

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

IN THE MATTER OF:	:	
	:	
Queen of Sheba, Inc.,	:	
t/a Queen of Sheba	:	
1503 9th Street, NW	:	Show Cause
Retailer CR - ANC 6E	:	Hearing
License No. 73644	:	
Case #18-CMP-00202	:	
	:	
(Operating After Hours,	:	
Interfered with an	:	
Investigation)	:	

Wednesday,
 February 27, 2019

The Alcoholic Beverage Control Board
 met in the Alcoholic Beverage Control Hearing
 Room, Reeves Building, 2000 14th Street, N.W.,
 Suite 400S, Washington, D.C. 20009, Chairperson
 Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
 NICK ALBERTI, Member
 BOBBY CATO, JR., Member
 MIKE SILVERSTEIN, Member

ALSO PRESENT:

BERNARD C. DIETZ, Licensee Attorney
 CHRISTOPHER SOUSA, OAG

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

2 9:40 a.m.

3 CHAIRPERSON ANDERSON: We now move to
4 our Show Cause Hearing (Status) Calendar. The
5 first case on our Show Cause Hearing (Status)
6 Calendar is a case that was originally scheduled
7 for 2:30 this afternoon, Show Cause Hearing Case
8 No. 18-CMP-00202, Queen of Sheba, License No.
9 73644.

10 Will the parties, please, approach and
11 identify themselves for the record, please?

12 MR. SOUSA: Christopher Sousa on
13 behalf of the District of Columbia.

14 CHAIRPERSON ANDERSON: Good morning,
15 Mr. Sousa.

16 MR. DIETZ: I'm Bernard C. Dietz. I'm
17 appearing on behalf of Queen of Sheba.

18 CHAIRPERSON ANDERSON: Good morning,
19 Mr. Dietz.

20 Mr. Sousa, are there any preliminary
21 matters in this case?

22 MR. SOUSA: Yes, there is an Offer in

1 Compromise to present to the Board.

2 CHAIRPERSON ANDERSON: What is that,
3 sir?

4 MR. SOUSA: So for Count 1, which is
5 operation after -- outside of approved hours, the
6 Offer in Compromise is \$1,500 to be paid within
7 60 days.

8 CHAIRPERSON ANDERSON: How many? How
9 much?

10 MR. SOUSA: \$1,500 to be paid within
11 60 days or the license shall be suspended
12 indefinitely until the fine is paid.

13 For Charge No. 2, interference with an
14 investigation, the same Offer in Compromise
15 \$1,500 to be paid within 60 days or the license
16 shall be suspended indefinitely until the fine is
17 paid.

18 CHAIRPERSON ANDERSON: Mr. Dietz, it's
19 my understanding that there is an Offer in
20 Compromise and the Offer in Compromise is that
21 for Charge 1, there is a fine of \$1,500 payable
22 in 60 days. For Charge No. 2 there is also a

1 fine of \$1,500 payable in 60 days. If the fine
2 is not payable in 60 -- if both fines -- if the
3 total fine of \$3,000 is not payable in 60 days,
4 the license will be suspended until the fine is
5 paid.

6 Is this your understanding, sir, of
7 the Offer in Compromise?

8 MR. DIETZ: Yes, sir, it is.

9 CHAIRPERSON ANDERSON: And is your
10 client aware that by accepting an Offer in
11 Compromise, that they are giving up their right
12 to a hearing?

13 MR. DIETZ: Yes, I have advised my
14 client.

15 CHAIRPERSON ANDERSON: And is your
16 client --

17 MR. DIETZ: And specifically waives
18 the right to a hearing.

19 CHAIRPERSON ANDERSON: And is your
20 client aware that by accepting an Offer in
21 Compromise, that they are giving up their right
22 to appeal this matter?

1 MR. DIETZ: Yes, he is.

2 CHAIRPERSON ANDERSON: All right.

3 With that said, I then make a motion that the
4 Offer in Compromise for Charge 1, a fine of
5 \$1,500 payable in 60 days. For Charge 2, \$1,500
6 also payable in 60 days. If the total fine of
7 \$3,000 is not payable within 60 days, the license
8 will be suspended until the fine has been paid.

9 Is there a second?

10 MEMBER SILVERSTEIN: Second.

11 CHAIRPERSON ANDERSON: Mr. Short --
12 I'm sorry, Mr. Silverstein has seconded the
13 motion.

14 All those in favor say aye.

15 ALL: Aye.

16 CHAIRPERSON ANDERSON: Those opposed?
17 The matter passes 4-0-0.

18 Thank you. All right. Thanks. You
19 can step back and they will have you sign-off on
20 the paperwork. Thank you, sir.

21 We will issue a Board Order for Queen
22 of Sheba.

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MR. DIETZ: Thank you.

CHAIRPERSON ANDERSON: All right.

(Whereupon, the Show Cause Hearing was
concluded at 9:42 a.m.)

