

STOP AND GO MARKET

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

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IN THE MATTER OF: :

Stop & Go, LLC,
t/a Stop and Go Market Case Number 15-CC-00068
3001 Sherman Avenue NW
License Number 71763
Retailer B
ANC 1A
SHOW CAUSE HEARING

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Wednesday, May 4, 2016

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

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3 CHAIRPERSON:

4 DONOVAN W. ANDERSON, Presiding

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6 OTHER PERSONS PRESENT:

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8 RUTHANNE MILLER, BOARD MEMBER

9 JAMES SHORT, BOARD MEMBER

10 MIKE SILVERSTEIN, BOARD MEMBER

11 NICK ALBERTI, BOARD MEMBER

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

2 CHAIRPERSON ANDERSON: Good afternoon,
3 everyone. We're back on the record. Our first case is
4 we have a show cause hearing for Case Number
5 15-CC-00068, Stop and Go Market, License Number 71763.
6 Will the parties approach and please identify yourself
7 for the record. There is a piece of paper in front of
8 you, sir. Could you also write your name down on that
9 piece of paper and also identify yourself for the
10 record.

11 MR. TEKLEAB: I wrote my name.

12 CHAIRPERSON ANDERSON: What is your name,
13 sir? Can you please identify yourself for the record.

14 MR. TEKLEAB: My -- my name is Girma, last
15 name is Tekleab. I'm the owner.

16 CHAIRPERSON ANDERSON: You can have a seat,
17 sir. Thank you.

18 MS. SCHMIDT: Good afternoon. Amy Schmidt
19 Assistant Attorney General on behalf of the District of
20 Columbia.

21 CHAIRPERSON ANDERSON: Okay. Good
22 afternoon, Ms. Schmidt. We have a show cause hearing

1 this afternoon, and the purpose of the show cause
2 hearing there's two charge of sale to minor violation
3 and a second charge failure to take steps necessary to
4 ascertain legal drinking age. Are there any preliminary
5 matters?

6 MS. SCHMIDT: Not -- not necessarily a
7 preliminary matter. However I have spoken to Mr. Girma,
8 and he says that -- he says that he would agree to a
9 stipulated trial based on what's written in the --
10 what's in the written to notice to show cause. And we
11 just discussed this -- the penalty involved.

12 CHAIRPERSON ANDERSON: I'm sorry. I'm --
13 I'm bad with names so you'll need to --

14 MR. TEKLEAB: Girma Tekleab.

15 CHAIRPERSON ANDERSON: Girma. Now, do you
16 understand -- she said that you would stipulate to the
17 violation. Do you know what that means?

18 MR. TEKLEAB: Well, I have a sense at least.
19 I'm not --

20 CHAIRPERSON ANDERSON: No. I don't want you
21 to have a sense. I want you to tell me what that means
22 to you.

1 MR. TEKLEAB: Can you repeat what you --

2 CHAIRPERSON ANDERSON: All right. The two
3 charges are that you sold -- you sold liquor to two
4 minors 16 year -- a 16 year-old minor and an 18 year-old
5 minor and that you failed to take -- to -- it says
6 failure to take necessary -- failure to take steps
7 necessary to make sure that you knew that the persons
8 you were selling liquor to was older than 21.

9 MR. TEKLEAB: Yeah. There were no two
10 minors. It's only one [inaudible 02:41] came into the
11 store. I -- I don't remember how they get in, but to
12 serve them with one investigator I believe. I told you
13 two of them are investigators, two -- two others who
14 came. And there was another third one who came with a
15 beer, and I asked her for ID. And she showed me ID, and
16 I looked at it. And I thought she's -- I miscalculated
17 the number as 21, and I sold the beer to her. But I
18 have a little explanation about how it happened. The
19 charge is only one. As far as I know I sold --

20 CHAIRPERSON ANDERSON: No. It's just you
21 sold it. But so you are agreeing that you did sell
22 liquor to a minor?

1 MR. TEKLEAB: I did. I did sell it.

2 CHAIRPERSON ANDERSON: And you're also
3 agreeing that you did not -- I guess the bottom line is
4 that when you checked -- all right. All right. Let me
5 -- now hold on. Hold on one minute. Ms. Schmidt,
6 because I'm reading from something. So can you tell me
7 what are the -- what are the charges that the Government
8 is bringing against the establishment?

