



**ALSO PRESENT:**

**BERNARD DIETZ, Attorney for the Licensee**

**FERNANDO RIVERO, OAG**

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

2 9:38 a.m.

3 CHAIRPERSON ANDERSON: All right. We  
4 now move to our Show Cause Hearing (Status)  
5 Calendar Case No. 17-CMP-00725, S & G Wine &  
6 Liquors, License No. 93800.

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

9 MR. RIVERO: Good morning, Board  
10 Members. Fernando Rivero for the District of  
11 Columbia standing in for Amy Schmidt.

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

14 MR. DIETZ: Good morning. I'm Bernard  
15 C. Dietz. I'm representing S & G Liquors. I was  
16 expecting my client and I haven't -- I don't see  
17 her at the moment, but --

18 CHAIRPERSON ANDERSON: Well, let me  
19 ask you a question, Mr. Dietz. Is there any  
20 preliminary matters in this case or are we just  
21 setting this matter?

22 MR. DIETZ: Yes, there is. We have --

1                   MR. RIVERO: The parties have an Offer  
2 in Compromise to present to the Board, at this  
3 time.

4                   CHAIRPERSON ANDERSON: And you are the  
5 -- you have provided us a representation, so we  
6 know that you are the one who represents the  
7 client.

8                   MR. DIETZ: I am the attorney of  
9 record for that store.

10                  CHAIRPERSON ANDERSON: And you are --  
11 Mr. Rivero doesn't have a problem you binding  
12 your client to the law?

13                  MR. RIVERO: None.

14                  CHAIRPERSON ANDERSON: So that's fine.  
15 Now, the reason I said so is because you said you  
16 expected your client to be here and I don't want  
17 you to -- I'm not -- I don't take it as an  
18 offense that your client is not here, since you  
19 are the attorney of record. So I just want to  
20 make that clear.

21                  MR. DIETZ: I appreciate that. Thank  
22 you.

1                   CHAIRPERSON ANDERSON: All right. So  
2 are there any preliminary matters in this case?

3                   MR. RIVERO: Yes. The Offer in  
4 Compromise that the parties have to present to  
5 the Board consists as follows:

6                   A fine of \$2,000 payable within 60  
7 days and if the fine is not paid within 60 days,  
8 the license will be suspended until payment is  
9 received. That is the OIC.

10                  CHAIRPERSON ANDERSON: Mr. Dietz, it  
11 is my understanding that there is an Offer in  
12 Compromise and the Offer in Compromise is that  
13 there is a fine of \$2,000 payable in 60 days. If  
14 the fine is not payable in 60 days, the license  
15 will be suspended until compliance.

16                  Is that your understanding, sir, of  
17 the Offer in Compromise?

18                  MR. DIETZ: That's our understanding  
19 and it's our agreement.

20                  CHAIRPERSON ANDERSON: And is your  
21 client aware that by accepting an Offer in  
22 Compromise --

1 MR. DIETZ: Yes, I discussed it with  
2 her in detail.

3 CHAIRPERSON ANDERSON: I have to go  
4 through my spiel, you know. Come on don't take  
5 away my moment. So I have to go through. I know  
6 that you understand, but I have to go through  
7 this to ask you. So you have confirmed that your  
8 client is aware that by accepting an Offer in  
9 Compromise that they are giving up their right to  
10 a hearing. And you also confirm that your client  
11 is aware that by accepting this Offer in  
12 Compromise, that they cannot appeal this matter.  
13 Is that correct?

14 MR. DIETZ: That's correct.

15 CHAIRPERSON ANDERSON: Okay. With  
16 this said, I then make a motion that the Offer in  
17 Compromise of a fine of \$2,000 payable in 60 days  
18 be accepted. If the fine is not payable in 60  
19 days, the license will be suspended until the  
20 fine has been paid. 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 Thank you very much. I thank the  
7 parties for agreeing to this matter and I'll have  
8 you sign some documentation to close this matter.

9 Thank you.

10 All right. That's it. Thank you.

11 MR. DIETZ: Thank you.

12 CHAIRPERSON ANDERSON: All right.

13 (Whereupon, the Show Cause (Status)

14 Hearing was concluded at 9:42 a.m.)

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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: S&G Wine and 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.

*Neal R Gross*

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Court Reporter

**NEAL R. GROSS**

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