

ALSO PRESENT:

LOUISE PHILLIPS, OAG

SELAM LEGESSE, Interpreter

ABEDA WELDEGEBRIEL, Licensee

ABID SHAH, Licensee Accountant

T-A-B-L-E O-F C-O-N-T-E-N-T-S

Closing Statement by Complainant39
 Closing Statement by Respondent.42

WITNESS	DIRECT	CROSS	REDIR	RECROSS	BOARD
Monica Clark	9	16	22	20/24	18
Abeda Weldegebriel	29	34			30

EXHIBITS	IDENTIFIED	RECEIVED
COMPLAINANT		
1 - 10/1 Quarterly Statement	14	14

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

2 10:15 a.m.

3 CHAIRPERSON ANDERSON: All right. We
4 are back on the record, so I'm going to move
5 around on our calendar. So the next case we are
6 going to call is Case No. 18-AUD-00089, Betty's
7 Gojo, License No. 102500.

8 And one of the reasons why I'm calling
9 this case forward is because we have an
10 Interpreter who has some time concerns. So all
11 right.

12 MS. PHILLIPS: Good morning, Mr.
13 Chair. Louise Phillips, Assistant Attorney
14 General for the District of Columbia.

15 CHAIRPERSON ANDERSON: Good afternoon
16 -- good morning, Ms. Phillips. Hold on. Who is
17 the interpreter?

18 INTERPRETER LEGESSE: Right here.

19 CHAIRPERSON ANDERSON: And what
20 language is this, ma'am?

21 INTERPRETER LEGESSE: Amharic.

22 CHAIRPERSON ANDERSON: Amharic. Can

1 you raise your right hand, please?

2 Do you solemnly affirm that you will
3 faithfully and accurately interpret these
4 proceedings in this matter from English to
5 Amharic and from Amharic into English to the best
6 of your ability?

7 INTERPRETER LEGESSE: I do. Selam
8 Legesse, Amharic Interpreter.

9 CHAIRPERSON ANDERSON: All right.
10 There is a sign-in sheet, please, sign-in on the
11 sheet, please.

12 INTERPRETER LEGESSE: Okay.

13 MS. PHILLIPS: Mr. Chair?

14 CHAIRPERSON ANDERSON: Yes, Ms.
15 Phillips?

16 MS. PHILLIPS: I have just been
17 informed, because we now have an interpreter
18 here, that a fine may have already been paid for
19 this case.

20 CHAIRPERSON ANDERSON: I don't know,
21 Ms. --

22 MS. PHILLIPS: I don't know anything

1 about it. This is my first day back. So Ms.
2 Jenkins is checking and that's all I can say so--

3 CHAIRPERSON ANDERSON: There are
4 several cases with this establishment, Ms.
5 Phillips.

6 MS. PHILLIPS: I understand that.

7 CHAIRPERSON ANDERSON: So I'm not sure
8 which --

9 MS. PHILLIPS: I'm not either. That's
10 why I refer to the experts.

11 CHAIRPERSON ANDERSON: All right. Why
12 don't we -- so what I will do then, why don't you
13 -- I'll recall this case until we figure out what
14 is going on. Okay?

15 MS. PHILLIPS: Thank you.

16 CHAIRPERSON ANDERSON: All right. You
17 can step back, please.

18 (Whereupon, the above-entitled matter
19 went off the record at 10:17 a.m. and resumed at
20 10:29 a.m.)

21 CHAIRPERSON ANDERSON: All right. So
22 let me recall Case No. 18-AUD-00089, Betty's

1 Gojo. We are off the record.

2 (Whereupon, the above-entitled matter
3 went off the record at 10:29 a.m. and resumed at
4 10:31 a.m.)

5 CHAIRPERSON ANDERSON: Okay. We are
6 back on the record. So again, we are recalling
7 Case No. 18-AUD-00089, Betty's Gojo, License No.
8 102500.

9 The interpreter who had already
10 identified herself for the record, so I'll let
11 the other parties identify themselves.

12 MS. PHILLIPS: Louise Phillips,
13 Assistant Attorney General for the District of
14 Columbia.

15 CHAIRPERSON ANDERSON: Ms. Phillips.

16 MS. WELDEGEBRIEL: Abeda Weldegebriel.

17 CHAIRPERSON ANDERSON: I didn't get
18 your last name, ma'am.

19 MS. WELDEGEBRIEL: Weldegebriel.

20 CHAIRPERSON ANDERSON: Weldegebriel,
21 good morning.

22 MR. SHAH: Abid Shah.

1 CHAIRPERSON ANDERSON: Mr. Shah?

2 MR. SHAH: Yes.

3 CHAIRPERSON ANDERSON: Good morning.

4 MR. SHAH: Good morning.

5 CHAIRPERSON ANDERSON: All right. Are
6 there any preliminary matters in this case?

7 MS. PHILLIPS: We have solved the one
8 preliminary matter that we addressed and there
9 was no payment for this particular event.