9 MR. ALBERTI: And -- and how is the
10 Government -- how would the Government proceed with
11 those two charges?

12 MS. SCHMIDT: Okay. The first charge is
13 25-781A1, which is sale to a minor. And Investigator
14 Donnell Butler would testify that he directed two
15 undercover minors to enter into the store, and he saw
16 one of the minors go directly to the cooler and pick up
17 a Bud Light 25 fluid ounce can of Straw-Ber-Rita. And
18 then they walked out of -- and then she walked -- and
19 then she walked to Mr. Girma, and he saw her -- he saw
20 -- Investigator Butler saw him sell -- sell the alcohol
21 to the minor. And then she handed -- because by --
22 because she handed him cash and -- she handed him cash

1 and -- and then she took -- and then she took bottle of
2 alcohol outside and she handed it to another
3 investigator to be collected for evidence.

4 CHAIRPERSON ANDERSON: And that's the first
5 charge?

6 MS. SCHMIDT: That's the first charge. The
7 second charge is --

8 CHAIRPERSON ANDERSON: Hold on. Hold on.
9 And so the first charge, you're agreeing to that, that
10 this did occur; is that correct?

11 MR. TEKLEAB: It did occur that I sold a
12 beer to a minor, one minor.

13 CHAIRPERSON ANDERSON: All right. Fine.
14 What is the second charge?

15 MS. SCHMIDT: And the second charge is that
16 he looked at the ID. He looked at -- he did look at the
17 -- he looked at the ID and her -- yeah. Before he sold
18 it to her he looked at her ID. And even though -- and
19 the ID itself did say that she was under 21 until May
20 30th, 2019. And this happened July 10th, 2015. So she
21 was definitely under 21 at that time.

22 CHAIRPERSON ANDERSON: All right.

1 MS. SCHMIDT: He -- he looked at ID, and he
2 didn't see -- he failed to ascertain that it said that
3 she was under 21.

4 MR. ALBERTI: The Government's prepared to
5 go forward with the second charge?

6 MS. SCHMIDT: Yes, we are.

7 MR. ALBERTI: Okay.

8 CHAIRPERSON ANDERSON: All right, sir. So
9 you heard what the charge was. Okay?

10 MR. TEKLEAB: Yes.

11 CHAIRPERSON ANDERSON: And so what is it
12 that you're saying about the second charge?

13 MR. TEKLEAB: To me the second charge is --
14 is not a -- the second charge is what I was suppose to
15 do at the beginning when -- when the minor comes in I
16 was supposed to identify -- ask for ID --

17 CHAIRPERSON ANDERSON: Right.

18 MR. TEKLEAB: -- which I did. This is the
19 part of the whole -- the whole thing is the same thing,
20 selling a beer and identifying ID is one process for me.

21 CHAIRPERSON ANDERSON: Okay.

22 MR. TEKLEAB: And when -- when she came --

1 but the -- my -- my -- my story is a little bit
2 different. If I -- if you wanted me to explain, can I
3 do that?

4 CHAIRPERSON ANDERSON: You can. You can.

5 MR. TEKLEAB: I want to take you back about
6 that I got this store in 2004 when I --

7 CHAIRPERSON ANDERSON: Hold on. Well, raise
8 your right hand. Can you -- do you swear or affirm to
9 tell the truth and nothing but the truth?

