

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

 IN THE MATTER OF: :
 :
 Southwest Social Scene :
 t/a The Crucible :
 412 V Street NE :
 Retailer CX - ANC 5E :
 License #112781 :
 Case #20-CMP-00068 : Show Cause
 : Hearing (Status)
 (Purchased Alcohol from :
 an Off-Premise Retailer, :
 Failed to Obtain :
 Importation Permit, :
 Failed to File and :
 Maintain Invoices and :
 Delivery Slips) :

Wednesday
 June 16, 2021

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:

- SIMONE ANDREWS, DC ABRA Staff
- JESSICA KRUPKE, DC OAG
- BETSY LEHRFELD, Licensee's Counsel

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

2 12:08 p.m.

3 CHAIRPERSON ANDERSON: The next case
4 in our calendar is No. 20-CMP-00068, The
5 Crucible, License Number 112781. Ms. Andrews,
6 can you please elevate the rights of the parties
7 in this case please?

8 MS. ANDREWS: Sure. Ms. Krupke, your
9 rights have been elevated. Ms. Betsy, your
10 rights have been elevated. That's all, Mr.
11 Chair.

12 CHAIRPERSON ANDERSON: Thank you. All
13 right, good morning everyone. Let's have the
14 parties introduce themselves for the record,
15 let's start with the Government please.
16 Introduce and spell your name please.

17 MS. KRUPKE: I am Jessica Krupke on
18 behalf of the District of Columbia. My first
19 name is Jessica, J-E-S-S-I-C-A, last name is
20 Krupke spelled K-R-U-P-K-E.

21 CHAIRPERSON ANDERSON: Ms. Krupke,
22 we're having issues hearing you so I need you to
23 either turn your volume up or something please.
24 You sound like you're on a distance, that's why.
25 You're on mute now. Go ahead.

1 MS. KRUPKE: All right. My microphone
2 is on right here.

3 CHAIRPERSON ANDERSON: You are, go
4 ahead. It's a little better now.

5 MS. KRUPKE: Let's do this. Can you
6 hear me now?

7 CHAIRPERSON ANDERSON: Start over
8 again and I'll let you know.

9 MS. KRUPKE: Okay. I'm moving closer
10 to my computer microphone. I'm wondering if
11 that's what's happening. Jessica Krupke on
12 behalf of the District of Columbia. It's J-E-S-
13 S-I-C-A, last name Krupke, K-R-U-P-K-E.

14 CHAIRPERSON ANDERSON: I'm not sure if
15 the Court Reporter can hear. I just want to make
16 sure that the Court Reporter can hear you.
17 That's the concern that I was having so as long
18 as the Court Reporter, if the Court Reporter
19 cannot hear you, then I think if the Court
20 Reporter can --

21 MS. ANDREWS: Mr. Chair, the Court
22 Reporter is asking that Ms. Krupke just dial in
23 because she's having trouble transcribing.

24 CHAIRPERSON ANDERSON: Right, so
25 that's, you know, I need Ms. Krupke to be on

1 maybe, why don't you log out and log back in Ms.
2 Krupke because I've not had a problem with your
3 volume before so today's the only day so why
4 don't you log out and log back in please. I
5 can't hear you.

6 MS. ANDREWS: Ms. Krupke, go ahead.

7 CHAIRPERSON ANDERSON: I'm going to
8 ask if you're not speaking, could everyone please
9 mute their phone if you're not speaking please.
10 Ms. Krupke, are you there?

11 MS. KRUPKE: Hello.

12 CHAIRPERSON ANDERSON: Yes, I can hear
13 you better. Are you able to turn your camera on?
14 If not, we'll just move on. But I can hear you
15 better.

16 MS. KRUPKE: Yes, I joined from my
17 cell phone instead so.

18 CHAIRPERSON ANDERSON: Okay, great.
19 Your voice, so can you please spell and state
20 your name for the record please?

21 MS. KRUPKE: Sure, Jessica Krupke on
22 behalf of the District of Columbia, J-E-S-S-I-C-
23 A, K-R-U-P-K-E.

24 CHAIRPERSON ANDERSON: All right.
25 Good morning. Can the licensee introduce himself

1 for the record please?

2 MS. LEHRFELD: I'm Betsy Lehrfeld, B-
3 E-T-S-Y, L-E-H-R-F-E-L-D. I'm an attorney for
4 Southwest Social Scene trading as The Crucible.

5 CHAIRPERSON ANDERSON: I figured you
6 were the representative. So you already, have
7 you made an appearance formal Notice of
8 Appearance with the Agency, ma'am?