10 CHAIRPERSON ANDERSON: All right. All
11 right. Does the Government wish to make an
12 opening statement?

13 MS. PHILLIPS: This is a quarterly
14 statement case and I'll call Ms. Clark.

15 CHAIRPERSON ANDERSON: All right.
16 Hold on. So the Government calls its first
17 witness, Ms. Carter, come forward. Ms. Clark,
18 I'm sorry.

19 Can you raise your right hand, please?
20 Whereupon,

21 MONICA CLARK
22 was called as a witness by Counsel for the

1 Complainant, and having been first duly sworn,
2 assumed the witness stand and was examined and
3 testified as follows:

4 MS. CLARK: I do.

5 CHAIRPERSON ANDERSON: Thank you.

6 Your witness, Ms. Phillips.

7 MS. PHILLIPS: Thank you, Mr. Chair.

8 DIRECT EXAMINATION

9 BY MS. PHILLIPS:

10 Q Would you state your name for the
11 record and spell it, please?

12 A Monica Clark, M-O-N-I-C-A C-L-A-R-K.

13 Q And you work for ABRA?

14 A Yes.

15 Q And what is your role?

16 A I am a compliance analyst.

17 Q And very briefly what does that mean?

18 A Well, I receive, record and review
19 quarterly statements received from licenses
20 within the District of Columbia. I also audit
21 duties and other tasks as assigned.

22 Q You need to go slightly slower. This

1 is an incredibly fast interpreter, but we need to
2 give her a little break.

3 A Certainly.

4 Q All right. Quarterly reports, the
5 name speaks for itself, but what kind of
6 establishment was filed?

7 A Quarterly reports must be filed by
8 restaurants and hotels.

9 Q And the quarters are based on the
10 calendar. Is that correct?

11 A That's correct.

12 Q And does -- and this is a compliance
13 factor that is governed by statute. Is that
14 fair?

15 A That's correct.

16 Q All right. And so have you looked at
17 this establishment's compliance with filing the
18 second quarter of 2018, two quarterly reports?

19 A Yes, I have.

20 Q And that's the subject of this notice?

21 A Yes.

22 Q And when was that quarterly report

1 due?

2 A That quarterly report was due by the
3 30th of July 2018.

4 Q And do you receive -- how are these
5 quarterly reports received?

6 A Well, they can be done online or they
7 can be done manually and either mailed or brought
8 into the office.

9 Q And when you receive copies of these
10 quarterly reports, are they date stamped?

11 A Yes, they are.

12 Q And I'm showing you what would be
13 marked Exhibit 1 for the District.

14 CHAIRPERSON ANDERSON: I don't have
15 any documents, so I don't know what documents we
16 are relying on. So what's the exhibit? I don't
17 know it is.

18 MS. PHILLIPS: Well, I can tell you
19 what it is or she can identify it as the witness.

20 CHAIRPERSON ANDERSON: All right.

21 MS. PHILLIPS: It's the quarterly
22 statement as received by ABRA. And I can give

1 you a copy, because I have one.

2 CHAIRPERSON ANDERSON: Yes, please,
3 do.

4 MS. PHILLIPS: I have two. No, I
5 don't need them.

6 CHAIRPERSON ANDERSON: All right.
7 Okay. Go ahead.

8 BY MS. PHILLIPS:

9 Q Now, is that copy of the quarterly
10 report for the second quarter of 2018?

11 A Yes, it is.

12 Q And is it date stamped with the date
13 it was submitted to ABRA?

14 A Yes, it is.

15 Q What is that date?

16 A The date that is stamped on this
17 report is October 1, 2018.

18 Q And according to your previous
19 statement, that makes it overdue?

20 A Yes, that would be late.

21 MS. PHILLIPS: I would like to admit
22 the quarterly statement in the record as DC1.

1 CHAIRPERSON ANDERSON: Do you have any
2 objection, ma'am?

3 MS. WELDEGEBRIEL: (No audible
4 answer.)

5 CHAIRPERSON ANDERSON: The Government
6 is asking to submit the quarterly statement that
7 was filed into the record and I'm just asking you
8 do you have any objection to that?

9 MS. WELDEGEBRIEL: Yes, I do, because
10 as far as I know, I submitted the paperwork on
11 time and when I submitted it --

12 INTERPRETER LEGESSE: No, no.

13 MS. WELDEGEBRIEL: And I did submit it
14 late actually, but it's because I don't know,
15 like I don't understand it all.

16 CHAIRPERSON ANDERSON: All right. But
17 let me ask a different question. Do you have a
18 copy of the document in front of you? Does she
19 have a copy of it? The document we are talking
20 about, does she have a copy of it?

