

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

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 IN THE MATTER OF: :
 :
 Equinox SC D.C., :
 t/a Equinox Sports Club :
 1170 22nd Street NW :
 Retailer CR - ANC 2B :
 License No. 96730 :
 Case #21-AUD-00019 :
 :
 (Failed to Maintain on :
 Premises Adequate Books :
 and Records Showing All :
 Sales) :
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Wednesday
 March 16, 2022

The Alcoholic Beverage Control Board
 met via WebEx videoconference, Chairperson
 Donovan W. Anderson presiding.

PRESENT:

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

ALSO PRESENT:

SARAH FASHBAUGH, DC ABRA Staff
 JORDAN RAIT, Applicant Counsel
 JAMES JORDAN, DC OAG

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

2 11:21 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case Number 21-AUD-00019,
5 Equinox Sports Club, License Number 96730.

6 Ms. Fashbaugh, can you please elevate
7 the rights of the Licensee in this case, please?

8 MS. FASHBAUGH: Jordan Rait, your
9 rights have been elevated. That is all Mr.
10 Chair.

11 CHAIRPERSON ANDERSON: Thank you. Mr.
12 James Jordan, can you please spell and state your
13 name for the record, please?

14 MR. JORDAN: Yes, good morning Mr.
15 Chairperson. James Jordan on behalf of the
16 District, J-A-M-E-S J-O-R-D-A-N.

17 CHAIRPERSON ANDERSON: Jordan Rait,
18 can you please identify yourself, and please
19 spell and state your name for the record, please?

20 (No response)

21 CHAIRPERSON ANDERSON: Ms. Fashbaugh,
22 is Jordan Rait, is their line open? I see that
23 it appears that it -- I'm not sure if they are
24 muted.

25 On -- on whose side --

1 MS. FASHBAUGH: Yes.

2 CHAIRPERSON ANDERSON: Jordan --
3 Jordan Rait, can you please spell and state --
4 spell and state your name for the record and
5 identify yourself, please?

6 MR. RAIT: Sure. The name is Jordan
7 J-O-R-D-A-N, last name Rait R-A-I-T. And I am
8 representing the Licensee, Equinox Fitness.

9 CHAIRPERSON ANDERSON: All right, good
10 morning. All right, are there -- Mr. Jordan, Mr.
11 James Jordan, are there any preliminary matters
12 in this case?

13 MR. JORDAN: Yes, Mr. Chairperson.
14 The parties have agreed to an Offer in Compromise
15 to present to the Board.

16 CHAIRPERSON ANDERSON: And what is the
17 Offer in Compromise, please?

18 MR. JORDAN: As to Charge One, failure
19 to keep and maintain books and record, the Offer
20 in Compromise is a \$1,000 fine, payable within
21 120 days or the license will be suspended
22 indefinitely until the fine is paid.

23 CHAIRPERSON ANDERSON: That's it, Mr.
24 Jordan?

25 MR. JORDAN: Yes. That's it.

1 CHAIRPERSON ANDERSON: Mr. Rait, it is
2 my understanding that there is an Offer in
3 Compromise.

4 And the Offer in Compromise is that
5 there's a fine of \$1,000 payable within 120 days.
6 If the fine has not been paid in 120 days, the
7 license will be suspended until the fine has been
8 paid.

9 Is this your understanding sir, of the
10 Offer in Compromise?

11 MR. RAIT: That is my understanding,
12 sir.

13 CHAIRPERSON ANDERSON: Are you aware
14 that by accepting an Offer in Compromise, you are
15 giving up your right to a hearing?

16 MR. RAIT: I do.

17 CHAIRPERSON ANDERSON: Are you also
18 aware that by accepting an Offer in Compromise
19 that you're giving up your right to appeal this
20 matter?

21 MR. RAIT: I do.

22 CHAIRPERSON ANDERSON: All right,
23 thank you, sir. Do we have any questions by any
24 Board Members on this Offer in Compromise?

25 (No response)

1 CHAIRPERSON ANDERSON: Hearing none I
2 therefore make a motion that the Board accept
3 this Offer in Compromise of a fine of \$1,000
4 payable within 120 days. If the fine has not
5 been paid in 120 days, the license will be
6 suspended until the fine has been paid.

7 Is there a second?

8 MEMBER SHORT: Mr. Short, I second.

9 CHAIRPERSON ANDERSON: Mr. Short has
10 seconded the motion. We'll now have a roll call
11 vote on the motion.

12 Mr. Short?

13 MEMBER SHORT: Mr. Short, I agree.

14 CHAIRPERSON ANDERSON: Mr. Cato?

15 MEMBER CATO: Bobby Cato, I agree.

16 CHAIRPERSON ANDERSON: Ms. Crockett?

17 MEMBER CROCKETT: Rafi Crockett, I
18 agree.

19 CHAIRPERSON ANDERSON: Ms. Hansen?

20 MEMBER HANSEN: Jeni Hansen, I agree.

21 CHAIRPERSON ANDERSON: Mr. Grandis?

22 MEMBER GRANDIS: Agree.

23 CHAIRPERSON ANDERSON: And Mr.

24 Anderson, I agree. The matter passes six, zero,
25 zero.

1 I want to thank the parties for -- for
2 agreeing to terms on this case. So, the Offer in
3 Compromise is that Mr. Rait, you have 120 days
4 from today to pay the fine.

5 Thank you -- thank the parties for
6 their agreement, and have a great day.

7 MR. RAIT: Thank you very much. Have
8 a nice one.

9 CHAIRPERSON ANDERSON: Thank you, bye
10 bye.

11 (Whereupon, the above-entitled matter
12 went off the record at 11:25 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: Equinox Sports Club

Before: DCABRA

Date: 03-16-22

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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