

DISTRICT OF COLUMBIA  
+ + + + +  
ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF:                 :  
  :  
Big D Corporation                   :  
t/a Big D Liquors                   :  
4173 Minnesota Ave NE             : Show Cause  
Retailer A - ANC 7D                : Hearing  
License #98255                      :  
Case #21-CMP-00029                :  
  :  
(No ABC Manager on Duty)        :  
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Wednesday  
November 3, 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
- SHAFI BEGZAD, Licensee
- JAMES JORDAN, DC OAG
- JOVAN MILLER, DC ABRA Investigator

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

2 1:34 p.m.

3 CHAIRPERSON ANDERSON: The next case on our  
4 calendar is case number 21-CMP-00029, Big D  
5 Liquors, license no. 98255.

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

8 Thank you.

9 MS. ANDREWS: Sure, stand by.

10 Investigator Miller, your rights have  
11 been elevated.

12 Mr. Jordan, your rights have been  
13 elevated.

14 Mr. or Ms. Begzad, your rights have  
15 been elevated.

16 That's all, Mr. Chair.

17 CHAIRPERSON ANDERSON: Thank you.

18 (Pause.)

19 MR. BEGZAD: Hello, good afternoon,  
20 sir.

21 CHAIRPERSON ANDERSON: I'll call on one  
22 minute, please, sir. Hold on.

23 MR. BEGZAD: Okay.

24 CHAIRPERSON ANDERSON: All right, good  
25 afternoon everyone. Welcome to the afternoon

1 hearing. This is a case for Big D Liquor,  
2 license number 9 --

3 (Simultaneous speaking.)

4 CHAIRPERSON ANDERSON: I'm sorry, Mr.  
5 Begzad. Can you please mute your line, please?

6 (No audible response.)

7 CHAIRPERSON ANDERSON: License no.  
8 98255.

9 And, so I'll just ask everyone if  
10 you're not speaking, please keep your line no  
11 mute.

12 So, we'll have everyone introduce  
13 themselves on the record starting with the  
14 government.

15 MR. JORDAN: Good afternoon, Mr.  
16 Chairperson. James Jordan, on behalf of the  
17 government.

18 CHAIRPERSON ANDERSON: Good afternoon,  
19 Mr. Jordan. If this matter goes to a hearing, do  
20 you any witnesses to speak today, sir?

21 MR. JORDAN: Yes, Mr. Chairperson.  
22 With me is Investigator Jovan Miller.

23 CHAIRPERSON ANDERSON: Mr. Miller, can  
24 you please identify yourself and spell or state  
25 your name for the record, please?

1 MR. MILLER: Yes, sir, Investigator  
2 Jovan Miller, J-O-V-A-N, last name Miller, M-I-L-  
3 L-E-R.

4 CHAIRPERSON ANDERSON: Good afternoon,  
5 sir.

6 Mr. Begzad, can you please spell and  
7 state your name for the record, and please  
8 identify yourself.

9 MR. BEGZAD: Yes, my name is Shafi, I  
10 am representing for Big D Liquor store.

11 CHAIRPERSON ANDERSON: When you say you  
12 are representing, what is your relationship to  
13 the establishment, sir?

14 MR. BEGZAD: I am the owner,  
15 partner/owner.

16 CHAIRPERSON ANDERSON: Okay, sir. Do  
17 you have a camera, sir?

18 MR. BEGZAD: Yes.

19 CHAIRPERSON ANDERSON: Well, can you  
20 please, if you are able to, can you, I like to  
21 see folks I'm talking to if they have the  
22 ability.

23 (Pause.)

24 CHAIRPERSON ANDERSON: Yes, sir, I can  
25 now see you.

1 MR. BEGZAD: I'm just sitting over  
2 there. I'm sorry, I wasn't (inaudible).

3 CHAIRPERSON ANDERSON: all right. Then  
4 I'll wait until you get into a --

5 MR. BEGZAD: Yes, right position.  
6 Sorry, about that.

7 CHAIRPERSON ANDERSON: All right,  
8 thank you, sir.

9 Are you planning to call the witnesses  
10 today? Or just you're the only one testifying  
11 today, sir?

12 MR. BEGZAD: I don't have a witness,  
13 sir.

14 CHAIRPERSON ANDERSON: Oh, I was just  
15 asking. Okay, fine.

16 All right, Mr. Miller, or I'm sorry,  
17 not Mr. Miller, Mr. Jordan, are there any  
18 preliminary matters in this case?