10 MR. TEKLEAB: Yes, I do.

11 CHAIRPERSON ANDERSON: Okay. Go ahead, sir.

12 MR. TEKLEAB: When I got this store in 2004
13 I moved to this neighborhood and that store been working
14 for a very long, long time. It's a very popular spot
15 for that -- after -- let me tell you where I am. I'm --
16 I'm located at 3001 Sherman Avenue, one block west of
17 Georgia Avenue on Sherman Avenue. There are only one
18 liquor store and a gas station, and I'm the only store
19 on that whole corridor. And that corner, Sherman and
20 Columbia used to be a very, very bad neighborhood when I
21 moved in in 2004. And I -- six hours -- when I got the
22 store I was 60 years old, and I was working by myself.

1 So it was not difficult -- it was not easy to work in
2 that neighborhood at the beginning. So the steps I took
3 in to stay in business and -- and do my business,
4 different two major things; one is to work with my
5 neighbors as -- as to change the environment there. To
6 do that I have to do a lot of -- I got a lot of heat
7 from the -- the teenagers who were living there. And --
8 and on the process what I did was I stopped selling a
9 lot of things that they need and like cigarello or beers
10 like -- you know, beers that they like. So I have to
11 cut those items from -- from the store. And doing that
12 I basically stopped their activities in my store. So
13 I'm the person who believe in law and order, and I live
14 upstairs. So basically in ten years time I changed that
15 neighborhood completely. I give credit for myself.

16 CHAIRPERSON ANDERSON: Hold on. Hold on.
17 We're going to get to the point. I mean I -- and one of
18 the reasons why I'm allowing him to do this is because I
19 think we're going to have agreement. I think what I'm
20 hearing is that he's agreeing that he did do it. He's
21 given his explanation. And so rather than we're going
22 to have the Government present all its case, we're --

1 we're -- we're getting to the point, and he's giving an
2 explanation. So we're -- we're getting to the point of
3 what he wants us to hear, and I -- I think it's fine.
4 So I just want to let everyone know that we're getting
5 to where we want to go. And I think we have agreement,
6 but he's giving his reasoning why he believed that. So
7 go ahead, sir.

8 MR. TEKLEAB: Basically at this -- at this
9 time in my store you don't see no -- no kids. And I
10 mean kids I'm talking about between 17, 21 who are into,
11 you know, breaking the laws. And it used to be a lot
12 of -- a lot of kids in that neighborhood. Now you don't
13 see them in my store period. They don't come to my
14 store. And for that I lost a lot of business, but I --
15 I like it that way. It's fun. I'm working by myself,
16 and I'm not out there for the money. And I -- I work
17 for my neighbors. I'm changing the -- my store.
18 Actually the look of my store is different from what it
19 used to be. And -- and what happened that day was this:
20 There were two people in the store. And the
21 investigator and the other two people -- I thought one
22 of them is the investigator after the three of them

1 worked there. And just by me working by myself I
2 sometimes get nervous when I get two or three people at
3 the same time. My store is very quiet, one -- one --
4 customer at a time. You know, I don't have that long
5 line, and I don't -- I'm -- I'm not out there for -- for
6 the money, and that's the kind of store I have. So when
7 they walked in they -- the first thing -- the
8 investigator I think he's sitting there -- was standing
9 there, was not a customer. But this girl walked in with
10 a can. So I asked her for ID. Still I'm uncomfortable
11 because there's so many people in the store for the
12 first time. So when she -- when I looked at it I
13 overlooked the age, the year. But I did ask her for ID,
14 and I sold to her. That's all that happened. And the
15 reason that I'm trying to explain my -- my -- this thing
16 is I did violate the law. I know what I'm supposed to
17 do, but I did it because I was a little bit
18 uncomfortable. And another thing is I did more to -- to
19 respect the law. The whole thing is a store like me
20 shouldn't sell to minors, I believe that. I'm not like
21 other stores where people purposely do this to make
22 money. I -- I -- I just give you my word, that's not my

1 store.

2 CHAIRPERSON ANDERSON: All right. So -- so
3 the two charges that -- so you did -- you did -- you're
4 agreeing that you did sell to underage. And I guess
5 you're also saying that you got an ID, you looked at it.

