

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

IN THE MATTER OF: :

 :

Laliguras DC, LLC :

t/a Laliguras Indian & :

Nepali Bistro : Show Cause

4221 Connecticut Ave NW : Hearing (Status)

Retailer CR - ANC 3F :

License No. 95042 :

Case #19-AUD-00042 :

Case #19-AUD-00083 :

(Failed to File Quarterly:
Statement (Two Counts)) :

Wednesday
November 4, 2020

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
REMA WAHABZADAH, Member

ALSO PRESENT:

SIMONE ANDREWS, DC ABRA Staff
FRED MOOSALLY, Director, DC ABRA
STEPHEN ORTIZ, DC OAG
DAWA TAMANG, Licensee

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

2 1:51 p.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case on our calendar is Case No. 19-AUD-
5 00042 and 19-AUD-00083. Laliguras Indian &
6 Napali Bistro. License No. 95042.

7 Ms. Andrews, can you please elevate
8 the rights of the licensee in this case, please.

9 MS. ANDREWS: The licensee has been
10 elevated to a panelist. You may now enable your
11 camera and your microphone.

12 CHAIRPERSON ANDERSON: All right. Good
13 afternoon.

14 Mr. Ortiz, can you identify yourself
15 for the record, please.

16 MR. ORTIZ: Stephen Ortiz on behalf of
17 the District of Columbia.

18 CHAIRPERSON ANDERSON: Mr. Tamang, can
19 you please identify yourself for the record and
20 please spell your name, please.

21 MR. TAMANG: My name is Dawa Tamang.

22 CHAIRPERSON ANDERSON: Can you please
23 spell your name for the record, please.

24 MR. TAMANG: Dawa Tamang. D-A-W-A.
25 Last name is Tamang, T-A-M-A-N-G.

1 CHAIRPERSON ANDERSON: Thank you, Mr.
2 Tamang.

3 All right. Mr. Ortiz, are there any
4 preliminary matters in this case?

5 MR. ORTIZ: Yes. The parties have
6 entered into an offer in compromise in both
7 cases.

8 As to Case No. 19-AUD-00042, Charge 1,
9 failed to file the required quarterly statement,
10 the establishment shall receive a written
11 warning.

12 As to Case No. 19-AUD-00083, failed to
13 file a required quarterly statement, the term of
14 the OIC is the establishment shall pay \$2,000
15 within 90 days or its license shall be suspended
16 indefinitely until this fine is paid, and the
17 establishment shall submit pending quarterly
18 statements if they have not been submitted yet.

19 MR. TAMANG: Yes. We already filed the
20 --

21 CHAIRPERSON ANDERSON: Hold on. Mr.
22 Tamang, hold on, please. Hold on.

23 MR. TAMANG: Okay. Sorry.

24 CHAIRPERSON ANDERSON: Mr. Tamang, it's
25 my understanding that there is -- there are two

1 cases.

2 And in the first case, Case No. 19-
3 AUD-00042, that the OIC states that a written
4 warning will be issued.

5 Is that your understanding of the OIC,
6 sir?

7 MR. TAMANG: Yes, sir.

8 CHAIRPERSON ANDERSON: Are you aware
9 that by accepting an offer in compromise that you
10 give up your right to a hearing?

11 MR. TAMANG: Yes, sir.

12 CHAIRPERSON ANDERSON: Are you also
13 aware that by accepting an offer in compromise
14 that you give up your right to appeal this
15 matter?

16 MR. TAMANG: Yes, sir.

17 CHAIRPERSON ANDERSON: All right. Then
18 the second case is Case No. 19-AUD-00083. And
19 it's my understanding that there is a fine of
20 \$2,000 payable within 90 days.

21 If the fine is not paid within 90
22 days, the license will be suspended until the
23 fine has been paid.

24 And that if there are any outstanding
25 quarterly statements, that they will be

1 submitted.

2 So, do you -- as far as the quarterly
3 statements that are -- you were making a
4 statement about outstanding quarterly statements,
5 sir?

6 MR. TAMANG: Yeah. We already filed
7 all the statements up to date.

8 CHAIRPERSON ANDERSON: Okay. All
9 right. Thank you.

10 MR. TAMANG: And the reason was that we
11 were having accountant who was sending the
12 reports to them. They were filing the reports,
13 but I don't know why they didn't file.

14 And now, we file -- hired a new
15 accountant. His name is Mr. Sood (phonetic), and
16 he is, like, helping us to (audio interference)
17 accounts, everything.

18 Not only your cases here, like all
19 (audio interference) he, like, messed up with
20 sales tax, withholding and other government
21 requirements. And we bring him here, Mr. Sood's
22 office, and we bring everything online.