19 MR. JORDAN: No, Mr. Chairperson, there  
20 are no preliminary matters for the Board's  
21 consideration.

22 CHAIRPERSON ANDERSON: All right, fine.

23 All right, so this is a full show  
24 cause hearing, Mr. Begzad. Pronounce your last  
25 name again one more time for me, sir?

1 MR. BEGZAD: Yes, Begzad.

2 CHAIRPERSON ANDERSON: Begzad.

3 MR. BEGZAD: Yes, sir.

4 CHAIRPERSON ANDERSON: All right, and  
5 so this is a way that this case will operate is  
6 that the government will make an opening  
7 statement, and the opening statement is basically  
8 to give us an overview of the case.

9 You will also have an opportunity to  
10 make an opening statement either at the beginning  
11 of the case, or when you decide to present your  
12 case, you can do an opening statement.

13 The government will call its first  
14 witness, who is the investigator Mr. Miller, and  
15 the government will ask questions of Mr. Miller.  
16 Once the government is done asking questions of  
17 Mr. Miller, you will have an opportunity to  
18 cross-examine Mr. Miller to ask based on the  
19 testimony that he gave.

20 If the government doesn't have any  
21 other witnesses, the government will rest and  
22 then you will present your case.

23 And, since you told me that you don't  
24 have any other witnesses, so my assumption is  
25 that you will be testifying. And, if you're

1 going to testify, then I will swear you in.

2 You will state what your position is,  
3 why is it that the government either, what is it,  
4 I'm sorry.

5 You're going to present your case to  
6 defend yourself. The government will have after  
7 you're done, the government will have an  
8 opportunity to cross-examine you.

9 And, also one thing that I had failed  
10 to mention at the beginning the government, after  
11 the government, after you do your cross-  
12 examination of Mr. Miller, the Board, it might  
13 have some questions and they'll cross-examine,  
14 they'll ask questions of Mr. Miller.

15 Also, once you have testified and the  
16 government has cross-examined you, then the Board  
17 might have some questions of you.

18 Once that is done, both sides will  
19 make a closing argument, a closing statement.  
20 And basically a closing statement will basically  
21 state this is what the case, the evidence show  
22 today. And, then you're going to be specific  
23 what it is that you want the Board to rule.

24 So, the government will tell us what  
25 it is that they want, they want the Board to do,

1 and you will also tell us what it is that you  
2 want the Board to do.

3 The Board will then take this matter  
4 under advisement and we'll have 90 days to issue  
5 a decision whether or not, what our decision will  
6 be based on this case.

7 Do you have any questions before we  
8 start, or does the government have any questions  
9 before we start?

10 MR. BEGZAD: I don't have a question  
11 but I can say my statements.

12 CHAIRPERSON ANDERSON: Yes, you can  
13 wait.

14 MR. BEGZAD: Yes.

15 CHAIRPERSON ANDERSON: Wait until you  
16 present your case.

17 So, the government goes first with an  
18 opening statement. You don't have to give an  
19 opening statement at this juncture, you can wait  
20 until you hear government's case, and then you  
21 can give an opening statement, and then present  
22 your case at that time. Okay?

23 MR. BEGZAD: Yes, I already said to Mr.  
24 Jordan all the, I have the email that I sent it  
25 to Mr. Jordan regarding the case but I will



1 (inaudible) today.

2 CHAIRPERSON ANDERSON: Well, we don't  
3 know, we haven't seen, we as a Board, have not  
4 seen the emails so I am looking forward to  
5 hearing, looking forward to Mr. Jordan's position  
6 and your position, and whatever documents that  
7 are there. We look, the Board looks forward to  
8 listening to what's said, and then make a  
9 determination. Okay?

10 MR. BEGZAD: Okay, thank you.

11 CHAIRPERSON ANDERSON: You're welcome.

12 Mr. Jordan, and since we're somewhat,  
13 well, it's a warm day outside so I'll just ask  
14 sir, for you to take your hat off if you don't  
15 mind.

