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IN THE MATTER OF:           :
                               :
BB DC 1, LLC,                :
t/a Bareburger                :
1647 20th Street NW          : Show Cause
Retailer CR - ANC 2B         : Hearing (Status)
License No. 102759           :
Case #18-AUD-00090           :
                               :
(Failed to File               :
Quarterly Statements)         :
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Wednesday
February 13, 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
NICK ALBERTI, Member
BOBBY CATO, JR., Member
JAMES SHORT, Member
MIKE SILVERSTEIN, Member
REMA WAHABZADAH, Member

ALSO PRESENT:

MEGALLA MEGALLA, APPLICANT
CHRISTOPHER SOUSA, OAG

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

2 (9:59 a.m.)

3 CHAIRPERSON ANDERSON: All right. So,
4 let's start with our show cause hearing (status)
5 calendar.

6 The first case on our show cause
7 hearing (status) calendar is Case No. 18-AUD-
8 00090, Bareburger, License No. 102759.

9 Will the parties please approach and
10 identify themselves for the record, please.

11 MR. SOUSA: Christopher Sousa for the
12 District of Columbia.

13 CHAIRPERSON ANDERSON: Good morning,
14 Mr. Sousa.

15 MR. MEGALLA: Megalla Megalla for
16 Bareburger Group, LLC.

17 CHAIRPERSON ANDERSON: What's your
18 relationship to the establishment, sir?

19 MR. MEGALLA: I'm the general manager
20 for this location.

21 CHAIRPERSON ANDERSON: Do you have a
22 letter authorizing --

1 MR. MEGALLA: I do.

2 (Pause.)

3 CHAIRPERSON ANDERSON: All right.

4 What's your name again, sir?

5 MR. MEGALLA: It's Megalla Megalla.

6 The first and last name are the same, sir.

7 CHAIRPERSON ANDERSON: Oh. I wouldn't
8 know they were the same. I was reading -- and
9 good thing you brought it to my attention,
10 because I would not have had a problem with it;
11 but I was reading the document that's in front of
12 me because it's a little bit different from the
13 authorization that I -

14 MR. MEGALLA: Not a problem.

15 CHAIRPERSON ANDERSON: And so, that's
16 why I was -- while I was reading the document,
17 I'm trying to find out the name of the person and
18 you brought it to my attention.

19 MR. MEGALLA: It's easy to remember.

20 CHAIRPERSON ANDERSON: Yeah, and it's
21 not a bad name. I mean that. It's not a bad
22 name.

1 MR. MEGALLA: Thank you.

2 CHAIRPERSON ANDERSON: Megalla
3 Megalla, that's a nice - it has a good ring to
4 that.

5 MR. MEGALLA: Thank you.

6 CHAIRPERSON ANDERSON: All right. Ask
7 you if you were married, but that leads to --
8 normally, it's apparent because when they call
9 you, they call the name twice. It's like they're
10 mad at you. So, now we don't --

11 MR. MEGALLA: I could never get a read
12 on them.

13 CHAIRPERSON ANDERSON: All right.
14 Thank you. And thank you for bringing some love
15 to the first hearing for the day. Thank you,
16 sir.

17 Mr. Sousa, are there any preliminary
18 matters in this case?

19 MR. SOUSA: Yes. There is an Offer in
20 Compromise to present to the Board.

21 CHAIRPERSON ANDERSON: And what is
22 that, sir?

1 MR. SOUSA: As to Charge 1, the only
2 charge, failure to file the required quarterly
3 statements, that would be a payment of \$2,000
4 within 30 days or the license will be suspended
5 until payment is made.

6 And they've also agreed to submit all
7 pending quarterly statements that are currently
8 outstanding.

9 CHAIRPERSON ANDERSON: Any time line
10 or is it just -

11 MR. SOUSA: I understand they're going
12 to do it within the week.

13 CHAIRPERSON ANDERSON: All right. Is
14 that part of the agreement or -

15 MR. SOUSA: Yes. Yes.

16 CHAIRPERSON ANDERSON: No, I'm just
17 saying is it part of the agreement that it was
18 within a certain time line or just that --

19 MR. SOUSA: Yeah. We can agree to 30
20 days.

21 CHAIRPERSON ANDERSON: Okay. All
22 right. All right.

1 Mr. Megalla, it is my understanding
2 there's an Offer in Compromise, and the offer in
3 compromise is that you are receiving a fine of
4 \$2,000 payable within 30 days; and that all the
5 outstanding quarterly statements will also be
6 filed within the next 30 days.

7 Is this your understanding, sir, of
8 the offer in compromise?

9 MR. MEGALLA: Yes, sir.

10 CHAIRPERSON ANDERSON: Are you aware
11 of the fact that in an Offer in Compromise that
12 you're giving up your right to a hearing?