6 MR. TEKLEAB: Right.

7 CHAIRPERSON ANDERSON: But you didn't make
8 sure that the person was 21.

9 MR. TEKLEAB: Right.

10 CHAIRPERSON ANDERSON: But -- so -- so -- so
11 you are agreeing that -- you're agreeing to both the
12 violations that you did.

13 MR. TEKLEAB: But if you -- if you put
14 separate, it's just a violation. But for me it's one
15 separate, one violation.

16 CHAIRPERSON ANDERSON: Yeah. So -- so
17 you're agreeing to the facts of the case. So -- so
18 that's fine. All right. So what is it that the
19 Government is proposing? What it is that the Government
20 is proposing? And then once they me what it is
21 proposing, then I'm going to ask you what it is that you
22 want us to do?

1 MS. SCHMIDT: Well, for the first charge
2 we're asking for \$3,000 fine.

3 CHAIRPERSON ANDERSON: For how much?

4 MS. SCHMIDT: \$3,000 fine and five days
5 suspended for a period of one year and alcohol --
6 alcohol training -- awareness training. I'm sorry.

7 CHAIRPERSON ANDERSON: You said -- you said
8 five days suspended for one year?

9 MS. SCHMIDT: All days stayed for one year.
10 I'm sorry. All days stayed for one year.

11 CHAIRPERSON ANDERSON: So \$3,000 for with
12 five days stayed for one year?

13 MS. SCHMIDT: Yes. And alcohol awareness
14 training.

15 MR. ALBERTI: And how long to pay?

16 MS. SCHMIDT: We have -- he can have 60 days
17 as long as --

18 CHAIRPERSON ANDERSON: So the training when?

19 MS. SCHMIDT: Alcohol awareness training.

20 CHAIRPERSON ANDERSON: For when -- when does
21 he have to do that?

22 MS. SCHMIDT: With -- within the next --

1 MR. ALBERTI: Within the year?

2 MS. SCHMIDT: When the next time -- the next
3 time it's given. I don't even know how often it's
4 given.

5 CHAIRPERSON ANDERSON: Uh-huh.

6 MS. SCHMIDT: And also for Charge 2 we're
7 asking for a -- for one -- for a \$2,000 fine.

8 MR. ALBERTI: And any days stayed?

9 MS. SCHMIDT: No.

10 MR. ALBERTI: Any days too?

11 MS. SCHMIDT: No. Not -- not for Charge 2.

12 CHAIRPERSON ANDERSON: You're asking for a
13 \$5,000 fine payable within --

14 MS. SCHMIDT: Yes. 60 or 90 days depending
15 on --

16 CHAIRPERSON ANDERSON: 60 to 90 days and
17 five days stayed for one year?

18 MS. SCHMIDT: Yes. And alcohol awareness
19 training. And I can't say when because I don't know
20 when it's -- I don't know when it's offered.

21 CHAIRPERSON ANDERSON: All right. So you're
22 asking -- you have heard what the Government has

1 requested as a penalty, sir. What the law says, and
2 I'll -- I'll just say this to you. The law says that
3 the range of the fine for the first -- for the first
4 charge is 2,000 to 3,000, for the second charge it's
5 2,000 to 4,000. And it -- so what is it that you're
6 asking The Board to do and -- and why is it The Board
7 should do what you're asking us to do?

8 MR. TEKLEAB: Right. I -- I think the
9 Government asking too much for the -- the -- the thing
10 what I did. I -- I believe in -- in the whole idea
11 about this, you know, implementing the law, you know,
12 making it to work. I -- I don't mind to be supervised
13 or checked. Like I said, you know, my -- the damage --
14 I -- I think the whole thing about the -- the law is
15 supposed to stop people from doing illegal things. And
16 this applies to a lot of -- I know it was -- it should
17 be applied to a lot of stores who do that kind of
18 activities, they're selling loose cigarettes and, you
19 know, making business from minors. I'm not doing that.
20 That's -- I know that. I know that for sure. You could
21 check me any time except, you know, in a situation like
22 this where I was distracted to do it. That's one thing.

