

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA  
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
3 ALCOHOLIC BEVERAGE CONTROL BOARD

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5 IN THE MATTER OF: :  
6 Chicken Tortilla, Inc. :  
7 t/a Ocopa :  
8 1324 H Street N.W. : Case #15-CMP-00739  
9 License #88102 : Show Cause Hearing  
10 Retailer CR : (Status)  
11 ANC 6A :  
12 Failed to File Quarterly :  
13 Statements (2nd Quarter 2015):

14 - - - - - X

15 Wednesday, February 17, 2016

16  
17 Whereupon, the above-referenced matter  
18 came on for hearing at the Alcoholic Beverage  
19 Control Board, Reeves Center, 2000 14th Street,  
20 N.W., Suite 400S, Washington, D.C. 20009.

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22 CHAIRPERSON:

1 DONOVAN ANDERSON, Presiding

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3 BOARD MEMBERS:

4 NICK ALBERTI

5 RUTHANNE MILLER

6 JAMES SHORT

7 MIKE SILVERSTEIN

8 DANETTE WALKER

9

10 ALSO PRESENT:

11

12 LOUISE PHILLIPS,

13 On Behalf of District of Columbia

14 MR. MIGUES,

15 Owner

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

2 CHAIRPERSON ANDERSON: All right. The  
3 next case on our Show Case Hearing Status is Case  
4 No. 15-CMP-00739, Ocopa, License No. 88102. Will  
5 the parties please approach?

6 MS. PHILLIPS: Good morning, Board  
7 Members. Assistant Attorney General for the  
8 District of Columbia.

9 CHAIRPERSON ANDERSON: Good morning, Ms.  
10 Phillips.

11 MR. MIGUES: Good morning, and Migues  
12 from the Ocopa restaurant.

13 CHAIRPERSON ANDERSON: Good morning, Mr.  
14 Migues?

15 MR. MIGUES: Migues. Sorry.

16 CHAIRPERSON ANDERSON: Mige --

17 MR. MIGUES: Migues.

18 CHAIRPERSON ANDERSON: Migues. Good  
19 morning, Mr. Migues. How are you doing?

20 MR. MIGUES: All right.

21 CHAIRPERSON ANDERSON: Please remember to  
22 sign the sheet on the table next to you.

1 Are there any preliminary matters?

2 MS. PHILLIPS: No, Mr. Chair, there are  
3 not.

4 CHAIRPERSON ANDERSON: All right. This  
5 matter is set for a hearing on March 30th at  
6 3:30.

7 MR. MIGUES: All right.

8 CHAIRPERSON ANDERSON: And you were here.  
9 You heard the process that I just read regarding  
10 the protest and when and how -- I'm sorry. I'm  
11 sorry. I'm sorry. You know what? I'm sorry.  
12 Not a protest, this is a show cause. Yeah, I  
13 need to read my own notes. Sorry. All right. I  
14 apologize.

15 MR. MIGUES: Can I --

16 CHAIRPERSON ANDERSON: Yes, sir.

17 MR. MIGUES: I would like to go over this  
18 notice of status. I have -- there is two things  
19 here. It's a violation for a late filing.

20 CHAIRPERSON ANDERSON: Uh-huh.

21 MR. MIGUES: At that time we were invest  
22 so the restaurant would have -- it needs to have

1 a manager there that was in charge and  
2 everything. And he did a poor job managing and  
3 so he's no longer with us. So the filing was --  
4 the report was filed late. We paid the fine for  
5 \$250. It was on the violation, the box for a  
6 meeting was left blank and it was requesting a  
7 hearing. But actually, we paid for that.

8 The second violation here is requesting a  
9 report for second quarter, 2014. Actually the  
10 restaurant was closed. We didn't even have the  
11 license at the time. The license was issued on  
12 July 31st.

13 CHAIRPERSON ANDERSON: You said two --  
14 well, from what I have in front of me it says,  
15 failure to file quarterly statements for the  
16 second quarter for 2015. That's the only --  
17 that's the case --

18 MR. MIGUES: All I have are --

19 CHAIRPERSON ANDERSON: -- that's in front  
20 of us today.

21 MR. MIGUES: It says on Sunday, September  
22 27th, our investigator, Valentine Enderjucon

1 (phonetic) went to the establishment and advised  
2 your manager, Carlos Segal, that your  
3 establishment failed to have square report for  
4 the period of April 2014 through June 2014.

5 And actually the restaurant was closed at  
6 the time. Actually the license was issued on  
7 July 31st.

8 CHAIRPERSON ANDERSON: Well, what -- all  
9 right. This is a status hearing. So why -- this  
10 is what I'm going to do. Do you have -- how many  
11 cases do you have in front of me this morning?

12 MS. PHILLIPS: I have all the statuses  
13 save one and a show cause hearing. But this case  
14 belongs to Ms. Schmidt, and her number is on the  
15 notice. I would suggest that the Board recommend  
16 that she -- he call Ms. Schmidt and work this  
17 out.

18 CHAIRPERSON ANDERSON: All right.

19 MS. PHILLIPS: Would be the best to --

20 CHAIRPERSON ANDERSON: Right. That's  
21 what I was going to -- if it was your case I was  
22 going to have -- I was just going to pass and

1 call it back. So, but all right. So this case  
2 is scheduled for a hearing on March 30th.

3 MR. MIGUES: Okay.

4 CHAIRPERSON ANDERSON: At 3:30. And so  
5 what I recommend that you do is that you call the  
6 AAG that's assigned to this case and maybe you  
7 can point out what you're pointing out today, to  
8 her, and maybe this case will go away if she is  
9 in the same agreement as you are.

10 MR. MIGUES: Okay.

11 CHAIRPERSON ANDERSON: Okay?

12 MR. MIGUES: Okay. Great.

13 CHAIRPERSON ANDERSON: So yeah. But just  
14 in case you are unable to have this case  
15 dismissed --

16 MR. MIGUES: Then it's March 30th.

17 CHAIRPERSON ANDERSON: -- then March 30th  
18 at 3:30. Okay?

19 MR. MIGUES: Okay. Great.

20 CHAIRPERSON ANDERSON: All right.

21 MR. MIGUES: Thank you very much.

22 CHAIRPERSON ANDERSON: All right.

1           MR. MIGUES: I don't have that  
2 information.

3           MS. PHILLIPS: It's on the second page at  
4 the top. Thank you.

5           CHAIRPERSON ANDERSON: All right.

6           [Whereupon, the above-entitled matter  
7 concluded.]

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