

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

2 10:55 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case on our calendar is Case No. 17-CMP-
5 00663, &Pizza, License No. 96224.

6 MR. MOHYLA: Good morning.

7 CHAIRPERSON ANDERSON: Your name, sir?

8 MR. MOHYLA: Mike Mohyla, M-O-H-Y-L-A.

9 CHAIRPERSON ANDERSON: And who are
10 you, sir?

11 MR. MOHYLA: I'm a regional manager
12 for &Pizza.

13 CHAIRPERSON ANDERSON: Do you have
14 something from the establishment stating that you
15 can represent them in these proceedings, sir?

16 MR. MOHYLA: I don't.

17 CHAIRPERSON ANDERSON: All right.
18 Well, hold on a minute.

19 Mr. -- introduce yourself.

20 MR. ADAMS: Oh, Walter Adams
21 representing the District of Columbia.

22 CHAIRPERSON ANDERSON: Are there any

1 preliminary matters in this case?

2 MR. ADAMS: There is a preliminary
3 matter.

4 CHAIRPERSON ANDERSON: There is?
5 Well, where are you, Mr. Adams, with his
6 representation?

7 MR. ADAMS: Mr. Chairman, I guess the
8 situation is that, obviously, in order for -- to
9 bind the establishment, we need someone who --
10 some representation that he can bind the
11 establishment to, I guess, the Offer in
12 Compromise today. Like if he has something in
13 writing that would be important.

14 CHAIRPERSON ANDERSON: So when -- I'm
15 sorry, your name again, sir, Mr.?

16 MR. MOHYLA: It's Mike Mohyla.

17 CHAIRPERSON ANDERSON: Mr. Miller?

18 MR. MOHYLA: Mohyla.

19 CHAIRPERSON ANDERSON: Mohyla. When
20 are you able to provide this Board with a letter
21 from &Pizza stating that you are able to bind the
22 agency -- bind that establishment to whatever is

1 agreed to today?

2 MR. MOHYLA: In 10 minutes.

3 CHAIRPERSON ANDERSON: So you can have
4 an email --

5 MR. MOHYLA: Um-hum.

6 CHAIRPERSON ANDERSON: -- saying that
7 you are authorized to represent them?

8 MR. MOHYLA: Yep.

9 CHAIRPERSON ANDERSON: All right. We
10 will -- all right. What's the preliminary
11 matter, Mr. Adams?

12 MR. ADAMS: Mr. Chairman, the
13 preliminary matter is that there is a single
14 charge in this case. In order to settle it, the
15 parties are willing to, or at least the
16 respondent in this case is willing, pay a fine in
17 the amount of \$750 to be paid immediately. And
18 if they fail to pay today, then the establishment
19 -- we agreed that the license will be suspended
20 pending the payment of the fine, of the \$750
21 fine.

22 CHAIRPERSON ANDERSON: All right.

1 It's my understanding that the Offer in
2 Compromise is a fine of \$750 that will be paid
3 immediately. If it's not paid immediately, the
4 license will be suspended until the fine has been
5 paid. Is this your understanding, sir, of the
6 Offer in Compromise?

7 MR. MOHYLA: Yes.

8 CHAIRPERSON ANDERSON: Then what I'm
9 going to add to that, the -- since -- if the fine
10 is not paid today, then -- you also need to
11 provide the Agency by close of business today
12 with a letter authorizing you to represent them
13 in these proceedings.

14 All right. So this is your -- so you
15 are in agreement with the Government that the
16 fine of \$750 payable today and if it's not
17 payable today, the license will be suspended.
18 All right.

19 Are you aware that by accepting an
20 Offer in Compromise, that you are giving up your
21 right to a hearing?

22 MR. MOHYLA: Yes.

1 CHAIRPERSON ANDERSON: You are also
2 aware that by accepting an Offer in Compromise,
3 that you are giving up your right to appeal this
4 matter?

5 MR. MOHYLA: Yes.

6 CHAIRPERSON ANDERSON: All right.
7 With that said, I then make a motion that the
8 Offer in Compromise of a fine of \$750 be payable
9 today. If the fine is not payable today, the
10 license will be suspended as -- until compliance
11 has been made. And I will also add that if the
12 fine is not payable today, that the
13 representative provide the Agency with written
14 instructions saying that he is authorized to
15 represent the agency in these proceedings. Is
16 there a second?

17 MEMBER SHORT: Second.

18 CHAIRPERSON ANDERSON: Mr. Short has
19 seconded the motion.

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON ANDERSON: Those opposed?

1 The matter passes 6-0-0.

2 And what I will say, sir, in the
3 future that I'm hoping that you never have the
4 pleasure -- I don't have the pleasure of seeing
5 you again and that is always a good thing,
6 because when I see folks, it's never for pleasant
7 reasons. It's always because there is something
8 wrong.

9 MR. MOHYLA: Well, it can be.

10 CHAIRPERSON ANDERSON: I'm sorry? But
11 I said normally. I said normally when I see
12 folks, it's never for pleasant reasons. It's
13 always because something is wrong. But just if I
14 have the pleasure of seeing you again, make sure
15 that, in any proceedings, you have written -- you
16 provide the Agency or any representative provides
17 the Agency with a letter on letterhead
18 designating you to say that you are -- this
19 person is authorized to enter into a settlement
20 agreement on behalf of the licensee.

21 MR. MOHYLA: Understood.

22 CHAIRPERSON ANDERSON: Okay?

1 MR. MOHYLA: Yep.

2 CHAIRPERSON ANDERSON: Well, thank
3 you. We will have you sign-off on this and you
4 can go to the desk and pay the fine.

5 MR. MOHYLA: All right. Thank you.

6 CHAIRPERSON ANDERSON: Thank you very
7 much. Here you are, sir. We are going to give
8 you some paperwork. All right. Okay. Thank
9 you.

10 (Whereupon, the Show Cause (Status)
11 Hearing was concluded at 11:00 a.m.)
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<p style="text-align: center;">A</p> <p>a.m 2:2 8:11 ABC 1:9 able 3:20,21 accepting 5:19 6:2 Adams 1:21 2:20 2:20 3:2,5,7 4:11 4:12 add 5:9 6:11 agency 3:22 5:11 6:13,15 7:16,17 agreed 4:1,19 agreement 5:15 7:20 ALBERTI 1:17 Alcoholic 1:2,13,13 amount 4:17 ANC 1:7 Anderson 1:15,17 2:3,7,9,13,17,22 3:4,14,17,19 4:3,6 4:9,22 5:8 6:1,6 6:18,22 7:10,22 8:2,6 appeal 6:3 authorized 4:7 6:14 7:19 authorizing 5:12 aware 5:19 6:2 aye 6:20,21</p>	<p>1:17 2:3,7,9,13,17 2:22 3:4,14,17,19 4:3,6,9,22 5:8 6:1 6:6,18,22 7:10,22 8:2,6 charge 4:14 close 5:11 Columbia 1:1 2:21 compliance 6:10 Compromise 3:12 5:2,6,20 6:2,8 concluded 8:11 Control 1:2,13,13 CR 1:7</p>	<p>hearing 1:7,13 5:21 8:11 hold 2:18 hoping 7:3</p>	<p>8:1,5 morning 2:6 motion 6:7,19</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: Ima Pizza Store 7, LLC

Before: DC ABRA

Date: 02-14-18

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.



Court Reporter

NEAL R. GROSS

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