1 Another thing is the store is losing money. I have to
2 say this, this is a story that surviving to really make
3 it, you know, from -- from month to month. I don't have
4 the very big business. I'm not making money from
5 selling liquor or cigarettes. This is just a grocery
6 store, a corner store, and it's a changing neighborhood.
7 It's very -- very -- I'm barely surviving to be honest,
8 and \$3,000 -- I can't make \$3,000 for a fine. This is
9 really breaking my back, you know. It's a financial
10 burden there for me to pay three -- three or \$5,000,
11 whatever it is. That's why I -- I declined the first
12 offer because I don't mean I didn't violate the law, but
13 it's too much for me, the fine is. But financially I
14 cannot stand it.

15 CHAIRPERSON ANDERSON: So what is it that
16 you want The Board to do?

17 MR. TEKLEAB: Well, I will take the fine,
18 but the fine is too much.

19 CHAIRPERSON ANDERSON: So what fine -- what
20 fine you're asking The Board to fine you?

21 MR. TEKLEAB: Well, I offer -- I offer her,
22 you know, I'll pay \$2,000, that I could afford that.

1 But, you know, still I'm -- I'm violating the law. I
2 accept the law. That's what I offer to her.

3 MR. ALBERTI: May I ask you a question?

4 So -- so sir, I have to be very careful here because we
5 can't negotiate with you. All right?

6 MR. TEKLEAB: I understand. I understand.

7 MR. ALBERTI: But part of your penalty that
8 is suggested -- part of the penalty suggested by the --
9 the -- by the Government's attorney is five days of
10 suspension which would be stayed for one year.

11 MR. TEKLEAB: But I will take that. Yeah.

12 MR. ALBERTI: Are you arguing against that?

13 MR. TEKLEAB: No. I'll take the suspension
14 because it's -- I could live with that, you know.

15 MR. ALBERTI: Okay.

16 MR. TEKLEAB: And the -- the -- the class
17 that I have to go for, and I can go for that too.

18 MR. ALBERTI: Okay. Thank you.

19 MR. TEKLEAB: But I don't have money to pay,
20 you know, \$3,000 or --

21 MR. ALBERTI: I need to ask Amy a question.

22 CHAIRPERSON ANDERSON: All right. Hold on.

1 You want to her ask her or do you want to -- let me ask
2 Mr. -- who are you asking a question to?

3 MR. SILVERSTEIN: I'm asking questions to
4 both parties.

5 CHAIRPERSON ANDERSON: Then go ahead.

6 MR. SILVERSTEIN: I want to -- but I want
7 to -- I want to clarify.

8 CHAIRPERSON ANDERSON: Go ahead. Go ahead.
9 Go ahead, Mr. Silverstein.

10 MR. SILVERSTEIN: Being that we are -- we
11 have stipulated to the facts, I want to be absolutely
12 certain to what we've stipulated. That the licensee did
13 sell to under age minor -- minors.

14 MS. SCHMIDT: A minor, one minor.

15 MR. SILVERSTEIN: One minor. That the
16 licensee did check the ID, did look at -- ask for and
17 look at the ID, but that the ID did not show the person
18 to be 21?

19 MS. SCHMIDT: That is correct.

20 MR. SILVERSTEIN: I will ask the gentleman
21 did you check the ID?

22 MR. TEKLEAB: I did. Yes.

1 MR. SILVERSTEIN: Why did you not -- did you
2 -- did you make an effort to check the ID?

3 MR. TEKLEAB: Yeah, I did. I did. I did.

4 CHAIRPERSON ANDERSON: All right. Well, all
5 right. But I think we have agreement on the -- the
6 facts. The facts are agreement. I think the part of
7 the it is the penalty stage that he's asking for
8 leniency. And so go ahead, Mr. Alberti, you have a
9 question.

