

ALSO PRESENT:

BERNARD DIETZ, Attorney for the Licensee

FERNANDO RIVERO, OAG

MR. SANGHERA, Licensee

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

2 9:43 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case No. 17-CC-00126, King
5 Avenue Liquors, License No. 60177.

6 Will the parties, please, approach and
7 identify themselves for the record, please?

8 MR. RIVERO: Good morning, Board
9 Members. Fernando Rivero for the District of
10 Columbia standing in for Christopher Sousa.

11 CHAIRPERSON ANDERSON: Good morning
12 again, Mr. Rivero.

13 MR. DIETZ: I'm Bernard C. Dietz
14 representing the licensee and I have with me Mr.
15 Sanghera.

16 CHAIRPERSON ANDERSON: Good morning.

17 MR. DIETZ: Who is the president of
18 the corporate license.

19 CHAIRPERSON ANDERSON: Good morning
20 again, Mr. Dietz.

21 Mr. Sanghera, can you, please, sign-in
22 on the sign-in sheet, please, sir? Write, put

1 your full name on the sheet, please, sir.

2 All right. Are there any preliminary
3 matters in this case?

4 MR. RIVERO: Yes, the parties have an
5 Offer in Compromise to present to the Board, at
6 this time, and the offer is as follows:

7 For Charge 1, a fine of \$4,000 and for
8 Charge 2, a fine of \$1,000 for a total of \$5,000
9 payable in 60 days. If the fine is not paid in
10 60 days, the license will be suspended until
11 payment is received. That is the fine component.

12 The suspension component is as
13 follows:

14 For Charge 1, a suspension of 10 days
15 with six days stayed and four days served. Those
16 days being May 19, 2018 through May 22, 2018,
17 that being a Saturday through Tuesday, days on
18 which the licensee is regularly open.

19 For Charge 2, a suspension of the
20 license for five days, all days stayed.

21 The stay is for a period of one year
22 pending no further violations.

1 That is the Offer in Compromise.

2 CHAIRPERSON ANDERSON: Okay. Thank
3 you. All right. Mr. Dietz, it's my
4 understanding there is an Offer in Compromise and
5 the Offer in Compromise consists of for Charge 1,
6 there is a fine of \$4,000 with a 10 day
7 suspension. Out of the -- for the 10 days
8 suspension, four days will be served. The four
9 days are May 19th through May 22, 2018 and six
10 days will be stayed for one year, pending there
11 are no further violation.

12 For Charge 2, that there is a \$1,000
13 fine with a five day suspension and all five days
14 are stayed for one year pending no further
15 violations.

16 The total fine of \$5,000 will be paid
17 within 60 days. If the fine is not paid in 60
18 days, the license will be suspended.

19 Is this your understanding of the
20 Offer in Compromise?

21 MR. DIETZ: Yes, it is.

22 CHAIRPERSON ANDERSON: And your client

1 is aware that by accepting an Offer in
2 Compromise, that they are giving up their right
3 to a hearing?

4 MR. DIETZ: Yes.

5 CHAIRPERSON ANDERSON: Are there any
6 questions by any Board Member regarding this
7 Offer in Compromise?

8 Hearing none, I make a motion that the
9 Offer in Compromise of a fine of \$4,000 for
10 Charge 1 with a 10 day suspension, four days
11 served, the four days served will be May 19th
12 through May 22nd and six days will be stayed for
13 one year.

14 For Charge 2, there is a \$1,000 fine
15 with a five day suspension and all five days will
16 be stayed for one year.

17 And the total fine of \$5,000 will be
18 payable within 60 days. If it's not paid within
19 60 days, the license will be suspended until
20 compliance has been made. Is there a second?

21 MEMBER SHORT: Second.

22 CHAIRPERSON ANDERSON: Mr. Short has

1 seconded the motion.

2 All those in favor say aye.

3 ALL: Aye.

4 CHAIRPERSON ANDERSON: Those opposed?

5 The matter passes 5-0-0.

6 The Board will issue a Board Order on
7 this matter. And so, therefore, the time line to
8 pay the fine will be -- will start once the Board
9 Order is issued, but, at the same time, the
10 agreement is that the establishment will be
11 closed, even if the Board Order is not issued
12 prior to, which I think it will be, but the
13 establishment will be closed May 19th through May
14 22, 2018. Okay?

15 MR. DIETZ: Yes.

16 CHAIRPERSON ANDERSON: All right.

17 Thank you very much.

18 MR. DIETZ: Thank you.

19 CHAIRPERSON ANDERSON: Have a good
20 day.

21 (Whereupon, the Show Cause (Status)