23 We are trying to resolve all the
24 matters and we already paid for licensing fees
25 and only this penalty is pending.

1 So, we request you (audio
2 interference) the best you can do because of
3 COVID thing. Our business is very slow.

4 If you can help us out, something with
5 the (audio interference) penalties and all. So,
6 we make sure no reports will be filed late.

7 CHAIRPERSON ANDERSON: Well, thank you
8 for the representation, sir, but all that I can
9 do at this moment is that the offer in compromise
10 on the second case that you agreed with, with the
11 Government, is that you would make a payment of
12 \$2,000 and that the payment be made within 90
13 days.

14 Is this your --

15 MR. TAMANG: Yes, sir.

16 CHAIRPERSON ANDERSON: Is that your
17 understanding, sir, of the offer in compromise?

18 MR. TAMANG: Yes, sir.

19 CHAIRPERSON ANDERSON: And are you also
20 aware that by accepting the offer in compromise
21 that you're giving up your right to a hearing?

22 MR. TAMANG: Yes, sir.

23 CHAIRPERSON ANDERSON: All right. I
24 then make a motion that also in Case No. 19-AUD-
25 00083 that we accept this offer.

1 So, let me go back to the beginning.
2 So, I'm making a motion that again for Case No.
3 19-AUD-00042 the Board accepts the offer in
4 compromise of a written warning.

5 And for Case No. 19-AUD-00083 the
6 Board accepts the offer in compromise of a fine
7 of \$2,000 payable within 90 days.

8 And (audio interference) has informed
9 us that (audio interference) pending quarterly
10 filings have been filed.

11 Is there a second?

12 MEMBER GRANDIS: Ed Grandis. I second.

13 CHAIRPERSON ANDERSON: Mr. Grandis has
14 second the motion. We will now have a roll call
15 vote on the motion that has been properly second
16 by Mr. Grandis.

17 Mr. Short?

18 MEMBER SHORT: Mr. Short. I agree.

19 CHAIRPERSON ANDERSON: Mr. Cato?

20 MEMBER CATO: Bobby Cato. I agree.

21 CHAIRPERSON ANDERSON: Ms. Wahabzadah?

22 MEMBER WAHABZADAH: Rema Wahabzadah.

23 I agree.

24 CHAIRPERSON ANDERSON: Ms. Crockett?

25 MEMBER CROCKETT: Rafi Crockett. I

1 agree.

2 CHAIRPERSON ANDERSON: Ms. Hansen?

3 MEMBER HANSEN: Jeni Hansen. I agree.

4 CHAIRPERSON ANDERSON: Mr. Grandis?

5 MEMBER GRANDIS: Ed Grandis. I agree.

6 CHAIRPERSON ANDERSON: And Mr.

7 Anderson. I agree. The matter in both cases
8 passes 7-0-0. I want to thank the Government and
9 the licensee for agreeing to an OIC.

10 Thank you for that and this matter is
11 finally -- this matter has been concluded. Thank
12 you very much.

13 MR. TAMANG: Yeah. Just one quick
14 question.

15 CHAIRPERSON ANDERSON: Yes, Mr. Tamang.

16 MR. TAMANG: Yeah. How we can pay this
17 -- where do we pay the \$2,000 on this matter?

18 CHAIRPERSON ANDERSON: There is a
19 dropbox at the Agency. You can come to the
20 Agency and drop it off. There is a dropbox at
21 the Agency.

22 You have 90 days to do it, sir. And
23 so, there's a dropbox at the Agency. You can
24 drop the check off.

25 MR. TAMANG: Okay. Well, is there any

1 way we can pay off this electronically?

2 CHAIRPERSON ANDERSON: Why don't you
3 contact the -- you have 90 days to do it. So,
4 I'm -- I cannot answer that question immediately.

5 So, we'll make sure that either you --
6 you can call the Agency and ask them for payment
7 if you are able to pay.

8 I don't think the Agency will refuse
9 your money. So, we will find some way that --
10 either electronically or by check that -- the
11 residents of the District of Columbia will gladly
12 take your \$2,000, sir. Okay?

