

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

IN THE MATTER OF: :

BBDC 1, LLC, :

t/a Bareburger :

1647 20th Street NW : Show Cause

Retailer CR - ANC 2B : Hearing (Status)

License No. 102759 :

Case #19-CMP-00038 :

:

(No ABC Manager on Duty, :

Failed to Post Window :

Lettering) :

Wednesday
 December 4, 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
 RAFI ALIYA CROCKETT, Member
 JAMES SHORT, JR., Member

ALSO PRESENT:

STEPHEN ORTIZ, DC OAG
 KEVIN LEE, Applicant

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

2 9:49 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 in our show-cause hearing status calendar is Case
5 Number 19-CMP-00038, Bareburger, License Number
6 102759. Will the parties please approach and
7 identify themselves for the record, please.

8 MR. ORTIZ: Steven Ortiz on behalf of
9 the District of Columbia.

10 CHAIRPERSON ANDERSON: Mr. Ortiz.

11 MR. LEE: Good morning, Board Members.
12 My name is Kevin Lee and I'm representing BBDC 1,
13 LLC, trade name, Bareburger.

14 CHAIRPERSON ANDERSON: Good morning,
15 Mr. Lee. Are there any preliminary matters in
16 this case?

17 MR. ORTIZ: Yes, there is a
18 preliminary matter. As to Charge 1, no ABC
19 manager, the OIC is that the establishment shall
20 pay \$2000 within 30 days or its license shall be
21 suspended indefinitely until this fine is paid.

22 As to Charge 2, which is failure to
23 have posted window lettering, this -- the offer
24 in compromise is a mandatory warning.

25 CHAIRPERSON ANDERSON: Mr. Lee, it's

1 my understanding that there is an offer in
2 compromise, and the offer in compromise is that
3 there is a fine of \$2000, payable within 30 days
4 for Charge 1, for Charge 2, there is a warning,
5 and -- yes.

6 MR. LEE: Yes.

7 CHAIRPERSON ANDERSON: So is this your
8 understanding of the offer in compromise?

9 MR. LEE: Yes. We accept and agreed.

10 CHAIRPERSON ANDERSON: And is your
11 client aware that by accepting the offer in
12 compromise --

13 MR. LEE: Yes.

14 CHAIRPERSON ANDERSON: -- they're
15 giving up the right to a hearing?

16 MR. LEE: Yes.

17 CHAIRPERSON ANDERSON: And your client
18 is also aware that by accepting an offer in
19 compromise --

20 MR. LEE: Yes.

21 CHAIRPERSON ANDERSON: -- that they're
22 giving up their right to appeal this matter?

23 With that said, I make a motion that the offer in
24 compromise for Charge 1, a fine of \$2000, payable
25 within 30 days, for Charge 2, there is a warning,

1 and if the fine is not paid within 30 days, the
2 license will be suspended. Is there a second?

3 MEMBER SHORT: Second.

4 CHAIRPERSON ANDERSON: Mr. Short has
5 seconded the motion. All those in favor, say
6 aye.

7 (Chorus of Ayes)

8 CHAIRPERSON ANDERSON: Those opposed.
9 The matter passes 4-0-0. Thank you.

10 (Whereupon, the meeting/hearing in the
11 above-entitled matter was concluded at 9:51 a.m.)

12

13

14

15

16

17

18

19

20

21

22

23

24

25

A	E	OIC 2:19	X
a.m 2:2 4:11	establishment 2:19	opposed 4:8	Y
ABC 1:9 2:18	F	Ortiz 1:22 2:8,8,10,17	Z
above-entitled 4:11	Failed 1:10	P	0
accept 3:9	failure 2:22	P-R-O-C-E-E-D-I-N-G-S	1
accepting 3:11,18	favor 4:5	2:1	102759 1:8 2:6
agreed 3:9	fine 2:21 3:3,24 4:1	paid 2:21 4:1	14th 1:15
Alcoholic 1:2,14,14	G	parties 2:6	1647 1:7
ALIYA 1:19	giving 3:15,22	passes 4:9	19-CMP-00038 1:8 2:5
ANC 1:7	H	pay 2:20	2
Anderson 1:16,18 2:3	hearing 1:7,14 2:4 3:15	payable 3:3,24	2 2:22 3:4,25
2:10,14,25 3:7,10,14	I	please 2:6,7	2000 1:15 2:20 3:3,24
3:17,21 4:4,8	identify 2:7	Post 1:10	20009 1:15
appeal 3:22	indefinitely 2:21	posted 2:23	2019 1:12
Applicant 1:22	J	preliminary 2:15,18	20th 1:7
approach 2:6	JAMES 1:20	PRESENT 1:17,21	2B 1:7
aware 3:11,18	JR 1:19,20	presiding 1:16	3
aye 4:6	K	Q	30 2:20 3:3,25 4:1
Ayes 4:7	Kevin 1:22 2:12	R	4
B	L	RAFI 1:19	4 1:12
Bareburger 1:6 2:5,13	Lee 1:22 2:11,12,15,25	record 2:7	4-0-0 4:9
BBDC 1:6 2:12	3:6,9,13,16,20	Reeves 1:15	400S 1:15
behalf 2:8	lettering 1:10 2:23	representing 2:12	5
Beverage 1:2,14,14	license 1:8 2:5,20 4:2	Retailer 1:7	6
Board 1:2,14 2:11	LLC 1:6 2:13	Room 1:15	7
BOBBY 1:19	M	S	8
Building 1:15	manager 1:9 2:19	second 4:2,3	9
C	mandatory 2:24	seconded 4:5	9:49 2:2
calendar 2:4	matter 1:5 2:18 3:22 4:9	Short 1:20 4:3,4	9:51 4:11
case 1:8 2:3,4,16	4:11	Show 1:7	
CATO 1:19	matters 2:15	show-cause 2:4	
Cause 1:7	MEETING 1:3	status 1:7 2:4	
Chairperson 1:15,18	meeting/hearing 4:10	STEPHEN 1:22	
2:3,10,14,25 3:7,10	Member 1:19,19,20 4:3	Steven 2:8	
3:14,17,21 4:4,8	Members 2:11	Street 1:7,15	
Charge 2:18,22 3:4,4	met 1:14	Suite 1:15	
3:24,25	morning 2:11,14	suspended 2:21 4:2	
Chorus 4:7	motion 3:23 4:5	T	
client 3:11,17	N	t/a 1:6	
Columbia 1:1 2:9	N.W 1:15	Thank 4:9	
compromise 2:24 3:2,2	name 2:12,13	trade 2:13	
3:8,12,19,24	Number 2:5,5	U	
concluded 4:11	NW 1:7	understanding 3:1,8	
Control 1:2,14,14	O	V	
CR 1:7	OAG 1:22	W	
CROCKETT 1:19	offer 2:23 3:1,2,8,11,18	W 1:16,18	
D	3:23	warning 2:24 3:4,25	
D.C 1:15		Washington 1:15	
days 2:20 3:3,25 4:1		Wednesday 1:12	
DC 1:22		window 1:10 2:23	
December 1:12			
District 1:1 2:9			
Donovan 1:16,18			
Duty 1:9			

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Bareburger

Before: DCABRA

Date: 12-04-19

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.

Neal R Gross

Court Reporter

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701