16 (No audible response.)

17 CHAIRPERSON ANDERSON: Okay, I  
18 appreciate that, thank you, sir.

19 All right, go ahead, Mr. Jordan.

20 MR. JORDAN: Yes, Mr. Chairperson.  
21 Good afternoon to you and other members of the  
22 Board.

23 We are here today in the show cause  
24 matter of Big D Corporation, trading as Big D  
25 Liquors, located at 4713, or 4173, sorry,

1 Minnesota Avenue, in Washington, D.C.

2 The show cause notice issued in this  
3 matter concerns the charge that the licensee did  
4 not have an ABC manager or an owner on duty at  
5 all times, in violation of DC Code section 25-  
6 701, and 23 District of Columbia Municipal  
7 Regulations sections 707.

8 The evidence will show that on  
9 Wednesday, June 9, 2021, Alcoholic Beverage  
10 Regulation Administration Investigator Jovan  
11 Miller, visited Big D Liquors and determined that  
12 neither an ABC manager, nor an owner was present.

13 At approximately 1:50 p.m.,  
14 Investigator Miller entered the establishment and  
15 identified himself to an employee, and then asked  
16 the employee if he could speak with either the  
17 ABC manager, or owner.

18 The employee responded that the owner  
19 was not present, and that she was not an ABC  
20 manager.

21 That employee then helped a customer  
22 purchase alcohol. The employee contacted another  
23 man, who identified himself as the owner.

24 Investigator Miller then advised the  
25 owner that the establishment was in violation for

1 not having an ABC manager or owner on duty during  
2 business hours.

3 Thank you.

4 CHAIRPERSON ANDERSON: All right, thank  
5 you.

6 Do you wish to make an opening  
7 statement now, sir, or do you, will you wait  
8 until you're ready to present your case?

9 MR. BEGZAD: I can make a statement  
10 now.

11 CHAIRPERSON ANDERSON: Yes, sir, you  
12 got it.

13 MR. BEGZAD: Yes, I talk with the  
14 officer that day. I was taking Eric to do a  
15 background checking since during the pandemic,  
16 nobody wanted to work, so everybody quit and I  
17 hired couple people.

18 And, I made an appointments for the  
19 police clearance background checking, in order to  
20 get the manager license.

21 And, I was going. I was in the police  
22 clearance. I have the picture and evidence with  
23 me that the officer come and ask about. Then I  
24 told them that okay, I am right now at the police  
25 departments just to get a clearance for my

1 manager. He said okay, that's fine but when you  
2 finish, you just come and I didn't know that I  
3 will get a ticket.

4 And, I already paid the \$2,000.00 from  
5 the previous citation that I was blamed on that.

6 But this case was the last case that  
7 I, that that officer was came I was right at the  
8 police station in order to get the police  
9 clearance for my manager.

10 CHAIRPERSON ANDERSON: All right, hold  
11 on a minute, sir, all right?

12 So, one thing that we can do, so are  
13 you admitting that you were not, that you were  
14 not in the establishment at the time, is that  
15 correct?

16 MR. BEGZAD: Yes, I was not in the  
17 establishment, sir.

18 CHAIRPERSON ANDERSON: All right.

19 So, can we, can both, because one  
20 thing that we can do is that if you are agreeing  
21 that you were not there, is that you can argue,  
22 both sides can argue what is that the Board  
23 should do. Whether or not we should penalize  
24 you, whether or not we should have you pay the  
25 fine, or whether or not we should give you a

1 warning, or whether or not you should, it should  
2 be dismissed.

3 So, if both parties if factually I  
4 think we agree that you were not there, then one  
5 of the things that we can agree that you're  
6 guilty.

7 But then both sides can argue whether  
8 or not we should, whether or not the reason why  
9 you're not there is that should we excuse you, or  
10 should it be that you know, it's irrelevant you  
11 were not there, so, we have to make a decision.

12 So, if both sides agree, then we can  
13 have, then Mr. Jordan can argue penalty, and then  
14 you can argue what, you can argue penalty also to  
15 state why is it that you believe that the Board  
16 should not fine you for this infraction.

