

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

IN THE MATTER OF: :
 :
 Allure Lounge, LLC, :
 t/a Allure Lounge :
 711 H Street NE, :
 : Show Cause
 Retailer CT - ANC 6C :
 : Hearing (Status)
 License No. 108303 :
 Case #19-CMP-00045 :
 :
 :
 (Exceeded Capacity) :

Wednesday,
 July 17, 2019

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
 BOBBY CATO, JR., Member
 MIKE SILVERSTEIN, Member
 JAMES SHORT, Member
 RAFI CROCKETT, Member

ALSO PRESENT:

ZERIHUN AMENTE, APPLICANT
 JESSICA KRUPKE, OAG

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

2 9:44 a.m.

3 CHAIRPERSON ANDERSON: All right.

4 Good morning, everyone. I would like to welcome
5 you to the regularly scheduled meeting of the
6 District of Columbia Alcoholic Beverage Control
7 Board. Please know that today's hearings will be
8 conducted in accordance with D.C. Official Code
9 Section 2-574 of the Open Meetings Act.

10 Today is July 17, 2019. I would like
11 to introduce Members of the Board with us today.

12 To my far right is Ms. Rafi Crockett.
13 To my immediate right is Mr. Bobby Cato. To my
14 far left is Mr. Mike Silverstein and to my
15 immediate left is Mr. James Short. My name is
16 Donovan Anderson. I'm Chairman of the Board. We
17 have five Members in attendance for the conduct
18 of business today and we have a quorum.

19 I would like to mention two things
20 before we get started. First of all, if you have
21 any electronic devices, pagers, cell phones or
22 such, please, make certain that they are turned

1 off to avoid any interruption of the proceeding.

2 Secondly, there is a piece of paper on
3 each table. When you come forward as your case
4 is called, please, take a seat at the table and,
5 please, sign-in. This is to ensure the correct
6 spelling of your name for the record.

7 Additionally, when you introduce
8 yourself for the record, please, spell your name
9 aloud for the court reporter.

10 I'll note that the approximate time is
11 9:46.

12 And what I would like to say, what you
13 just saw was the swearing in of myself as Chair
14 for another -- the Mayor appointed us and the
15 City Council confirmed us to another four year
16 term. So I was confirmed for another four year
17 term as Chairman of the Board. Mr. Bobby Cato
18 was also confirmed for another four year term on
19 the Board and Ms. Rafi Crockett is our newest
20 Member. She was recently appointed by the --
21 confirmed by the Council of the District of
22 Columbia for a four year term as the newest

1 Member of the ABC Board.

2 And I am not sure if Ms. Crockett
3 wants to say anything on the record, but she
4 doesn't have to.

5 All right. So on behalf of the Board,
6 I would like to welcome her to the Board and I
7 look forward for the next four years to work with
8 her.

9 All right. Our first order of
10 business today is a Show Cause Hearing (Status)
11 and the first case on our Show Cause Hearing
12 Calendar is Case No. 19-CMP-00045, Allure Lounge,
13 License No. 108303.

14 Will the parties, please, approach and
15 identify themselves for the record, please?

16 MS. KRUPKE: Good morning. Jessica
17 Krupke on behalf of the Government. K-R-U-P-K-E.

18 CHAIRPERSON ANDERSON: Good morning,
19 Ms. Krupke. And who are you, sir?

20 MR. AMENTE: Zerihun Amente, Allure
21 Lounge.

22 CHAIRPERSON ANDERSON: Good morning,

1 Mr. Amente.

2 All right. Ms. Krupke, are there any
3 preliminary matters in this case?

4 MS. KRUPKE: No, there are not.

5 CHAIRPERSON ANDERSON: All right.

6 Hearing none, this matter then is scheduled for a
7 Show Cause Hearing on 9/11 at 11:00 a.m.

8 And what this means is that on
9 September the 11th, since we are going to a Show
10 Cause Hearing, since -- you should bring whatever
11 documents or witnesses that you have to defend
12 your position.

13 And one of the things I have asked
14 both sides is seven days prior to that hearing is
15 that you need to disclose documents and
16 witnesses. So whatever documents and witnesses
17 you are going to rely on at the hearing on
18 September 11th at 9:00, I'm asking that both
19 parties exchange those documents with each other,
20 so they will know what documents and witnesses
21 will appear at the hearing.

