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IN THE MATTER OF:           :
                             :
Parc Deux Restaurant        :
Partners, LLC,              :
t/a Le Diplomate            :
1601 14th Street NW         : Show Cause
License #88243               : Hearing (Status)
Retailer CR - ANC 2F        :
Case # 19-251-00156         :
(Provided Entertainment     :
Without an Entertainment    :
Endorsement [Two Counts]):
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The Alcoholic Beverage Control Board met via WebEx videoconference, Chairperson Donovan W. Anderson presiding.

DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
RAFI ALIYA CROCKETT, Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member
REMA WAHABZADAH, Member

SIMONE ANDREWS, DC ABRA Staff
JESSICA KRUPKE, DC OAG
MELISSA McLEOD, Licensee's Counsel

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

2:14 p.m.

CHAIRPERSON ANDERSON: All right. The next case on our calendar is Case Number 19-251-00156, Le Diplomate, License Number 88243.

Ms. Andrews, can you please elevate the rights of the licensee for Le Diplomate? I believe that is Mr. Steven Starr. I'm not sure if he is being represented.

MS. ANDREWS: Sure, one second. Ms. McLeod, your rights have been elevated.

CHAIRPERSON ANDERSON: All right. I would like the parties to introduce themselves for the record starting with the government.

MS. KRUPKE: Jessica Krupke on behalf of the government.

CHAIRPERSON ANDERSON: Good afternoon, Ms. Krupke. Ms. McLeod, if you have a camera can you please turn it on, if not can you please identify yourself for the record, please?

MS. MCLEOD: Sure. I do not have a camera available. This is Melissa McLeod on behalf of Le Diplomate Restaurant.

CHAIRPERSON ANDERSON: And can you tell me, Ms. McLeod, I can't see you and I don't

1 know who you are --

2 (Simultaneous speaking.)

3 MS. MCLEOD: Here I am, yes.

4 CHAIRPERSON ANDERSON: I am just --
5 That's fine, but are you an attorney, are you --

6 (Simultaneous speaking.)

7 MS. MCLEOD: Yes. I am the Vice
8 President and General Counsel for the restaurant.

9 CHAIRPERSON ANDERSON: I am not
10 familiar with you. That's the only reason I need
11 for everyone to let me know who they are so at
12 least I know who the person is and who they
13 represent.

14 MS. MCLEOD: Understood.

15 CHAIRPERSON ANDERSON: So thank you
16 for making that clear for me, please. All right.
17 Ms. Krupke, are there any preliminary matters in
18 this case?

19 MS. KRUPKE: Yes. We do have an offer
20 and compromise for the Board's consideration
21 today.

22 CHAIRPERSON ANDERSON: Okay.

23 MS. KRUPKE: So there are a total of
24 two charges. The first is that the establishment
25 provided live entertainment without the correct

1 endorsement in violation of D.C. Code 25-
2 113(a)(d)(1). It's a primary tier violation and
3 a first primary tier violation.

4 The offer and compromise is \$1000
5 payable within 90 days or the license shall be
6 suspended indefinitely until the fine is paid.

7 And for Charge 2, which is that the
8 establishment made a substantial change in
9 operation by failing to obtain approval to
10 provide for or expand the entertainment area in
11 violation of D.C. Code 25-762.

12 This is a secondary tier violation and
13 it's the first secondary tier violation. This
14 charge would be dismissed as already encompassed
15 under Charge 1.

16 CHAIRPERSON ANDERSON: All right.
17 Thank you, Ms. Krupke. Ms. McLeod, it is my
18 understanding that there is an offer and
19 compromise and the offer and compromise for
20 Charge 1 is the fine of \$1000 payable within 90
21 days.

22 If the fine is not paid within 90 days
23 the license will be suspended until the fine has
24 been paid. Charge 2 is dismissed. Is this your
25 understanding of the offer and compromise?

1 MS. MCLEOD: Yes, it is.

2 CHAIRPERSON ANDERSON: Is your client
3 aware that by accepting an offer and compromise
4 that they are giving up their right to a hearing?

5 MS. MCLEOD: Yes.

6 CHAIRPERSON ANDERSON: Is your client
7 also aware that by accepting an offer and
8 compromise that they are giving up their right to
9 appeal this matter?

10 MS. MCLEOD: Yes.

11 CHAIRPERSON ANDERSON: All right.
12 With this said I make a motion that the offer and
13 compromise of a fine of \$1000 payable within 90
14 days for Charge 1, if the fine is not paid within
15 90 days the license will be suspended until the
16 fine has been paid, and that Charge 2 will be
17 dismissed. Is there a second?

18 MEMBER CROCKETT: Ms. Crockett
19 seconds.

20 CHAIRPERSON ANDERSON: Ms. Crockett
21 has seconded the motion. We will now have a roll
22 call vote on the motion that has been properly
23 seconded by Ms. Crockett. Mr. Short?

24 MEMBER SHORT: Mr. Short. I agree.

25 CHAIRPERSON ANDERSON: Mr. Cato?

1 MEMBER CATO: Bobby Cato. I agree.

2 CHAIRPERSON ANDERSON: Ms. Wahabzadah?

3 MEMBER WAHABZADAH: Rema Wahabzadah.

4 I agree.

5 CHAIRPERSON ANDERSON: Ms. Crockett?

6 MEMBER CROCKETT: Rafi Crockett. I

7 agree.

8 CHAIRPERSON ANDERSON: Ms. Hansen?

9 MEMBER HANSEN: Jeni Hansen. I agree.

10 CHAIRPERSON ANDERSON: Mr. Grandis?

11 MEMBER GRANDIS: Ed Grandis disagrees.

12 CHAIRPERSON ANDERSON: Mr. Anderson.

13 I agree. The matter therefore passed six to one
14 with Mr. Grandis in opposition.

15 I want to thank the parties for
16 working this matter out and this matter is now
17 concluded. Have a great day and thank you very
18 much.

19 MS. MCLEOD: Thank you.

20 MS. KRUPKE: Thank you.

21 CHAIRPERSON ANDERSON: All right.

22 (Whereupon, the above-entitled matter
23 went off the record at 2:18 p.m.)
24
25

A above-entitled 6:22 ABRA 1:22 accepting 5:3,7 afternoon 2:17 agree 5:24 6:1,4,7,9,13 Alcoholic 1:2,14 ALIYA 1:18 ANC 1:8 Anderson 1:15,17 2:3 2:12,17,24 3:4,9,15 3:22 4:16 5:2,6,11,20 5:25 6:2,5,8,10,12,12 6:21 Andrews 1:22 2:6,10 appeal 5:9 approval 4:9 area 4:10 attorney 3:5 available 2:22 aware 5:3,7	Crockett 1:18 5:18,18 5:20,23 6:5,6,6	Krupke 1:23 2:15,15,18 3:17,19,23 4:17 6:20	primary 4:2,3 properly 5:22 provide 4:10 provided 1:9 3:25
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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: Le Diplomate

Before: DCABRA

Date: 01-06-21

Place: teleconference

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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