17 Is that, are both sides in agreement  
18 with that?

19 MR. BEGZAD: Yes, sir, I'll argue.

20 CHAIRPERSON ANDERSON: Mr. Jordan?

21 MR. JORDAN: Yes, Mr. Chairperson.

22 CHAIRPERSON ANDERSON: All right, so we  
23 can just move to the penalty phase. So you can  
24 make arguments what is it that you believe that  
25 the Board should do.

1                   And, then I will ask the licensee to  
2 further elaborate. I heard the opening that you  
3 made, but I would ask that you can make some,  
4 give us some more reasoning why you believe we  
5 should not fine you. Okay, sir?

6                   But I'll come back to you.

7                   MR. BEGZAD: Okay, thank you.

8                   CHAIRPERSON ANDERSON: Go ahead, Mr.  
9 Jordan. I hope I didn't take away the thunder of  
10 your case from you, sir.

11                   MR. JORDAN: It's perfectly fine, Mr.  
12 Chairperson.

13                   CHAIRPERSON ANDERSON: And, I'm sorry,  
14 Mr. Miller, that I don't think that it's  
15 necessary for you to testify today, but you can  
16 still stay online, sir, if you so desire.

17                   MR. MILLER: (No audible response.)

18                   MR. JORDAN: Mr. Chairperson, the  
19 District requests that the Board institute a  
20 penalty consistent with DC Code section 25-830.

21                   Mr. Begzad was not present at the  
22 establishment at the time, and the establishment  
23 continued to sell alcohol. It remained open  
24 without the presence of a manager or an owner.  
25 That is a violation of both the DC Code and the

1 Municipal Regulations.

2 CHAIRPERSON ANDERSON: All right ,  
3 thank you, Mr. Jordan.

4 All right, sir, tell us why is it that  
5 you believe that the Board should excuse the fact  
6 that you were not there, and why you believe that  
7 we should not penalize you, sir.

8 MR. BEGZAD: Sir, every time I know  
9 situation is different from each time. During  
10 the pandemic honestly, not ours to lots of stores  
11 it's hard to find employees. And, everybody when  
12 we get hire, after like couple months they quit.  
13 And, everybody needs a manager license in order  
14 to be as a manager.

15 And, that manager had needed  
16 processing also, like couple processing and  
17 training per you, police clearance, and also the  
18 background checking for two states that they are  
19 living each states.

20 So, if you check my history and with  
21 ABC Boards, you can see how many manager license  
22 I applies. And, right now I have only three of  
23 them. Most of them, and even the Eric, the one  
24 that I got tickets because of him, I was with him  
25 with police clearance, that guy also quit.

1 I mean situation is different during  
2 the pandemic. Yes, I accept, I accept that I was  
3 not there. But I was on the processing of doing  
4 something with ABC. I was doing police clearance  
5 and all that to get manager license for my  
6 employee.

7 But one more thing. The previous case  
8 that I paid the \$2,000.00, honestly first of all,  
9 I thought that Mr. Jordan was representing me.  
10 He offer me \$2,000.00 for the, for to pay the  
11 fine and I'm not going to be represent, I'm not  
12 going to be coming for the hearing.

13 But that day, the officer come at  
14 8:52, which the store was closed at all, and we  
15 were not selling alcohol.

16 The officer knocked the door and  
17 showed a badge and entered to the store, and  
18 checked for the manager. That we were closed  
19 8:52.

20 If you check the last tickets that I  
21 got, not the last one, the previous from the last  
22 one. The last one was because of the employee  
23 that I was getting the manager license.

24 So, I thought that Mr. Jordan was like  
25 representing me. I thought that maybe this is a



1 good idea just to pay the \$2,000.00 fine and get  
2 rid of the fines.

3 At the same time, when I was going to  
4 the background checking, so I got another  
5 citation that I didn't have any manager at that  
6 time. Two of my manager quit during the  
7 pandemic, they didn't want to work.

8 I believe I have to respect the law,  
9 the regulation. But during some cases, sir, it's  
10 a little bit hard to, if you are in our  
11 situations for doing the business, honestly, it's  
12 very hard to keep the employees nowadays.

13 Nowadays, employees are the boss and  
14 bosses are like, like working for them basically.  
15 I don't say that you, that Mr. Jordan forgive me  
16 about the fine, but at least I already paid since  
17 he was previously also the government lawyer.

