DISTRICT OF COLUMBIA

ALCOHOL BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF:                       :
                                        :
AAB, LLC                                :
t/a Black Squirrel                      :
2427 18th Street NW                     :
Retailer CR                             :  Show Case
License No. 78091                       :  Hearing
ANC 1C                                  :  (Status)
Case No. 12-CMP-00330                   :
Violation of Voluntary Agreement        :
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November 14, 2012

The Alcohol Beverage Control

Board met in the Alcohol Beverage Control Hearing room, Reeves Building, 2000 14th Street, N.W., Washington D.C., Ruthanne Miller, Chairperson, presiding.

PRESENT
RUTHANNE MILLER, Chairperson
DONALD BROOKS, Member
NICK ALBERTI, Member
MIKE SILVERSTEIN, Member

ALSO PRESENT
FERNANDO RIVERO, OAG

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

2 9:51 a.m.

3 CHAIRPERSON MILLER: Next case on our

4 calendar is Case Number 12-CMP-00330, Black Squirrel,

5 2427 18th Street NW, License Number 78091, in ANC 1-C.

6 UNIDENTIFIED MALE: They may be out --

7 CHAIRPERSON MILLER: Would the parties please

8 come forward on this case?

9 Okay. Did -- I could go back to another case

10 if anyone has come in on one of the cases that was

11 passed. Has that happened? You? Okay.

12 The one we -- would you come forward please?

13 Mr. Stern, if that's all right with you. Since they're

14 still talking out there.

15 (Conversation off the microphone.)

16 (Recessed and resumed at 9:55 a.m.)

17 CHAIRPERSON MILLER: That brings us I believe

18 to-- is it Black Squirrel? Did we do Black Squirrel?

19 MR. ALBERTI: No we didn't.

20 CHAIRPERSON MILLER: Okay. Black Squirrel.

21 Are the parties here on that case? 12-CMP-

22 MR. JONES: They were waiting (inaudible).

1 CHAIRPERSON MILLER: Oh, they're the ones out
2 in the hallway?
3 MR. JONES: They were out -- they're there.
4 But they were waiting for --
5 UNIDENTIFIED MALE: Who are you calling?
6 MR. JONES: (inaudible).
7 UNIDENTIFIED MALE: Maxwell?
8 CHAIRPERSON MILLER: Yeah, are they ready, or
9 do they need anymore time? Okay, good.
10 Oh, when you're ready would you please
11 introduce yourselves for the record.
12 MR. RIVERO: Good morning Board members.
13 Fernando Rivero for The District of Columbia.
14 CHAIRPERSON MILLER: Good morning.
15 MR. KNOTT: Thomas Knott.
16 CHAIRPERSON MILLER: Can you talk into the
17 mic a little?
18 MR. KNOTT: Thomas Knott.
19 CHAIRPERSON MILLER: Okay.
20 MS. BOWMAN: Amy Bowman.
21 CHAIRPERSON MILLER: And you are? What's
22 your affiliation with Black Squirrel?

1 MS. BOWMAN: We're the owners.
2 CHAIRPERSON MILLER: Okay, good. Did you
3 receive notice of this show cause hearing?
4 MS. BOWMAN: Yes, ma'am.
5 CHAIRPERSON MILLER: Did you read it?
6 MS. BOWMAN: Yes, ma'am.
7 CHAIRPERSON MILLER: Did you understand it?
8 MS. BOWMAN: Yes ma'am.
9 CHAIRPERSON MILLER: Okay. And do you waive
10 the Board's reading of the notice into the record?
11 MS. BOWMAN: Yes, ma'am.
12 CHAIRPERSON MILLER: Okay, good. Mr.
13 Fernando do we have any preliminary matters in this
14 case?
15 MR. RIVERO: Yes. The parties have an offer
16 in compromise to present to the board at this time.
17 But first I would like to proffer that the Licensees
18 have a disagreement with respect to the investigator's
19 description of the statements that were made during his
20 visit as stated in the report. They disagree -- they
21 have a different recollection of the statements that
22 were made.

1 However, there is no disagreement with
2 respect to the violation in itself. And on the basis
3 of that reason, we are here to present an offer in
4 compromise to move the case along today.
5 And that offer in compromise consists of a
6 fine of $500, payable in seven days.
7 CHAIRPERSON MILLER: A fine of how much?
8 Five hundred?
9 MR. RIVERO: Five hundred dollars, payable in
10 seven days.
11 CHAIRPERSON MILLER: Okay. So I understand
12 the government to represent that there's an offer in
13 compromise of a fine of $500 to be paid within seven
14 days, and I'd like to ask you if that is your
15 understanding and if you're agreeable to that.
16 MS. BOWMAN: Yes, ma'am.
17 CHAIRPERSON MILLER: And do you understand
18 that that waives your right to a hearing in this
19 manner?
20 MS. BOWMAN: Yes, ma'am.
21 CHAIRPERSON MILLER: Okay. Are there any
22 questions from the parties on this OIC?

1 I'm not hearing any from the Board. I would
2 then like to make a motion that we accept this offer
3 and compromise of $500 to be paid within seven days.
4 Do I have a second?
5 MR. BROOKS: Second.
6 CHAIRPERSON MILLER: The motion is seconded
7 by Mr. Brooks. Any comments?
8 All those in favor then of the motion, say
9 aye.
10 (Chorus of ayes.)
11 CHAIRPERSON MILLER: All those opposed? All
12 those abstaining?
13 (No audible response.)
14 CHAIRPERSON MILLER: Okay then the motion
15 passes by a vote of 4 to 0 to 0.
16 Okay, I think that concludes our show cause
17 status hearing cases. I would ask if you would indulge
18 me in taking a three minute break to put in my last
19 found contact in my eye, so I could deal with your
20 cases better. So we'll recess just for that short
21 purpose. Thank you.
22 (The hearing concluded at 10:11 a.m.)

1 CERTIFICATE OF NOTARY PUBLIC

2

3 I, ANDREW KNOUS, the officer before whom the
4 foregoing hearing was taken, do hereby certify that the
5 testimony appearing in the foregoing pages was recorded
6 by me and thereafter reduced to typewriting under my
7 direction; that said transcription is a true record of
8 the testimony given by said parties; that I am neither
9 counsel for, related to, nor employed by any of the
10 parties to the action in which this hearing 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 ANDREW KNOUS

19 Notary Public in and for the

20 District of Columbia

21

22

1 CERTIFICATE OF TRANSCRIPTION

2

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

9

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13 _____ _____
14 Date SUSAN LaPOOH
15 Transcriptionist

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