

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

IN THE MATTER OF: :
 :
 Zinat, Inc., :
 t/a Johnny Pistolas :
 2333 18th Street NW : Show Cause
 License #60401 : Hearing (Status)
 Retailer CR - ANC 1C :
 Case # 19-CMP-00183 :
 :
 (Violation of Settlement :
 Agreement) :

Wednesday
 November 18, 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
 REMA WAHABZADAH, Member

ALSO PRESENT:

SIMONE ANDREWS, DC ABRA Staff
 SARA KHAN, Licensee's Counsel
 JOHN LUI, DC OAG
 ELIZABETH MAKRIS, Licensee

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

2 1:38 p.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is case number 19-CMP-00183,
5 Johnny Pistolas, license number 60401. Ms.
6 Andrews, can you please elevate the rights of the
7 parties in this case, please?

8 MS. ANDREWS: Sure, stand by. That is
9 all, Mr. Chair.

10 CHAIRPERSON ANDERSON: All right,
11 thank you. Ms. Khan, are you able to -- yes, all
12 right.

13 MS. KHAN: Are you able -- sorry, my
14 apologies. Are you able to see me?

15 CHAIRPERSON ANDERSON: No, I'm not
16 able to see you, but I can hear you.

17 MS. KHAN: Let's see, my apologies.

18 CHAIRPERSON ANDERSON: This is new for
19 all of us, so it's fine.

20 MS. KHAN: Thank you for your
21 patience.

22 CHAIRPERSON ANDERSON: Oh, fine, we
23 can --

24 MS. KHAN: Good afternoon.

25 CHAIRPERSON ANDERSON: Good afternoon.

1 Okay, we'll start. I will again ask if the
2 parties could introduce themselves for the record
3 and also to spell their name, and we'll start
4 with the government, please.

5 MR. LUI: Good afternoon, Mr.
6 Chairperson, John Lui on behalf of the
7 government. That's J-O-H-N L-U-I.

8 CHAIRPERSON ANDERSON: Now, is there
9 -- who is the owner? Is there a representative
10 or is there an attorney and an owner as far as
11 the establishment is concerned?

12 MS. KHAN: Correct, Mr. Chairperson.
13 My name is Sara Khan on behalf of Johnny
14 Pistolas, S-A-R-A, last name K-H-A-N, and with me
15 is a representative from the company, Elizabeth
16 Makris, E-L-I-Z-A-B-E-T-H, last name Makris, M-A-
17 K-R-I-S.

18 CHAIRPERSON ANDERSON: All right,
19 thank you. Thank you, Ms. Khan. Are there any
20 preliminary matters in this case?

21 MR. LUI: Mr. Chairman, the parties do
22 not have an offer in compromise to present at
23 this time.

24 CHAIRPERSON ANDERSON: All right.

25 MS. KHAN: I have --

1 CHAIRPERSON ANDERSON: Yes, Ms. Khan?

2 MS. KHAN: Sorry, so in addition to,
3 there is no offer in compromise, however, prior
4 to my appearance on behalf of Johnny Pistolas,
5 Ms. Makris did reach out to attorney Shahzeb Asim
6 on behalf of the government and sent over a
7 motion to dismiss on the basis that Iraj
8 Askarinam, who is listed as one of the main
9 witnesses to the event and was the owner at the
10 time, passed away in June.

11 And based on the fact that he wouldn't
12 be able to testify and was the main witness that
13 would be able to provide any event on behalf of
14 Johnny Pistolas and proof it was a private event,
15 I would request that it be dismissed on that
16 because of the prejudice to the entity, and Ms.
17 Makris is involved on the basis that this was her
18 father that passed away. So, we're willing to
19 hear from the government.

20 CHAIRPERSON ANDERSON: I'm sorry to
21 hear that, but I'm not sure if the government is
22 ready to entertain that, but that's not the
23 Board. The Board on its own motion cannot make a
24 determination on that because that's up to the
25 government.

1 If the government wants to entertain
2 that at this juncture, they can, or if the
3 parties want to further discuss this, the only
4 thing that the Board would do at this juncture,
5 unless the government says otherwise, is to
6 schedule this matter for a show cause hearing at
7 a date to be determined.

8 In the interim, the parties can
9 discuss whether or not they determine that this
10 is a matter that should move forward or can be
11 dismissed, or there can be a compromise, and if
12 something is presented to the Board by the
13 government and the licensee, of course the Board
14 will entertain it.

15 MR. LUI: Mr. Chairman?

16 CHAIRPERSON ANDERSON: Yes, Mr. Lui?

17 MR. LUI: The government will respond
18 to the motion.

19 (Audio interference.)

20 CHAIRPERSON ANDERSON: All right, so
21 this matter then will be scheduled for a show
22 cause hearing at a date to be determined, and I
23 will advise both parties to continue speaking.
24 If the parties agree to dismiss this matter, the
25 parties can advise the Board.

1 If the parties agree to have an offer
2 in compromise, that can be sent in writing to the
3 Board and the Board will vote on it on its legal
4 agenda, but if no agreement can be reached, then
5 we will set a date to be determined for a show
6 cause hearing, okay?

7 MS. KHAN: Thank you.

8 CHAIRPERSON ANDERSON: And my
9 condolences to you, Mr. Makris, on the death of,
10 you said it was your father? My condolences.
11 Your microphone is off, yeah.

12 MS. MAKRIS: Sorry, yes, that's
13 correct.

14 CHAIRPERSON ANDERSON: On behalf of
15 the Board, my condolences to you and your family,
16 okay? So, but thank you for your appearance
17 today and the parties will inform us --

18 We'll inform you of the date and the
19 time of the show cause hearing and the parties
20 will inform the Board what their position is,
21 whether or not we're going to move forward with
22 this matter, okay?

23 MS. KHAN: Thank you, Mr. Chairperson,
24 sorry, just one brief question. Do I reach out
25 to you or should I continue to discuss with

1 Attorney Asim?

2 CHAIRPERSON ANDERSON: To the assigned
3 government attorney that's assigned to the case.
4 I think Mr. Lui is the attorney for the day, but
5 --

6 MS. KHAN: I see.

7 CHAIRPERSON ANDERSON: -- if you have
8 been speaking to a different attorney, you
9 continue with that attorney, and the parties will
10 jointly inform the Board what decision it's made
11 regarding the process of this case.

12 MS. KHAN: Okay, thank you so much.

13 CHAIRPERSON ANDERSON: All right,
14 thank you, and have a great day.

15 MS. KHAN: Thank you for your time and
16 take care.

17 (Whereupon, the above-entitled matter
18 went off the record at 1:44 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: Johnny Pistolas

Before: DCABRA

Date: 11-18-20

Place: teleconference

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



Court Reporter

NEAL R. GROSS

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