13 MR. TAMANG: Yes, sir. Really
14 appreciate it, sir. Really appreciate your help.

15 CHAIRPERSON ANDERSON: Thank you very
16 much. Have a great day.

17 MR. TAMANG: You too. Bye-bye.

18 (Whereupon, the above-entitled matter
19 went off the record at 1:59 p.m.)
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21
22
23
24
25

<p style="text-align: center;">A</p> <p>able 9:7 above-entitled 9:18 ABRA 1:22,23 accept 6:25 accepting 4:9,13 6:20 accepts 7:3,6 accountant 5:11,15 accounts 5:17 afternoon 2:13 Agency 8:19,20,21,23 9:6,8 agree 7:18,20,23 8:1,3 8:5,7 agreed 6:10 agreeing 8:9 Alcoholic 1:2,14 ALIYA 1:18 ANC 1:8 Anderson 1:15,17 2:3 2:12,18,22 3:1,21,24 4:8,12,17 5:8 6:7,16 6:19,23 7:13,19,21,24 8:2,4,6,7,15,18 9:2,15 Andrews 1:22 2:7,9 answer 9:4 appeal 4:14 appreciate 9:14,14 AUD-00042 4:3 audio 5:16,19 6:1,5 7:8 7:9 Ave 1:7 aware 4:8,13 6:20</p>	<p>2:3,12,18,22 3:1,21 3:24 4:8,12,17 5:8 6:7 6:16,19,23 7:13,19,21 7:24 8:2,4,6,15,18 9:2 9:15 Charge 3:8 check 8:24 9:10 Columbia 1:1 2:17 9:11 come 8:19 compromise 3:6 4:9,13 6:9,17,20 7:4,6 concluded 8:11 Connecticut 1:7 contact 9:3 Control 1:2,14 Counts 1:10 COVID 6:3 CR 1:8 Crockett 1:18 7:24,25 7:25</p>	<p>first 4:2 FRED 1:23</p> <p style="text-align: center;">G</p> <p>give 4:10,14 giving 6:21 gladly 9:11 government 5:20 6:11 8:8 Grandis 1:19 7:12,12 7:13,16 8:4,5,5</p> <p style="text-align: center;">H</p> <p>Hansen 1:19 8:2,3,3 hearing 1:7 4:10 6:21 help 6:4 9:14 helping 5:16 hired 5:14 hold 3:21,22,22</p>	<p>moment 6:9 money 9:9 MOOSALLY 1:23 motion 6:24 7:2,14,15</p> <p style="text-align: center;">N</p> <p>name 2:20,21,23,25 5:15 Napali 2:6 Nepali 1:7 new 5:14 November 1:12 NW 1:7</p>
<p style="text-align: center;">B</p> <p>back 7:1 beginning 7:1 behalf 2:16 best 6:2 Beverage 1:2,14 Bistro 1:7 2:6 Board 1:2,14 7:3,6 Bobby 1:18 7:20 bring 5:21,22 business 6:3 Bye-bye 9:17</p>	<p style="text-align: center;">D</p> <p>D-A-W-A 2:24 date 5:7 Dawa 1:24 2:21,24 day 9:16 days 3:15 4:20,22 6:13 7:7 8:22 9:3 DC 1:6,22,23,23 Director 1:23 District 1:1 2:17 9:11 Donovan 1:15,17 drop 8:20,24 dropbox 8:19,20,23</p>	<p style="text-align: center;">I</p> <p>identify 2:14,19 immediately 9:4 indefinitely 3:16 Indian 1:6 2:5 informed 7:8 interference 5:16,19 6:2,5 7:8,9 issued 4:4</p>	<p style="text-align: center;">O</p> <p>OAG 1:23 offer 3:6 4:9,13 6:9,17 6:20,25 7:3,6 office 5:22 OIC 3:14 4:3,5 8:9 online 5:22 Ortiz 1:23 2:14,16,16 3:3,5 outstanding 4:24 5:4</p>
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	<p style="text-align: center;">F</p> <p>failed 1:10 3:9,12 far 5:2 fees 5:24 file 1:10 3:9,13 5:13,14 filed 3:19 5:6 6:6 7:10 filing 5:12 filings 7:10 finally 8:11 find 9:9 fine 3:16 4:19,21,23 7:6</p>	<p style="text-align: center;">K</p> <p style="text-align: center;">L</p> <p>Laliguras 1:6,6 2:5 late 6:6 license 1:8 2:6 3:15 4:22 licensee 1:24 2:8,9 8:9 licensing 5:24 LLC 1:6</p>	<p style="text-align: center;">Q</p> <p>quarterly 1:10 3:9,13 3:17 4:25 5:2,4 7:9 question 8:14 9:4 quick 8:13</p> <p style="text-align: center;">R</p> <p>Rafi 1:18 7:25 reason 5:10 receive 3:10 record 2:15,19,23 9:19</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: Laliguras

Before: DC ABRA

Date: 11-04-20

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

Court Reporter

NEAL R. GROSS

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