13 MR. MEGALLA: Yes, sir.

14 CHAIRPERSON ANDERSON: Are you also
15 aware that by accepting an Offer in Compromise
16 that you're giving up your right to appeal this
17 matter?

18 MR. MEGALLA: Yes, sir.

19 CHAIRPERSON ANDERSON: All right.
20 With that said, I then make a motion that the
21 Offer in Compromise of the fine of \$2,000 payable
22 within 30 days be accepted.

1 If the fine is not paid within 30
2 days, the license will be suspended until the
3 fine has been paid.

4 Also, that all outstanding quarterly
5 statements will be filed within the next 30 days.

6 Is there a second?

7 MR. SHORT: Second.

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

10 All those in favor say aye.

11 (Chorus of ayes.)

12 CHAIRPERSON ANDERSON: All those
13 opposed?

14 The matter passes six-zero-zero.

15 And we have Ms. Clark in the audience.
16 If you have any problems filing quarterly
17 statements, sir, the agency will be here to
18 provide you whatever assistance we can to make
19 sure that you comply with the law.

20 MR. SHORT: And Ms. Clark introduced
21 herself before the hearing and we talked about
22 logistics.

1 CHAIRPERSON ANDERSON: All right. Our
2 job is not - the agency's job is not to penalize
3 you, it's to help you.

4 MR. MEGALLA: All right. Thank you.

5 MR. SHORT: Thank you.

6 (Whereupon, the above-entitled matter
7 went off the record at 10:04 a.m.)
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<p>A</p> <p>a.m 2:2 8:7</p> <p>above-entitled 8:6</p> <p>accepted 6:22</p> <p>accepting 6:15</p> <p>agency 7:17</p> <p>agency's 8:2</p> <p>agree 5:19</p> <p>agreed 5:6</p> <p>agreement 5:14,17</p> <p>ALBERTI 1:17</p> <p>Alcoholic 1:2,13,13</p> <p>ANC 1:7</p> <p>Anderson 1:15,17 2:3,13,17,21 3:3,7 3:15,20 4:2,6,13 4:21 5:9,13,16,21 6:10,14,19 7:8,12 8:1</p> <p>apparent 4:8</p> <p>appeal 6:16</p> <p>APPLICANT 1:21</p> <p>approach 2:9</p> <p>assistance 7:18</p> <p>attention 3:9,18</p> <p>audience 7:15</p> <p>authorization 3:13</p> <p>authorizing 2:22</p> <p>aware 6:10,15</p> <p>aye 7:10</p> <p>ayes 7:11</p>	<p>case 1:8 2:6,7 4:18</p> <p>CATO 1:18</p> <p>cause 1:7 2:4,6</p> <p>certain 5:18</p> <p>Chairperson 1:14 1:17 2:3,13,17,21 3:3,7,15,20 4:2,6 4:13,21 5:9,13,16 5:21 6:10,14,19 7:8,12 8:1</p> <p>charge 5:1,2</p> <p>Chorus 7:11</p> <p>Christopher 1:22 2:11</p> <p>Clark 7:15,20</p> <p>Columbia 1:1 2:12</p> <p>comply 7:19</p> <p>compromise 4:20 6:2,3,8,11,15,21</p> <p>Control 1:2,13,13</p> <p>CR 1:7</p> <p>currently 5:7</p>	<p>first 2:6 3:6 4:15</p> <p>front 3:11</p> <p>G</p> <p>general 2:19</p> <p>giving 6:12,16</p> <p>going 5:11</p> <p>good 2:13 3:9 4:3</p> <p>Group 2:16</p> <p>H</p> <p>hearing 1:7,13 2:4 2:7 4:15 6:12 7:21</p> <p>help 8:3</p> <p>I</p> <p>identify 2:10</p> <p>introduced 7:20</p> <p>J</p> <p>JAMES 1:18</p> <p>job 8:2,2</p> <p>JR 1:18</p>	<p>MEETING 1:3</p> <p>Megalla 1:21,21 2:15,15,15,19 3:1 3:5,5,5,14,19 4:1 4:2,3,5,11 6:1,9 6:13,18 8:4</p> <p>Member 1:17,18,18 1:19,19</p> <p>met 1:13</p> <p>MIKE 1:19</p> <p>morning 2:13</p> <p>motion 6:20 7:9</p> <p>N</p> <p>N.W 1:14</p> <p>name 3:4,6,17,21 3:22 4:9</p> <p>never 4:11</p> <p>nice 4:3</p> <p>NICK 1:17</p> <p>normally 4:8</p> <p>NW 1:7</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: BB DC 1, LLC, t/a Bareburger

Before: DC ABRA

Date: 2-13-19

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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