</b> 1:18  <b>huh</b> 5:12</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p><b>I'm</b> 3:1  <b>immediately</b> 4:10          5:3,21  <b>Inc</b> 1:5  <b>interested</b> 7:13  <b>introduce</b> 2:8  <b>Iraj</b> 2:12,18 3:9  <b>It's</b> 4:20</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p><b>Jackie</b> 4:12  <b>JONES</b> 1:18  <b>July</b> 1:11</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p><b>ladies</b> 3:9  <b>License</b> 1:7 2:5  <b>Licensee</b>          4:12,15,16  <b>light</b> 2:20,21  <b>little</b> 3:5</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p><b>MATTER</b> 1:4  <b>MEETING</b> 1:3  <b>Member</b></p>	<p>1:17,18,19 6:1  <b>members</b> 2:10  <b>met</b> 1:13  <b>mike</b> 1:19 2:15,21  <b>Miller</b> 1:14,16          2:3,14,17          3:3,11,16,19,21          4:1,4,8,14,17,19,          22 5:5,9,11,19          6:2,5,7,9,13  <b>MIRANDA</b> 8:3,16  <b>months</b> 4:20  <b>morning</b> 2:10,13          3:8  <b>move</b> 5:20</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p><b>N.W</b> 1:14 2:5 3:10  <b>name's</b> 3:9  <b>neither</b> 7:9  <b>NICK</b> 1:17  <b>NOPHLIN</b> 1:18  <b>nor</b> 7:9,13  <b>Notary</b> 7:1,20  <b>notes</b> 8:6  <b>notice</b> 3:17 4:2  <b>NW</b> 1:6</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p><b>OAG</b> 1:20  <b>offer</b> 4:6,9 5:20          6:10  <b>officer</b> 7:3  <b>Oh</b> 4:22  <b>OIC</b> 4:11 5:2  <b>opened</b> 4:13,15</p>	<p><b>opposed</b> 6:5  <b>otherwise</b> 7:13  <b>outcome</b> 7:13  <b>owner</b> 2:18 3:9</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p><b>parties</b> 2:8          7:8,10,12  <b>payable</b> 4:10          5:2,21  <b>PENNACHI</b>          8:3,16  <b>per</b> 5:16  <b>ph</b> 4:12  <b>please</b> 2:16  <b>present</b> 1:16,19          4:7 5:2  <b>presiding</b> 1:15  <b>Press</b> 3:3  <b>proceeding</b> 8:5,6,9  <b>Produce</b> 1:9  <b>pronounce</b> 3:14  <b>Public</b> 7:1,20  <b>push</b> 3:3,6</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p><b>question</b> 5:10  <b>questions</b> 5:19  <b>quick</b> 5:10  <b>quite</b> 4:13</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p><b>reading</b> 4:2  <b>ready</b> 2:9  <b>receive</b> 3:17  <b>record</b> 4:2 5:14</p>	<p>7:8  <b>recorded</b> 7:6  <b>recordings</b> 8:7  <b>reduced</b> 7:6  <b>Reeves</b> 1:14  <b>related</b> 7:9  <b>relative</b> 7:11  <b>reported</b> 8:4  <b>Reporter</b> 8:4  <b>Reporter's</b> 8:6  <b>response</b> 6:6,8  <b>Restaurant</b> 2:19  <b>Retailer</b> 1:7  <b>Rivero</b> 1:20          2:10,11,22 3:5          4:5,6,9,16,18          5:13,16 6:11  <b>Room</b> 1:14  <b>Ruthanne</b> 1:14,16</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p><b>second</b> 5:22 6:1  <b>seven</b> 4:20  <b>SILVERSTEIN</b>          1:19  <b>sir</b> 2:14  <b>sorry</b> 3:1  <b>speak</b> 2:15  <b>status</b> 1:8 2:4 3:12  <b>Street</b> 1:6,14 2:5          3:10</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p><b>t/a</b> 1:6  <b>testimony</b> 7:5,8  <b>Thank</b> 3:2,7,12</p>
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5:18 6:10,11,12 <b>That's</b> 3:11 <b>themselves</b> 2:8 <b>thereafter</b> 7:6 <b>There's</b> 3:5 <b>Tom</b> 2:18,19 <b>Tom-Tom</b> 1:6 2:5,12 <b>Tom-Tom's</b> 3:10 <b>transcript</b> 7:5 8:5,7 <b>transcription</b> 7:7 8:1,8 <b>Transcriptionist</b> 8:17 <b>true</b> 7:7 8:8 <b>typed</b> 8:5 <b>typewriting</b> 7:6 <hr/> <p style="text-align: center;">U</p> <hr/> <b>Uh</b> 5:11 <b>understand</b> 3:21 5:6 <hr/> <p style="text-align: center;">V</p> <hr/> <b>Violation</b> 1:9 <b>Voluntary</b> 1:9,10 <b>vote</b> 6:9 <hr/> <p style="text-align: center;">W</p> <hr/> <b>waive</b> 4:1 5:6 <b>Washington</b> 1:14 <b>we're</b> 2:9 <b>WHEREUPON</b> 6:14 <b>whom</b> 7:3			
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