



**ALSO PRESENT:**

**SIDON YOHANNES, COUNSEL FOR APPLICANT**

**GREGORY CASTEN, APPLICANT**

**FERNANDO RIVERO, DC OAG**

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

2 9:55 a.m.

3 CHAIRPERSON ANDERSON: All right. The  
4 next case we now move to our show cause hearing  
5 status calendar. And the first case on our show  
6 cause hearing status calendar is Case Number 19-  
7 CC-00027, Ivy City Tavern, License Number 93795.

8 Will the parties please approach and  
9 identify themselves for the record, please.

10 MR. RIVERO: Good morning, board  
11 members. Fernando Rivero for the District of  
12 Columbia.

13 CHAIRPERSON ANDERSON: Good morning,  
14 Mr. Rivero.

15 MS. YOHANNES: Sidon Yohannes on behalf  
16 of ICT.

17 CHAIRPERSON ANDERSON: Good morning,  
18 Ms. Yohannes.

19 MR. CASTEN: Gregory Casten, owner of  
20 the Ivy City Tavern.

21 CHAIRPERSON ANDERSON: Mr. Casten?

22 MR. CASTEN: C-A-S-T-E-N. Yes, sir.

1                   CHAIRPERSON ANDERSON: Good morning,  
2                   sir. Thank you for being here this morning.

3                   Are there preliminary matters in this  
4                   case?

5                   MR. RIVERO: Yes. The parties have an  
6                   offer in compromise to present to the Board.

7                   CHAIRPERSON ANDERSON: And what is  
8                   that, sir?

9                   MR. RIVERO: The offer in compromise  
10                  consists of a warning, mandatory warning for  
11                  Charge 1.

12                  And for Charge 2, dismissal of the  
13                  charge.

14                  CHAIRPERSON ANDERSON: Ms. Yohannes,  
15                  it's my understanding that there is a, there is a  
16                  OIC. And the OIC is that there is a mandatory  
17                  warning and for Charge 1, and that Charge 2 will  
18                  be dismissed.

19                  Is this your understanding as to, is  
20                  this your understanding as to the OIC?

21                  MS. YOHANNES: Yes.

22                  CHAIRPERSON ANDERSON: Is your client

1 aware that by accepting an offer in compromise  
2 that they're giving up their right to a hearing?

3 MS. YOHANNES: Yes.

4 CHAIRPERSON ANDERSON: Is your client  
5 also aware that by accepting an offer in  
6 compromise that they're giving up their right to  
7 appeal this matter?

8 MS. YOHANNES: Yes.

9 CHAIRPERSON ANDERSON: All right. With  
10 that said, I then make a motion that the offer in  
11 compromise of a warning, a mandatory warning for  
12 Charge 1, and for Charge 2, that Charge 2 will be  
13 dismissed.

14 Is there a second?

15 MEMBER SILVERSTEIN: Second.

16 MEMBER CATO: Second.

17 CHAIRPERSON ANDERSON: Mr. Silverstein  
18 and Cato have seconded the motion.

19 All those in favor, say aye.

20 (Chorus of ayes.)

21 CHAIRPERSON ANDERSON: Those opposed?

22 (No response.)

1                   CHAIRPERSON ANDERSON: The matter  
2 passed 5-0-0, and the Board will be issuing a  
3 Board order.

4                   Prior to moving on, one of the reasons  
5 why, and I am, and Mr. Casten, --

6                   MR. CASTEN: Yes, sir.

7                   CHAIRPERSON ANDERSON: -- I'm glad that  
8 you're here today. And one of the reasons why I  
9 am, although the Board agreed with, although I  
10 voted to accept this OIC, I just think that it is  
11 outrageous that a 14-year-old could go to your  
12 establishment and was sold alcohol. It is  
13 outrageous, sir.

14                   And I hope that you do whatever it is  
15 that you do that none of your employees does that  
16 again. It is just outrageous. It's a 14-year-  
17 old who looks like a 14-year-old, who wasn't  
18 acting any older. And I just don't understand  
19 how your establishment could make this breach of  
20 protocol.

21                   I understand it would be -- it's never  
22 understandable for alcohol to be sold to a person

1 who's younger than 21. If this person was 20,  
2 19, 18, 17 one could say that maybe the person's  
3 older. But not a 14-year-old, sir.

4 And I'm glad that you're here and for  
5 you to know how, as the Board chair, how I feel  
6 about this issue. And so I would hope that I  
7 never see you here again for another sale to a  
8 minor because this is just outrageous. Okay?

9 Have a good day. Thank you very much.

10 MS. YOHANNES: Thank you.

11 (Whereupon, at 9:58 a.m., the above-  
12 entitled matter was concluded.)

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<b>A</b>	<b>D</b>	<b>S</b>
<b>a.m</b> 3:2 7:11 <b>above-</b> 7:11 <b>accept</b> 6:10 <b>accepting</b> 5:1,5 <b>acting</b> 6:18 <b>Age</b> 1:11 <b>agreed</b> 6:9 <b>alcohol</b> 6:12,22 <b>Alcoholic</b> 1:2,14,15 <b>ANC</b> 1:7 <b>Anderson</b> 1:16,19 3:3 3:13,17,21 4:1,7,14 4:22 5:4,9,17,21 6:1,7 <b>appeal</b> 5:7 <b>APPLICANT</b> 2:11,12 <b>approach</b> 3:8 <b>Ascertain</b> 1:10 <b>aware</b> 5:1,5 <b>aye</b> 5:19 <b>eyes</b> 5:20	<b>D.C</b> 1:16 <b>day</b> 7:9 <b>DC</b> 2:13 <b>dismissal</b> 4:12 <b>dismissed</b> 4:18 5:13 <b>District</b> 1:1 3:11 <b>Donovan</b> 1:16,19 <b>Drinking</b> 1:11	<b>sale</b> 1:9 7:7 <b>second</b> 5:14,15,16 <b>seconded</b> 5:18 <b>SHORT</b> 1:21 <b>show</b> 1:7 3:4,5 <b>Sidon</b> 2:11 3:15 <b>Silverstein</b> 1:20 5:15,17 <b>sir</b> 3:22 4:2,8 6:6,13 7:3 <b>sold</b> 6:12,22 <b>status</b> 1:7 3:5,6 <b>Steps</b> 1:10 <b>Street</b> 1:7,15 <b>Suite</b> 1:16
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Ivy City Tavern

Before: DCABRA

Date: 06-26-19

Place: Washington, DC

was duly recorded and accurately transcribed under  
my direction; further, that said transcript is a  
true and accurate record of the proceedings.

*Neal R Gross*

-----  
Court Reporter

**NEAL R. GROSS**

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