

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF: :

:

Venus 2, Inc., :

t/a 9 & P St. Liquor :

1428 9th Street NW : Show Cause

Retailer A - ANC 2F : Hearing (Status)

License No. 101095 :

Case #17-CMP-00679 :

:

(Permitted the Sale or :
Delivery of Alcohol to :
Intoxicated Person, :
Interfered with an :
Investigation, Failed to :
Post License Conspicuously :
in the Establishment) :

Wednesday
May 2, 2018

The Alcoholic Beverage Control Board
met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Suite 400S, Washington, D.C. 20009, Chairperson
Donovan W. Anderson, presiding.

PRESENT:

DONOVAN W. ANDERSON, Chairperson
NICK ALBERTI, Member
BOBBY CATO, JR., Member
DONALD ISAAC, SR., Member
MIKE SILVERSTEIN, Member
JAMES SHORT, Member
REMA WAHABZADAH, Member

ALSO PRESENT:

WOUNDIM DEMISSIE, Licensee

MATT DEVENDORF, Licensee's Attorney

LOUISE PHILLIPS, OAG

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

2 9:48 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case on our calendar is Case No. 17-CMP-
5 00679, 9 & P St. Liquor, License No. 101095.

6 Will the parties, please, approach and
7 identify themselves for the record, please?

8 MR. DEVENDORF: Good morning,
9 Chairman. Matt Devendorf representing 9 & P.

10 CHAIRPERSON ANDERSON: Matt who, sir?

11 MR. DEVENDORF: Excuse me?

12 CHAIRPERSON ANDERSON: I did not hear
13 your last name.

14 MR. DEVENDORF: Oh, Matt Devendorf.

15 CHAIRPERSON ANDERSON: Good morning,
16 Mr. Devendorf.

17 MR. DEMISSIE: Good morning.

18 MR. DEVENDORF: I have the licensee
19 with me.

20 CHAIRPERSON ANDERSON: And what's his
21 name?

22 MR. DEMISSIE: Woundim Demissie.

1 CHAIRPERSON ANDERSON: Mr. who?

2 MR. DEMISSIE: D-E-M-I-S-S-I-E.

3 CHAIRPERSON ANDERSON: Good morning,
4 Mr. Demissie.

5 MR. DEMISSIE: Good morning.

6 CHAIRPERSON ANDERSON: Please, sign-in
7 on the sign-in sheet, too, please. Yes?

8 MS. PHILLIPS: Good morning, Louise
9 Phillips, Assistant Attorney General for the
10 District of Columbia and with me is Kimberly
11 Berry, also an assistant.

12 CHAIRPERSON ANDERSON: Good morning,
13 Ms. Phillips and Ms. Berry.

14 All right. Are there any preliminary
15 matters in this case?

16 MS. PHILLIPS: Yes, there are, Mr.
17 Chair.

18 CHAIRPERSON ANDERSON: Yes.

19 MS. PHILLIPS: Ready? All right.
20 Charge 1 is a fine of \$2,000 and the license will
21 be suspended for five days with all five days --
22 wait a minute. No, four days stayed and one

1 served on May 26th. And I think the licensee has
2 requested 60 days to pay.

3 And then Charge 2 is dismissed.

4 And Charge 3, a warning should be
5 issued.

6 CHAIRPERSON ANDERSON: You said May
7 26?

8 MS. PHILLIPS: I did.

9 CHAIRPERSON ANDERSON: Yes, that's
10 what I'm saying. I just wanted to make sure that
11 --

12 MS. PHILLIPS: Yes.

13 CHAIRPERSON ANDERSON: All right. All
14 right. Mr. Devendorf, it's my understanding that
15 there is an Offer in Compromise and the Offer in
16 Compromise is that there is a fine of \$2,000 with
17 a five day suspension. Four of the days will be
18 stayed for one year, one day will be served on
19 May 26. That Charge 2 will be dismissed. Charge
20 3 there will be a written warning and the fine
21 will be paid in 60 days. If it's not payable in
22 60 days the license will be suspended.

1 Is this your understanding, sir, of
2 the Offer in Compromise?

3 MR. DEVENDORF: That is correct.

4 CHAIRPERSON ANDERSON: Is your client
5 aware that by accepting an Offer in Compromise,
6 that he is giving up his right to a hearing?

7 MR. DEMISSIE: Yes.

8 CHAIRPERSON ANDERSON: And I was
9 asking you, but --

10 MR. DEVENDORF: I'm sorry.

11 CHAIRPERSON ANDERSON: All right.
12 Also, is your client aware that also by accepting
13 an Offer in Compromise, that he is giving up his
14 right to appeal this matter?

15 MR. DEVENDORF: Yes, he is.

16 CHAIRPERSON ANDERSON: All right.

17 Thank you.

18 Are there any questions by any Board
19 Members regarding this Offer in Compromise?
20 Hearing none, I make a motion that the Offer in
21 Compromise of a fine of \$2,000 -- for Charge 1,
22 there is a fine of \$2,000 with a five day

1 suspension. Four days will be stayed for one
2 year. One day will be served on May 26, 2018.
3 That Charge 2 will be dismissed and Charge 3 a
4 written warning will be issued. The fine will be
5 payable in 60 days. If it's not payable in 60
6 days, the license will be suspended.

7 Is there a second?

8 MEMBER SHORT: Second.

9 CHAIRPERSON ANDERSON: Mr. Short has
10 seconded the motion.

11 All those in favor say aye.

12 ALL: Aye.

13 CHAIRPERSON ANDERSON: All those
14 opposed? The matter passes 7-0-0.

15 The Board will issue a Board Order on
16 this matter. And basically what this says is
17 that the 60 days will start once the Board Order
18 is issued. However, even if the Board Order is
19 not issued by May 26th, you are agreeing today
20 that you cannot sell or serve alcohol on May
21 26th. Is that correct? Is that -- you
22 understand that?

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(No audible answer.)

CHAIRPERSON ANDERSON: All right. So
thank you very much. Have a good day then.

MR. DEVENDORF: Thank you. You, too.

(Whereupon, the Show Cause (Status)
Hearing was concluded at 9:52 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: Venus 2 Inc.
t/a 9 & P St. Liquor

Before: Alcoholic Beverage Control Board

Date: 05-02-18

Place: Washington, D.C.

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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