10 MR. ALBERTI: So -- so, Ms. Schmidt, I have
11 a question about your proposed penalty on Charge 2,
12 which is failure to take steps -- steps necessary to
13 ascertain legal drinking age. 2583 -- 25783B, the
14 penalty range is 2,000 to \$4,000 and ten days of
15 suspension. So your proposed penalty is outside of the
16 statutory range. Can you speak to that please?

17 MS. SCHMIDT: It's -- it's up to 10 days.
18 It could be no days of suspension too. It doesn't say
19 automatically ten days suspension, does it?

20 MR. ALBERTI: Yes, it does.

21 MS. SCHMIDT: Well, I don't --

22 CHAIRPERSON ANDERSON: It says ten.

1 MR. ALBERTI: And it says -- it says
2 licensee -- it says The Board shall fine the licensee
3 not less than 2,000 and not more than 4,000 and suspend
4 the licensee for ten consecutive days. The Board -- I
5 will repeat -- let me read from the beginning. Upon the
6 second violation The Board shall fine the licensee not
7 less than \$2,000 and not more than \$4,000 and -- and
8 suspend the license for ten consecutive days. So my
9 interpretation of the statute is that your proposal is
10 outside the range. Can you -- can you -- you want to
11 speak to that?

12 MS. SCHMIDT: In the past -- all I know is
13 in the past we have asked for less -- less than the
14 amount of days too, and if I'm -- and if I --

15 MR. ALBERTI: Can you give me an example?
16 Because your recollection is -- is different than mine.
17 I -- I can recollect no case where we've asked for less.

18 MS. SCHMIDT: All I know is that -- all I
19 know is that in many of these cases --

20 MR. ALBERTI: And this is -- let me
21 remind you -- let me remind you this is not an OIC.

22 MS. SCHMIDT: But if I'm mistaken, The Board

1 has the power to do it. If I'm mistaken, The Board --
2 The Board can -- The Board can override what I asked
3 for. They have that -- they have that authority and
4 they can do that.

5 MR. ALBERTI: Not according to my reading of
6 the law. It says shall.

7 MS. SCHMIDT: Then you can do the ten days,
8 sir. I'm saying -- I'm not -- The Board can do whatever
9 they -- The Board can do that. This is just my
10 recommendation.

11 MR. ALBERTI: Okay. Fine.

12 MS. SCHMIDT: The Board can do -- can do
13 what it wishes.

14 MR. ALBERTI: Thank you. Thank you. I'll
15 take that.

16 CHAIRPERSON ANDERSON: You have questions,
17 Ms. Miller?

18 MS. MILLER: Well, I do have a follow up
19 since we're talking about the -- the fine range; that
20 that -- that would be the fine range for a second
21 violation of this -- of this statute. Was there -- was
22 there an earlier one that you can bring to our attention

1 so we would be looking at this as a second? This would
2 be 783.

3 MS. SCHMIDT: According to investigative
4 report I know that -- here, I'll looking at the
5 investigative report again.

6 MS. MILLER: Okay.

7 MR. ALBERTI: Can I help both parties?

8 MS. MILLER: Sure. Yeah, because I'm not --

9 MR. ALBERTI: Case Number 13-CC-00113.

10 MS. MILLER: Yes, is that --

11 MR. ALBERTI: The -- it was the -- it was a
12 charge of a sale to a minor for which the licensee was
13 given a warning and --

14 MS. MILLER: That's 781 or 7 --

15 MR. ALBERTI: May I finish? And there was a
16 second charge that says for ID violation which I take to
17 be 783. That's what my notes say. I'm pretty much
18 that's 78 -- that's 25783. So that would have been the
19 first violation of 25783 which -- which was adjudicated
20 in January of 2014. And those are in our notes.

21 MS. SCHMIDT: Okay. That is the second, and
22 that must be the second case. So this is the second

1 case.