22 Hearing was concluded at 9:50 a.m.)

<p style="text-align: center;">A</p> <p>a.m 3:2 7:22 accepting 6:1 Age 1:11 agreement 7:10 ALBERTI 1:19 Alcoholic 1:2,15,15 ANC 1:8 Anderson 1:17,19 3:3 3:11,16,19 5:2,22 6:5 6:22 7:4,16,19 approach 3:6 April 1:13 Ascertain 1:11 Attorney 2:11 Avenue 1:6,7 3:5 aware 6:1 aye 7:2,3</p> <hr/> <p style="text-align: center;">B</p> <p>Bernard 2:11 3:13 Beverage 1:2,15,15 Board 1:2,15 3:8 4:5 6:6 7:6,6,8,11 BOBBY 1:20 Building 1:16</p> <hr/> <p style="text-align: center;">C</p> <p>C 3:13 calendar 3:4 case 1:9 3:3,4 4:3 CATO 1:20 Cause 1:7 7:21 Chairperson 1:16,19 3:3,11,16,19 5:2,22 6:5,22 7:4,16,19 Charge 4:7,8,14,19 5:5 5:12 6:10,14 Christopher 3:10 client 5:22 closed 7:11,13 Columbia 1:1 3:10 compliance 6:20 component 4:11,12 Compromise 4:5 5:1,4 5:5,20 6:2,7,9 concluded 7:22 consists 5:5 Control 1:2,15,15 corporate 3:18 Corporation 1:6</p> <hr/> <p style="text-align: center;">D</p> <p>D.C 1:16 day 5:6,13 6:10,15 7:20 days 4:9,10,14,15,15,16 4:17,20,20 5:7,8,9,10 5:13,17,18 6:10,11,12</p>	<p>6:15,18,19 Dietz 2:11 3:13,13,17 3:20 5:3,21 6:4 7:15 7:18 District 1:1 3:9 Donovan 1:17,19 Drinking 1:11</p> <hr/> <p style="text-align: center;">E</p> <p>establishment 7:10,13</p> <hr/> <p style="text-align: center;">F</p> <p>Failed 1:10 favor 7:2 Fernando 2:12 3:9 fine 4:7,8,9,11 5:6,13 5:16,17 6:9,14,17 7:8 five 4:20 5:13,13 6:15 6:15 follows 4:6,13 four 4:15 5:8,8 6:10,11 full 4:1 further 4:22 5:11,14</p> <hr/> <p style="text-align: center;">G</p> <p>giving 6:2</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:8,15 6:3,8 7:22</p> <hr/> <p style="text-align: center;">I</p> <p>identify 3:7 issue 7:6 issued 7:9,11</p> <hr/> <p style="text-align: center;">J</p> <p>JAMES 1:21 Jr 1:7,20</p> <hr/> <p style="text-align: center;">K</p> <p>King 1:6,7 3:4</p> <hr/> <p style="text-align: center;">L</p> <p>Legal 1:11 license 1:8 3:5,18 4:10 4:20 5:18 6:19 licensee 2:11,13 3:14 4:18 line 7:7 Liquors 1:6 3:5 Luther 1:7</p> <hr/> <p style="text-align: center;">M</p> <p>Martin 1:7 matter 1:5 7:5,7 matters 4:3 MEETING 1:3</p>	<p>Member 1:19,20,20,21 6:6,21 Members 3:9 met 1:15 MIKE 1:20 Minor 1:10 morning 3:8,11,16,19 motion 6:8 7:1</p> <hr/> <p style="text-align: center;">N</p> <p>N.W 1:16 name 4:1 Necessary 1:11 NICK 1:19</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 2:12 offer 4:5,6 5:1,4,5,20 6:1,7,9 once 7:8 open 4:18 opposed 7:4 Order 7:6,9,11</p> <hr/> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 3:1 paid 4:9 5:16,17 6:18 parties 3:6 4:4 passes 7:5 pay 7:8 payable 4:9 6:18 payment 4:11 pending 4:22 5:10,14 period 4:21 please 3:6,7,21,22 4:1 preliminary 4:2 present 1:18 2:9 4:5 president 3:17 presiding 1:17 prior 7:12 put 3:22</p> <hr/> <p style="text-align: center;">Q</p> <p>questions 6:6</p> <hr/> <p style="text-align: center;">R</p> <p>received 4:11 record 3:7 Reeves 1:16 regarding 6:6 regularly 4:18 representing 3:14 Retailer 1:8 Rivero 2:12 3:8,9,12 4:4 Room 1:16</p> <hr/> <p style="text-align: center;">S</p>	<p>Sale 1:10 Sanghera 1:6 2:13 3:15 3:21 Saturday 4:17 SE 1:7 second 6:20,21 seconded 7:1 served 4:15 5:8 6:11,11 sheet 3:22 4:1 Short 1:21 6:21,22 Show 1:7 7:21 sign-in 3:21,22 SILVERSTEIN 1:20 sir 3:22 4:1 six 4:15 5:9 6:12 Sousa 3:10 standing 3:10 start 7:8 Status 1:8 7:21 stay 4:21 stayed 4:15,20 5:10,14 6:12,16 Steps 1:10 Street 1:16 Suite 1:16 suspended 4:10 5:18 6:19 suspension 4:12,14,19 5:7,8,13 6:10,15</p> <hr/> <p style="text-align: center;">T</p> <p>t/a 1:6 Thank 5:2 7:17,18 total 4:8 5:16 6:17 Tuesday 4:17</p> <hr/> <p style="text-align: center;">U</p> <p>understanding 5:4,19</p> <hr/> <p style="text-align: center;">V</p> <p>violation 1:10 5:11 violations 4:22 5:15</p> <hr/> <p style="text-align: center;">W</p> <p>W 1:17,19 Washington 1:16 Wednesday 1:13 Write 3:22</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p style="text-align: center;">Y</p> <p>year 4:21 5:10,14 6:13 6:16</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p style="text-align: center;">0</p>
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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: King Avenue Liquors

Before: DCABRA

Date: 04-25-18

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.



Court Reporter

NEAL R. GROSS

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