22 If you don't have -- if you have any

1 questions, you can -- I know Ms. Krupke is an
2 attorney. She understands the process.

3 If you have any questions, you are
4 welcome to contact our Assistant General Counsel,
5 Ms. April Randall at (202) 442-4353. Okay. All
6 right. Have a good day.

7 (Whereupon, the Show Cause (Status)
8 Hearing went off the record at 9:48 a.m. and
9 resumed at 10:38 a.m.)

10 CHAIRPERSON ANDERSON: We are back on
11 the record. I would like to recall Case No. 19-
12 CMP-00045, Allure Lounge, License No. 108303.

13 Will the parties, please, approach and
14 identify themselves for the record, please?

15 MS. KRUPKE: Good morning. Jessica
16 Krupke on behalf of the Government.

17 CHAIRPERSON ANDERSON: Good morning,
18 Ms. Krupke.

19 MR. AMENTE: Good morning. Zerihun
20 Amente, Allure Lounge.

21 CHAIRPERSON ANDERSON: Good morning,
22 Mr. Amente.

1 MR. AMENTE: Yeah, Amente.

2 CHAIRPERSON ANDERSON: Amente. Good
3 morning, again. All right.

4 Are there any preliminary matters in
5 this case?

6 MS. KRUPKE: There are. The parties
7 have reached an Offer in Compromise to settle the
8 charge of increase interior occupancy, a
9 violation of DC Code 25-823(a)(7), which is a
10 primary tier violation. It's the establishment's
11 first primary tier violation and the offer is for
12 a fine of \$1,250 to be payable within 30 days or
13 the license shall be suspended indefinitely until
14 the fine is paid.

15 CHAIRPERSON ANDERSON: All right.
16 Thank you. All right. Good morning again, Mr.
17 Amente. It's my understanding that there is an
18 Offer in Compromise and the Offer in Compromise
19 is that there is a fine of \$1,250 payable in 30
20 days. If the fine is not payable in 30 days, the
21 license will be suspended until the fine has been
22 paid.

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

3 MR. AMENTE: Yes.

4 CHAIRPERSON ANDERSON: Are you aware
5 that by accepting an Offer in Compromise, that
6 you are giving up your right to a hearing?

7 MR. AMENTE: I'm sorry?

8 CHAIRPERSON ANDERSON: That by
9 accepting this offer, you are giving up your
10 right to have a hearing?

11 MR. AMENTE: Yes.

12 CHAIRPERSON ANDERSON: Are you also
13 aware that by accepting this offer, you are
14 giving up your right to appeal this matter?

15 MR. AMENTE: (No audible answer).

16 CHAIRPERSON ANDERSON: Meaning that
17 was this ever explained to you that, okay, this
18 is what -- because I'm agreeing to this Offer in
19 Compromise, that I cannot contest it. That this
20 is what I'm agreeing to, I can't appeal it. I
21 can't change it. You can't change your mind
22 tomorrow to say well --

1 MR. AMENTE: Right.

2 CHAIRPERSON ANDERSON: -- so you're
3 aware of that?

4 MR. AMENTE: Yes, yes.

5 CHAIRPERSON ANDERSON: All right.
6 Fine. With that said, I make a motion that the
7 Offer in Compromise of a fine of \$1,250 be
8 accepted, payable in 30 days. If the fine is not
9 payable in 30 days, the license will be suspended
10 until the fine has been paid.

11 Is there a second?

12 MEMBER SHORT: Second.

13 CHAIRPERSON ANDERSON: Mr. Short has
14 seconded the motion.

15 All those in favor say aye.

16 ALL: Aye.

17 CHAIRPERSON ANDERSON: Those opposed?
18 The matter passes 5-0-0.

19 Thank you very much, sir. We will
20 have you sign-off on this paperwork and you have
21 30 days from today to --

22 MEMBER SHORT: Mr. Chair, I would like

1 to make one comment.

2 CHAIRPERSON ANDERSON: Yes, Mr. Short?

3 MEMBER SHORT: Sir, do you realize the
4 jeopardy that you are placing your business in
5 and also the citizens who come into your place
6 when you overcrowd it? So this won't happen
7 again, I hope.

