

Capital Reporting Company
In the Matter of: Lounge of Three, Inc. 08-08-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
 :
Lounge of Three, Inc. :
t/a Lounge of Three :
1013 U Street, NW :
Retailer CT : Show Cause
License No. 78816 : Hearing
ANC 1B : (Status)
Case No. 12-CMP-00117 :
Substantial Change (Operating :
After Hours) :
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August 8, 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

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

2 10:01 a.m.

3 CHAIRPERSON MILLER: The next case on our
4 calendar is Case Number 12-CMP-00117, Lounge of Three,
5 located at 1013 U Street NW, License Number 78816,
6 located in ANC 1B.

7 MR. RIVERO: Good morning Board members,
8 Fernando Rivero for the District of Columbia.

9 CHAIRPERSON MILLER: Good morning.

10 MR. KLINE: Good morning, Andrew Kline on
11 behalf of the Licensee.

12 MR. GETAHUN: Good morning, Simon Getahun,
13 from Lounge of Three, owner.

14 CHAIRPERSON MILLER: Okay, this is a show
15 cause status hearing, so I'm going to ask you, did you
16 receive notice of this hearing?

17 MR. KLINE: Yes, we received the notice, read
18 it, understood it, and waive any required formal
19 reading.

20 CHAIRPERSON MILLER: Okay, great. Thank you.
21 All right, so are there any preliminary matters in this
22 case?

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1 MR. RIVERO: Yes, the parties have an
2 offering in compromise to present to the Board at this
3 time.

4 CHAIRPERSON MILLER: Okay.

5 MR. RIVERO: The offer consists of a fine of
6 \$2,000, payable in 60 days, and a two day suspension of
7 the license, stayed for one year, pending no further
8 violations.

9 CHAIRPERSON MILLER: Okay. I'm just going to
10 repeat it for the Licensee and get your confirmation if
11 it's accurate.

12 The offer in compromise is for \$2,000 to be
13 paid within 60 days. License suspended for two days,
14 but those days will be stayed one year pending no
15 further violations.

16 MR. KLINE: Yes, we understand the offer,
17 have reviewed it and it's acceptable and would wave
18 hearing if it is acceptable to the Board.

19 CHAIRPERSON MILLER: Okay. Any questions
20 from board members?

21 (No audible response.)

22 CHAIRPERSON MILLER: Okay, then I move that

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1 we accept this offer in compromise of \$2,000 to be paid
2 within 60 days, license suspended for two days, those
3 days stayed for one year pending no further violations.

4 Do I have a second?

5 BOARD MEMBER: Second.

6 CHAIRPERSON MILLER: Any comments? All those
7 in favor say, aye.

8 (Chorus of ayes.)

9 CHAIRPERSON MILLER: All those opposed?

10 BOARD MEMBER: Opposed.

11 CHAIRPERSON MILLER: All those abstaining?

12 (No audible response.)

13 And the motion to approve the offer in compromise
14 passes by a vote of five to one to zero.

15 MR. KLINE: Great. Thank you.

16 CHAIRPERSON MILLER: Thank you.

17 (WHEREUPON, at 10:03 a.m., the hearing was
18 concluded.)

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<p><u> </u> \$ \$2,000 3:6,12 4:1</p> <p><u> </u> 1 10:01 2:2 10:03 4:17 1013 1:7 2:5 12-CMP-00117 1:9 2:4 14th 1:15 1B 1:8 2:6</p> <p><u> </u> 2 2000 1:15 2012 1:12</p> <p><u> </u> 6 60 3:6,13 4:2</p> <p><u> </u> 7 78816 1:8 2:5</p> <p><u> </u> 8 8 1:12</p> <p><u> </u> A a.m 2:2 4:17 abstaining 4:11 accept 4:1 acceptable 3:17,18 accurate 3:11 ALBERTI 1:18 Alcoholic 1:2,13,14 ANC 1:8 2:6 Andrew 2:10 approve 4:13</p>	<p>audible 3:21 4:12 August 1:12 aye 4:7 ayes 4:8</p> <p><u> </u> B behalf 2:11 Beverage 1:2,13,14 board 1:2,14 2:7 3:2,18,20 4:5,10 BROOKS 1:19 Building 1:15</p> <p><u> </u> C calendar 2:4 CALVIN 1:20 case 1:9 2:3,4,22 cause 1:7 2:15 Chairperson 1:15,18 2:3,9,14,20 3:4,9,19,22 4:6,9,11,16 Change 1:9 Chorus 4:8 Columbia 1:1 2:8 comments 4:6 compromise 3:2,12 4:1,13 concluded 4:18 confirmation 3:10 consists 3:5 Control 1:2,13,14 CT 1:7</p>	<p><u> </u> D D.C 1:15 day 3:6 days 3:6,13,14 4:2,3 District 1:1 2:8 DONALD 1:19</p> <p><u> </u> F favor 4:7 Fernando 1:21 2:8 fine 3:5 five 4:14 formal 2:18</p> <p><u> </u> G Getahun 2:12 great 2:20 4:15</p> <p><u> </u> H hearing 1:8,14 2:15,16 3:18 4:17 HERMAN 1:19 Hours 1:10</p> <p><u> </u> I I'm 2:15 3:9 Inc 1:6 it's 3:11,17</p> <p><u> </u> J JONES 1:19</p> <p><u> </u> K Kline 2:10,17 3:16 4:15</p>	<p><u> </u> L license 1:8 2:5 3:7,13 4:2 Licensee 2:11 3:10 located 2:5,6 Lounge 1:6 2:4,13</p> <p><u> </u> M MATTER 1:5 matters 2:21 MEETING 1:3 Member 1:18,19,20 4:5,10 members 2:7 3:20 met 1:14 MIKE 1:20 Miller 1:15,18 2:3,9,14,20 3:4,9,19,22 4:6,9,11,16 morning 2:7,9,10,12 motion 4:13 move 3:22</p> <p><u> </u> N N.W 1:15 NICK 1:18 NOPHLIN 1:20 notice 2:16,17 NW 1:7 2:5</p> <p><u> </u> O OAG 1:21 offer 3:5,12,16</p>
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<p>4:1,13 offering 3:2 Operating 1:9 opposed 4:9,10 owner 2:13</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>paid 3:13 4:1 parties 3:1 passes 4:14 payable 3:6 pending 3:7,14 4:3 preliminary 2:21 present 1:17,21 3:2 presiding 1:16</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>questions 3:19</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>reading 2:19 receive 2:16 received 2:17 Reeves 1:15 repeat 3:10 required 2:18 response 3:21 4:12 Retailer 1:7 reviewed 3:17 Rivero 1:21 2:7,8 3:1,5 Room 1:15 Ruthanne 1:15,18</p> <hr/> <p style="text-align: center;">S</p> <hr/>	<p>second 4:4,5 SILVERSTEIN 1:20 Simon 2:12 status 1:8 2:15 stayed 3:7,14 4:3 Street 1:7,15 2:5 Substantial 1:9 suspended 3:13 4:2 suspension 3:6</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>t/a 1:6 Thank 2:20 4:15,16</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>understand 3:16 understood 2:18</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>violations 3:8,15 4:3 vote 4:14</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>Washington 1:15 wave 2:18 3:17 WHEREUPON 4:17</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p>zero 4:14</p>		
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