18 I paid already \$2,000.00 in August and  
19 since that time, I applied for four other people.  
20 I offer them like, for the people who wanted to  
21 work for to give all of them manager license.

22 But the last one that came, I have the  
23 proof that I was, I was doing but dealing with  
24 ABC staff. It was because of the ABC I was not  
25 in the store.

1                   And, I was working seven days in the  
2 store in order to be, to follow the law to be  
3 there. And, the rest of the owners, they are not  
4 here.

5                   CHAIRPERSON ANDERSON: All right,  
6 that's it?

7                   MR. BEGZAD: Yes.

8                   CHAIRPERSON ANDERSON: All right.

9                   (Pause.)

10                  CHAIRPERSON ANDERSON: All right, the  
11 record is now closed. The Board will be issuing  
12 a decision within the next 90 days, so hold on  
13 one minute, please.

14                  (Pause.)

15                  CHAIRPERSON ANDERSON: As Chairperson  
16 of the Alcohol Beverage and Control Board for the  
17 District of Columbia, and in accordance with DC  
18 Official Code section 2574(b) of the Open  
19 Meetings Act, I move that ABC Board (inaudible)  
20 close the meeting for the purpose of seeking  
21 legal advice from our counsel on case number 21-  
22 CMP-00029, Big D Liquors, pursuant to DC Official  
23 Code section 2574(b)(4) of the Open Meetings Act,  
24 and deliberating upon case number 21-CMP-00029,  
25 Big D Liquors, for the reasons cited in DC

1 Official Code section 2574(b)(13) of the Open  
2 Meetings Act.

3 Is there a second?

4 MR. SHORT: Mr. Short second.

5 CHAIRPERSON ANDERSON: Mr. Short has  
6 seconded. The motion will now take a roll call  
7 vote on the motion on the motion.

8 Mr. Short?

9 MR. SHORT: Mr. Short, I agree.

10 CHAIRPERSON ANDERSON: Mr. Cato?

11 MR. CATO: Bobby Cato, I agree.

12 CHAIRPERSON ANDERSON: Ms. Crockett?

13 MS. CROCKETT: Rafi Crockett, I agree.

14 CHAIRPERSON ANDERSON: Ms. Hansen?

15 MS. HANSEN: (No audible response.)

16 CHAIRPERSON ANDERSON: I can't hear  
17 you, Ms. Hansen.

18 MS. HANSEN: (No audible response.)

19 CHAIRPERSON ANDERSON: Put a thumbs up  
20 because I can't hear you.

21 MS. HANSEN: (No audible response.)

22 CHAIRPERSON ANDERSON: All right, Ms.  
23 Hansen has put a thumbs up.

24 And, Mr. Grandis?

25 MR. GRANDIS: Edward Grandis, I agree.

1 CHAIRPERSON ANDERSON: And, Mr.

2 Anderson, I agree.

3 The matter passes 6:0:0.

4 So it does appear that the motion has  
5 passed. I hereby give notice that ABC Board will  
6 recess these proceedings during a closed meeting,  
7 in the ABC Board conference room pursuant to  
8 section 2574(b) of the Open Meetings Act.

9 Mr. Jordan and Mr. Begzad --

10 MR. BEGZAD: Yes, sir?

11 CHAIRPERSON ANDERSON: We will issue a  
12 decision, sir. Thank you very much for the  
13 presentation both of you made today.

14 MR. BEGZAD: Thank you so much for your  
15 time.

16 CHAIRPERSON ANDERSON: And, we will  
17 issue a decision in 90 days.

18 MR. BEGZAD: Thank you for your time.  
19 Thank you so much, sir. Bye.

20 MR. JORDAN: Thank you, Mr.  
21 Chairperson.

22 CHAIRPERSON ANDERSON: All right, thank  
23 you, Mr. Jordan, bye-bye.

24 (Whereupon, the above-entitled matter  
25 went off the record at 1:56 p.m.)

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In the matter of: Big D Liquors

Before: DCABRA

Date: 11-03-21

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.

*Neal R Gross*

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Court Reporter

**NEAL R. GROSS**

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