8 MR. AMENTE: Yes, sir.

9 MEMBER SHORT: Thank you very much.
10 That's all I have, Mr. Chair.

11 CHAIRPERSON ANDERSON: All right.
12 Thank you, Mr. Short. Thank you.

13 MS. KRUPKE: Thank you.

14 CHAIRPERSON ANDERSON: Thank you, Mr.
15 Short.

16 (Whereupon, the Show Cause (Status)
17 Hearing was concluded at 10:41 a.m.)
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A

a.m 2:2 5:7 6:8,9 10:17
ABC 4:1
accepted 9:8
accepting 8:5,9,13
Act 2:9
Additionally 3:7
agreeing 8:18,20
Alcoholic 1:2,13,14 2:6
Allure 1:6,6 4:12,20
6:12,20
aloud 3:9
Amente 1:21 4:20,20
5:1 6:19,20,22 7:1,1,2
7:17 8:3,7,11,15 9:1,4
10:8
ANC 1:7
Anderson 1:15,18 2:3
2:16 4:18,22 5:5 6:10
6:17,21 7:2,15 8:4,8
8:12,16 9:2,5,13,17
10:2,11,14
answer 8:15
appeal 8:14,20
appear 5:21
APPLICANT 1:21
appointed 3:14,20
approach 4:14 6:13
approximate 3:10
April 6:5
asked 5:13
asking 5:18
Assistant 6:4
attendance 2:17
attorney 6:2
audible 8:15
avoid 3:1
aware 8:4,13 9:3
aye 9:15,16

B

back 6:10
behalf 4:5,17 6:16
Beverage 1:2,13,14 2:6
Board 1:2,13 2:7,11,16
3:17,19 4:1,5,6
Bobby 1:18 2:13 3:17
bring 5:10
Building 1:14
business 2:18 4:10
10:4

C

Calendar 4:12
called 3:4
Capacity 1:9
case 1:8 3:3 4:11,12 5:3
6:11 7:5

Cato 1:18 2:13 3:17
Cause 1:7 4:10,11 5:7
5:10 6:7 10:16
cell 2:21
certain 2:22
Chair 3:13 9:22 10:10
Chairman 2:16 3:17
Chairperson 1:15,18
2:3 4:18,22 5:5 6:10
6:17,21 7:2,15 8:4,8
8:12,16 9:2,5,13,17
10:2,11,14

change 8:21,21
charge 7:8
citizens 10:5
City 3:15
CMP-00045 6:12
Code 2:8 7:9
Columbia 1:1 2:6 3:22
come 3:3 10:5
comment 10:1
Compromise 7:7,18,18
8:2,5,19 9:7
concluded 10:17
conduct 2:17
conducted 2:8
confirmed 3:15,16,18
3:21
contact 6:4
contest 8:19
Control 1:2,13,14 2:6
correct 3:5
Council 3:15,21
Counsel 6:4
court 3:9
Crockett 1:20 2:12 3:19
4:2
CT 1:7

D

D.C 1:15 2:8
day 6:6
days 5:14 7:12,20,20
9:8,9,21
DC 7:9
defend 5:11
devices 2:21
disclose 5:15
District 1:1 2:6 3:21
documents 5:11,15,16
5:19,20
Donovan 1:15,18 2:16

E

electronic 2:21
ensure 3:5
establishment's 7:10
Exceeded 1:9

exchange 5:19
explained 8:17

F

far 2:12,14
favor 9:15
fine 7:12,14,19,20,21
9:6,7,8,10
first 2:20 4:9,11 7:11
five 2:17
forward 3:3 4:7
four 3:15,16,18,22 4:7

G

General 6:4
giving 8:6,9,14
Government 4:17 6:16

H

H 1:7
happen 10:6
hearing 1:7,14 4:10,11
5:6,7,10,14,17,21 6:8
8:6,10 10:17
hearings 2:7
hope 10:7

I

identify 4:15 6:14
immediate 2:13,15
increase 7:8
indefinitely 7:13
interior 7:8
interruption 3:1
introduce 2:11 3:7

J

James 1:19 2:15
jeopardy 10:4
Jessica 1:22 4:16 6:15
JR 1:18
July 1:12 2:10

K

K-R-U-P-K-E 4:17
Krupke 1:22 4:16,17,19
5:2,4 6:1,15,16,18 7:6
10:13

L

left 2:14,15
license 1:8 4:13 6:12
7:13,21 9:9
LLC 1:6
look 4:7
Lounge 1:6,6 4:12,21
6:12,20