<p style="text-align: center;">A</p> <p>a.m 2:2 6:4 accepting 4:10,20 advised 4:13 afternoon 2:7 ALBERTI 1:19 Alcoholic 1:2,14,14 ANC 1:7 Anderson 1:16,18 2:3 2:14,18 3:2,8,18 4:9 4:15,19 5:2,11,16 6:2 appeal 4:22 appearing 2:17 approach 2:10 approved 3:5 Attorney 1:21 aware 4:10,20 aye 5:14,15</p> <hr/> <p style="text-align: center;">B</p> <p>back 5:19 behalf 2:13,17 Bernard 1:21 2:16 Beverage 1:2,14,14 Board 1:2,14 3:1 5:21 BOBBY 1:19 Building 1:15</p> <hr/> <p style="text-align: center;">C</p> <p>C 1:21 2:16 Calendar 2:4,6 case 1:8 2:5,6,7,21 CATO 1:19 Cause 1:7 2:4,5,7 6:3 Chairperson 1:15,18 2:3,14,18 3:2,8,18 4:9 4:15,19 5:2,11,16 6:2 Charge 3:13,21,22 5:4 5:5 Christopher 1:22 2:12 client 4:10,14,16,20 Columbia 1:1 2:13 Compromise 3:1,6,14 3:20,20 4:7,11,21 5:4 concluded 6:4 Control 1:2,14,14 Count 3:4 CR 1:7</p> <hr/> <p style="text-align: center;">D</p> <p>D.C 1:15 days 3:7,11,15,22 4:1,3 5:5,6,7 Dietz 1:21 2:16,16,19 3:18 4:8,13,17 5:1 6:1 District 1:1 2:13 Donovan 1:16,18</p>	<p style="text-align: center;">E</p> <hr/> <p style="text-align: center;">F</p> <p>favor 5:14 February 1:12 fine 3:12,16,21 4:1,1,3 4:4 5:4,6,8 fines 4:2 first 2:5</p> <hr/> <p style="text-align: center;">G</p> <p>giving 4:11,21</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:7,14 2:4,5,7 4:12,18 6:3 hours 1:9 3:5</p> <hr/> <p style="text-align: center;">I</p> <p>identify 2:11 indefinitely 3:12,16 Interfered 1:10 interference 3:13 investigation 1:10 3:14 issue 5:21</p> <hr/> <p style="text-align: center;">J</p> <p>JR 1:19</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p style="text-align: center;">L</p> <p>license 1:8 2:8 3:11,15 4:4 5:7 Licensee 1:21</p> <hr/> <p style="text-align: center;">M</p> <p>matter 1:5 4:22 5:17 matters 2:21 MEETING 1:3 Member 1:19,19,20 5:10 met 1:14 MIKE 1:20 morning 2:14,18 motion 5:3,13 move 2:3</p> <hr/> <p style="text-align: center;">N</p> <p>N.W 1:15 NICK 1:19 NW 1:7</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:22 Offer 2:22 3:6,14,19,20 4:7,10,20 5:4</p>	<p>Operating 1:9 operation 3:5 opposed 5:16 Order 5:21 originally 2:6 outside 3:5</p> <hr/> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 paid 3:6,10,12,15,17 4:5 5:8 paperwork 5:20 parties 2:10 passes 5:17 payable 3:21 4:1,2,3 5:5,6,7 please 2:10,11 preliminary 2:20 present 1:17,21 3:1 presiding 1:16</p> <hr/> <p style="text-align: center;">Q</p> <p>Queen 1:6,6 2:8,17 5:21</p> <hr/> <p style="text-align: center;">R</p> <p>record 2:11 Reeves 1:15 Retailer 1:7 Room 1:15</p> <hr/> <p style="text-align: center;">S</p> <p>scheduled 2:6 second 5:9,10 seconded 5:12 Sheba 1:6,6 2:8,17 5:22 Short 5:11 Show 1:7 2:4,5,7 6:3 sign-off 5:19 Silverstein 1:20 5:10,12 sir 3:3 4:6,8 5:20 sorry 5:12 Sousa 1:22 2:12,12,15 2:20,22 3:4,10 specifically 4:17 Status 2:4,5 step 5:19 Street 1:7,15 Suite 1:15 suspended 3:11,16 4:4 5:8</p> <hr/> <p style="text-align: center;">T</p> <p>t/a 1:6 Thank 5:18,20 6:1 Thanks 5:18 total 4:3 5:6</p>	<p style="text-align: center;">U</p> <p>understanding 3:19 4:6</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p style="text-align: center;">W</p> <p>W 1:16,18 waives 4:17 Washington 1:15 Wednesday 1:12</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p style="text-align: center;">1</p> <p>1,500 3:6,10,15,21 4:1 5:5,5 14th 1:15 1503 1:7 18-CMP-00202 1:8 2:8</p> <hr/> <p style="text-align: center;">2</p> <p>2 3:13,22 5:5 2:30 2:7 2000 1:15 20009 1:15 2019 1:12 27 1:12</p> <hr/> <p style="text-align: center;">3</p> <p>3,000 4:3 5:7</p> <hr/> <p style="text-align: center;">4</p> <p>4-0-0 5:17 400S 1:15</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p style="text-align: center;">6</p> <p>60 3:7,11,15,22 4:1,2,3 5:5,6,7 6E 1:7</p> <hr/> <p style="text-align: center;">7</p> <p>73644 1:8 2:9</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p style="text-align: center;">9</p> <p>9:40 2:2 9:42 6:4 9th 1:7</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: Queen of Sheba

Before: DCABRA

Date: 02-27-19

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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