2 MS. MILLER: Okay. So it just wasn't clear
3 to me its face that ID violation referred to a separate
4 violation from the sale to minor warning case. So I
5 just wanted to see if you have that. We can
6 double-check that in our records.

7 MR. ALBERTI: We have -- we have everything
8 we need.

9 MS. MILLER: Okay.

10 CHAIRPERSON ANDERSON: Just -- I have
11 questions for you, sir. In leading up to this case we
12 had like a status hearing before. Do you know why you
13 weren't here for the status hearing that we had before?

14 MR. TEKLEAB: I have a family -- death in my
15 family. I called and rescheduled.

16 CHAIRPERSON ANDERSON: All right.

17 MS. SCHMIDT: He did. In all fairness, he
18 did call me and I did -- I did e-mail The Board for
19 continuous based on -- based on his representations. I
20 e-mailed the counsel for The Board. I apologize.

21 CHAIRPERSON ANDERSON: Okay. Anything else
22 that either party wants to state in closing? Now, I'm

1 waiting to see if -- if either party wants to make a --

2 MS. SCHMIDT: No. I'm sorry. I'm sorry. I
3 thought -- I thought I said it out loud. I said nothing
4 else from the Government.

5 CHAIRPERSON ANDERSON: Is there any closing
6 statements you'd like to make, sir?

7 MR. TEKLEAB: No, sir.

8 CHAIRPERSON ANDERSON: All right. Before
9 closing the case I feel that there's a line of folks
10 sitting at the back, and it appears that they were ready
11 to testify. But it appears that the investigators did
12 such a wonderful job that both parties agreed that --
13 that the facts stood on its -- stood for themselves.
14 And so the penalty -- so I just want to thank the
15 investigators who did this work for the wonderful work
16 that they're doing that -- that the establishment -- the
17 licensee agreed to the facts of the case. I just want
18 to acknowledge your service. I don't want you to think
19 that we -- The Board does not -- doesn't appreciate the
20 work that's done by the investigators.

21 Okay. As Chairperson of the Alcoholic
22 Beverage Control Board for the District of Columbia in

1 accordance with Section 405 of The Open Meetings
2 Amendment Act of 2010 I move that the ABC Board hold a
3 closed meeting for the purpose of seeking legal advice
4 from our counsel on Case Number 15-CC-000068, Stop and
5 Go Market per Section 405B4 of The Open Meetings
6 Amendment Act of 2010 and deliberating upon Case Number
7 15-CC-000068, Stop and Go Market for the reasons cited
8 in Section 405B13 of The Open Meetings Amendment Act of
9 2010. Is there a second?

10 MR. SHORT: Second.

11 CHAIRPERSON ANDERSON: Mr. Short has
12 seconded the motion. I will now take a roll call vote
13 on the motion that is before us that has seconded.
14 Ms. Miller.

15 MS. MILLER: I agree.

16 CHAIRPERSON ANDERSON: Mr. Alberti.

17 MR. ALBERTI: I agree.

18 CHAIRPERSON ANDERSON: Mr. Short.

19 MR. SHORT: I agree.

20 CHAIRPERSON ANDERSON: Mr. Silverstein.

21 MR. SILVERSTEIN: Agree.

22 CHAIRPERSON ANDERSON: Mr. Anderson. I

1 agree. The matter has passed -- as it appears that the
2 motion has passed four to zero I hereby give notice that
3 the ABC Board will hold a closed meeting in the ABC
4 board conference room pursuant to The Open Meetings
5 Amendment Act of 2010 and issue an order within 90 days.

6 The Board will issue an order within 90
7 days, sir, and we will let you know what it is that the
8 decision is of the board. And thank you for being here
9 today. Okay. Thank you. All right.

10 The Board will be in recess until our 3:30
11 hearing.

12 (Off the record at 3:01 p.m.)

13 (Whereupon the above-entitled matter was
14 concluded.)

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