

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
3 ALCOHOLIC BEVERAGE CONTROL BOARD
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6 IN THE MATTER OF: :

7 Rockfish, LLC: Case #16-AUD-00038

8 t/a Stonefish Grill and Lounge:

9 1050 17th Street NW :

10 License #94562 :

11 Retailer CR :

12 ANC 2B :

13 Failed to maintain records :

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15 Wednesday, August 10, 2016

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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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BOARD MEMBERS PRESENT

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NICK ALBERTI, BOARD MEMBER

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JAMES SHORT, BOARD MEMBER

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MIKE SILVERSTEIN, BOARD MEMBER

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RUTHANNE MILLER, BOARD MEMBER

7

8

ALSO PRESENT:

9

MICHAEL FONSECA

10

OFOBEKAY OKEH

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

2 CHAIRPERSON ANDERSON: The next case on
3 our show cause hearing (status) calendar is case
4 #16-AUD-00038, Stonefish Grill and Lounge,
5 license #94562. Will the parties please approach
6 and identify themselves for the record, please?

7 MS. PHILLIPS: Louise Phillips, Assistant
8 Attorney General for the District of Columbia.

9 CHAIRPERSON ANDERSON: Ms. Phillips.

10 MR. FONSECA: Michael Fonseca, F-O-N-S-E-C-A,
11 on behalf of the licensee.

12 CHAIRPERSON ANDERSON: Mr. Fonseca.

13 MR. OKEH: O-F-O-B-E-K-A-Y, last name, O-K-E-
14 H.

15 CHAIRPERSON ANDERSON: I'm sorry, your name
16 again, sir? Mr?

17 MR. OKEH: Ofobekay Okeh.

18 CHAIRPERSON ANDERSON: How do you spell your
19 first name?

20 MR. OKEH: O-F-O-

21 CHAIRPERSON ANDERSON: It's a silent "O."
22 I'm looking at it but the way you pronounce your

1 name and I'm looking the way it's spelled, the
2 "O" I don't hear.

3 MR. FONSECA: Mr. Okeh is a managing member.

4 CHAIRPERSON ANDERSON: Okay, I have his name,
5 it's on here, but thank you. Are there any
6 preliminary matters in this case?

7 MS. PHILLIPS: Yes, Mr. Chair, there are.
8 The parties have an offer in compromise to
9 present to the board. There is a fine of \$3500
10 payable within 60 days.

11 MR. ALBERTI: 60 days?

12 MS. PHILLIPS: Sixty. 6-0. Submission of a
13 complete change of license Class F application
14 for a tavern, which Mr. Fonseca can speak to.
15 Charge #1 is a fine of \$2000. Charge #2 is a
16 fine of \$1500.

17 MR. FONSECA: If I can enlighten the board?
18 The application for change of class to a tavern
19 license was filed. It's --

20 CHAIRPERSON ANDERSON: It's on our agenda.

21 MR. FONSECA: Yeah, I was going to let you
22 know to my understanding it would be on your

1 licensing agenda this afternoon.

2 CHAIRPERSON ANDERSON: Yeah.

3 MR. FONSECA: And I have actually reached out
4 to the single member commissioner who negotiated
5 the November 13, 2013, agreement and her
6 representation is she doesn't see a problem and
7 probably don't even need to renegotiate the
8 agreement, so essentially the establishment
9 remains as it always has and it just changed from
10 restaurant to tavern.

11 CHAIRPERSON ANDERSON: Okay. It is my
12 understanding -- Yes, Ms. Phillips?

13 MS. PHILLIPS: Nothing. I'm sorry.

14 CHAIRPERSON ANDERSON: All right -- that
15 there is an offer in compromise of \$3500 and that
16 the fine will be paid within 60 days. If it's
17 not paid within 60 days the license will be
18 suspended until they come into compliance. Mr.
19 Fonseca, on behalf of the client is this your
20 understanding of the offer in compromise, sir?

21 MR. FONSECA: Yes it is.

22 CHAIRPERSON ANDERSON: And Mr. Okeh?

1 MR. OKEH: Okeh.

2 CHAIRPERSON ANDERSON: Okay, sre you aware
3 that by accepting an offer in compromise that you
4 are giving up your right to a hearing?

5 MR. OKEH: Yes.

6 CHAIRPERSON ANDERSON: Are you also aware
7 that you are giving up your right to appeal this
8 matter?

9 MR. OKEH: Yes.

10 CHAIRPERSON ANDERSON: All right, thank you.
11 I then make a motion of the offer in compromise
12 of a fine of \$3500, \$2000 on charge #1, \$1500 on
13 charge #2, that the fine will be paid in 60 days.
14 If it's not paid in 60 days the license will be
15 suspended until payment has been made. Is there
16 a second?

17 MR. SHORT: Second.

18 CHAIRPERSON ANDERSON: Mr. Short has seconded
19 the motion. Is there any discussion or questions
20 by the board members? Hearing none, All in favor
21 say aye. (chorus of ayes.) Those opposed? (no
22 audible response.) The matter passed 5-zero-zero.

1 Thank you very much. We'll have you sign some
2 documents to complete this matter.

3 MR. OKEH: Thank you.

4 (Whereupon, the above-entitled matter was
5 concluded.)

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