9 MS. LEHRFELD: I have.

10 CHAIRPERSON ANDERSON: Okay, thank
11 you. All right. Ms. Krupke, are there
12 preliminary matters in this case?

13 MS. KRUPKE: Yes, there are. The
14 parties have reached an Offer and Compromise and
15 they're ready to present it for the Board's
16 consideration.

17 CHAIRPERSON ANDERSON: And what is
18 that please?

19 MS. KRUPKE: Okay. There was three
20 charges in this particular case. Charge 1 is
21 that the establishment purchased alcoholic
22 beverages from establishments with an off-
23 premises retailer's license was the primary care
24 violation of DC Code 25-113 Subsection A5A.

25 And so the Offer is for a \$1,000 fine

1 payable within 120 days or the license would be
2 suspended indefinitely until the fine is paid.
3 The second charge is that the establishment
4 imported alcoholic beverages without an import
5 permit, a violation of DC Code 25-119, a primary
6 care violation.

7 The Offer and Compromise for this
8 charge is a warning. And for Charge 3, the
9 violation alleged is failure to keep and maintain
10 books and records for three years, a violation of
11 23 DCMR Section 1204, a primary care violation.

12 And the Offer and Compromise for this
13 charge is that the charge would be dismissed.

14 CHAIRPERSON ANDERSON: All right.
15 About the Offer and Compromise?

16 MS. KRUPKE: Yes.

17 CHAIRPERSON ANDERSON: Ms. Lehrfeld,
18 it is my understanding that whenever there is an
19 Offer and Compromise, and the Offer and
20 Compromise is as for Charge 1, the fine of \$1,000
21 paid within 120 days for Charge 2, a written
22 warning will be issued and for Charge 3 that it
23 would be dismissed. Is this your understanding
24 of the Offer and Compromise, ma'am?

25 MS. LEHRFELD: Yes, it is.

1 CHAIRPERSON ANDERSON: Is your client
2 aware that by accepting an Offer and Compromise
3 that they're giving up their right to a hearing?

4 MS. LEHRFELD: Yes, they are.

5 CHAIRPERSON ANDERSON: Is your client
6 also aware that by accepting an Offer and
7 Compromise that they're giving up their right to
8 appeal this matter?

9 MS. LEHRFELD: Yes, they are.

10 CHAIRPERSON ANDERSON: Any questions
11 by any Board Members on either party on this
12 Offer and Compromise?

13 Hearing none, I make a motion that the
14 Offer and Compromise for Charge 1, a fine of
15 \$1,000 be payable within 120 days. If the fine
16 is not payable within 120 days, the license will
17 be suspended until the fine has been paid.

18 For Charge 2, a written warning is
19 issued for and for Charge 3, that it be
20 dismissed. Is there a second?

21 MR. SHORT: Mr. Short. I second.

22 CHAIRPERSON ANDERSON: Mr. Short has
23 seconded the motion. I will make, let's now have
24 a roll call vote on the motion that's been
25 properly seconded by Mr. Short. Mr. Short?

1 MR. SHORT: Mr. Short. I agree.

2 CHAIRPERSON ANDERSON: Mr. Short, this
3 is The Crucible and I just want to make sure that
4 you agree with this Licensing.

5 MR. SHORT: Mr. Chair, I would like to
6 go on the record. I second the motion and yes, I
7 agree with Mr. Chair.

8 CHAIRPERSON ANDERSON: All right.
9 Thank you. Ms. Cato?

10 MR. CATO: Mr. Cato, Bobby Cato. I
11 agree.

12 CHAIRPERSON ANDERSON: Mr. Cato. I'm
13 sorry, Mr. Cato. Ms. Crockett?

14 MS. CROCKETT: Rafi Crockett, I agree.

15 CHAIRPERSON ANDERSON: Ms. Hansen?

16 MS. HANSON: Jeni Hansen, I agree.

17 CHAIRPERSON ANDERSON: Mr. Grandis?

18 MR. GRANDIS: Edward Grandis. I
19 agree.

20 CHAIRPERSON ANDERSON: And, Mr.
21 Anderson. I agree. The matter passed six, zero,
22 zero. I want to thank all parties for coming up
23 with this Offer and Compromise and thank you very
24 much and have a great day.

25 MS. LEHRFELD: Thank you very much.

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MS. KRUPKE: Thank you.

CHAIRPERSON ANDERSON: All right.

Thank you.

(Whereupon, the above-entitled matter
went off the record at 12:18 p.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: The Crucible

Before: DCABRA

Date: 06-16-21

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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