M

matter 1:5 5:6 8:14 9:18
matters 5:3 7:4
Mayor 3:14
Meaning 8:16
means 5:8
meeting 1:3 2:5
Meetings 2:9
Member 1:18,19,19,20
3:20 4:1 9:12,22 10:3
10:9
Members 2:11,17
mention 2:19
met 1:14
Mike 1:19 2:14
mind 8:21
morning 2:4 4:16,18,22
6:15,17,19,21 7:3,16
motion 9:6,14

N

N.W 1:14
name 2:15 3:6,8
NE 1:7
need 5:15
newest 3:19,22
note 3:10

O

OAG 1:22
occupancy 7:8
offer 7:7,11,18,18 8:2,5
8:9,13,18 9:7
Official 2:8
Open 2:9
opposed 9:17
order 4:9
overcrowd 10:6

P

P-R-O-C-E-E-D-I-N-G-S
2:1
paggers 2:21
paid 7:14,22 9:10
paper 3:2
paperwork 9:20
parties 4:14 5:19 6:13
7:6
passes 9:18
payable 7:12,19,20 9:8
9:9
phones 2:21
piece 3:2
place 10:5
placing 10:4
please 2:7,22 3:4,5,8
4:14,15 6:13,14

<p>position 5:12 preliminary 5:3 7:4 PRESENT 1:17,21 presiding 1:15 primary 7:10,11 prior 5:14 proceeding 3:1 process 6:2</p>	<p>swearing 3:13</p>	<p>2</p>
<p>Q</p>	<p>T</p>	<p>2-574 2:9 2000 1:14 20009 1:15 2019 1:12 2:10 202 6:5 25-823(a)(7) 7:9</p>
<p>questions 6:1,3 quorum 2:18</p>	<p>t/a 1:6 table 3:3,4 term 3:16,17,18,22 Thank 7:16 9:19 10:9 10:12,12,13,14 things 2:19 5:13 tier 7:10,11 today 2:10,11,18 4:10 9:21 today's 2:7 tomorrow 8:22 turned 2:22 two 2:19</p>	<p>3</p>
<p>R</p>	<p>U</p>	<p>30 7:12,19,20 9:8,9,21</p>
<p>Rafi 1:20 2:12 3:19 Randall 6:5 reached 7:7 realize 10:3 recall 6:11 record 3:6,8 4:3,15 6:8 6:11,14 Reeves 1:14 regularly 2:5 rely 5:17 reporter 3:9 resumed 6:9 Retailer 1:7 Room 1:14</p>	<p>V</p>	<p>4</p>
<p>S</p>	<p>W</p>	<p>400S 1:15 442-4353 6:5</p>
<p>saw 3:13 scheduled 2:5 5:6 seat 3:4 second 9:11,12 seconded 9:14 Secondly 3:2 Section 2:9 September 5:9,18 settle 7:7 seven 5:14 Short 1:19 2:15 9:12,13 9:22 10:2,3,9,12,15 Show 1:7 4:10,11 5:7,9 6:7 10:16 sides 5:14 sign-in 3:5 sign-off 9:20 Silverstein 1:19 2:14 sir 4:19 9:19 10:3,8 sorry 8:7 spell 3:8 spelling 3:6 started 2:20 Status 1:7 4:10 6:7 10:16 Street 1:7,14 Suite 1:15 suspended 7:13,21 9:9</p>	<p>understanding 7:17 8:1 understands 6:2</p>	<p>5</p>
	<p>X</p>	<p>5-0-0 9:18</p>
	<p>Y</p>	<p>6</p>
	<p>Z</p>	<p>6C 1:7</p>
	<p>0</p>	<p>7</p>
	<p>1</p>	<p>711 1:7</p>
	<p>1,250 7:12,19 9:7 10:38 6:9 10:41 10:17 108303 1:8 4:13 6:12 11:00 5:7 11th 5:9,18 14th 1:14 17 1:12 2:10 19- 6:11 19-CMP-00045 1:8 4:12</p>	<p>8</p>
	<p>2</p>	<p>9</p>
		<p>9/11 5:7 9:00 5:18 9:44 2:2 9:46 3:11 9:48 6:8</p>

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Allure Lounge

Before: DCABRA

Date: 07-17-19

Place: Washington, DC

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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