21 MS. WELDEGEBRIEL: Yes.

22 CHAIRPERSON ANDERSON: All right. So

1 Exhibit 1 is this the quarterly statement that
2 you submitted?

3 MS. WELDEGEBRIEL: Yes.

4 CHAIRPERSON ANDERSON: And is it --
5 there is a date stamp on it of October 1st, is
6 this a correct date stamp that is on this
7 document?

8 MS. WELDEGEBRIEL: Yes, it's correct.

9 CHAIRPERSON ANDERSON: All right. You
10 can -- when you present your case, you can give
11 an explanation. All right. All right. But so
12 basically all that I'm trying to establish right
13 now is that this is the quarterly statement and
14 the date stamp on it. That's all I'm trying to
15 establish. All right. So I'm going to move
16 Exhibit 1 into the record.

17 (Whereupon, the above-
18 referred to document was
19 marked as Complainant
20 Exhibit 1 for identification
21 and was received into
22 evidence.)

1 MS. PHILLIPS: Thank you.

2 CHAIRPERSON ANDERSON: All right. All
3 right. You can explain later on when you present
4 your case, whatever explanation you want to give,
5 then you can give that explanation at that time.
6 Okay? Do you understand, ma'am? Yes? You have
7 to vocalize, please.

8 No, all I'm trying to get --

9 MS. WELDEGEBRIEL: I don't -- I really
10 don't understand like why is this submitted?
11 What does that mean it's submitted? Like what
12 does that mean?

13 CHAIRPERSON ANDERSON: All right.
14 What this means is that the Government wants to
15 move into evidence a copy of your quarterly
16 statement and the stamp on it from ABRA that it
17 was received in October, October 1st, that's all
18 that means. And when you present your case, if
19 you want to give an explanation about the date,
20 you can do that at that time.

21 MS. WELDEGEBRIEL: Okay.

22 CHAIRPERSON ANDERSON: Okay. All

1 right. So it's moved into evidence. Thank you.
2 And go ahead, Ms. Phillips.

3 MS. PHILLIPS: Thank you, Mr. Chair.
4 I have no further questions of Ms. Clark.

5 CHAIRPERSON ANDERSON: All right.
6 Now, you can -- no, no. Now, whatever questions
7 you want to ask Ms. Clark about this document,
8 whatever the questions that Ms. Phillips asked,
9 you can ask Ms. Clark now.

10 CROSS-EXAMINATION

11 BY MS. WELDEGEBRIEL:

12 Q So on the paperwork right here, it
13 says from October to December. So my
14 understanding was that as long as I submitted the
15 paper between October and December, it would be
16 on time. Isn't that right?

17 A This is for the second quarter. And
18 on the document you can see where it says Q2,
19 that the time frame for the report is April
20 through June with a statement due of July 30th.

21 Q Which one is it? Like June?

22 A There is a box at the top right up

1 under where it says quarter filing for
2 restaurants and hotel licenses, which gives the
3 duration for the quarter and the due date for
4 each quarter.

5 MS. PHILLIPS: Can I ask a question
6 just to help clarify all of this?

7 CHAIRPERSON ANDERSON: Um --

8 MS. PHILLIPS: I know it's out of
9 order, but I can tell that she is confused and it
10 would help if we had another question.

11 CHAIRPERSON ANDERSON: All right. Go
12 ahead.

13 MS. PHILLIPS: Or you can ask it.

14 CHAIRPERSON ANDERSON: Well, we will--
15 let me see and then we will -- I think a lot of
16 us have questions, so we will clarify that as we
17 move forward. Thanks.

18 Go ahead, ma'am. You have any other
19 questions you want to ask?

20 BY MS. WELDEGEBRIEL:

21 Q So this is the second quarter. My
22 understanding was that it should be submitted

1 between April to June and is that when I have to
2 submit it? When do I have to submit it?

3 A The quarter that is -- the quarter
4 that this period covers is April through June.
5 And you will notice that right behind June it
6 says statement due July 30th.

7 CHAIRPERSON ANDERSON: Any other
8 questions, ma'am?

9 MS. WELDEGEBRIEL: No.

10 CHAIRPERSON ANDERSON: No. All right.
11 Questions by the Board? Go ahead, Mr. Alberti.

12 MEMBER ALBERTI: Investigator Clark,
13 just real quickly, so -- and I may have missed
14 this in your testimony, forgive me. So after
15 July 30th if you don't receive the statement, do
16 you notify the licensee that it is overdue?

17 THE WITNESS: I don't personally
18 notify them directly. What happens is that the--
19 if it's not received by that date, I compile a
20 report of all licensees that are required to file
21 the report and I give that to the Chief of
22 Enforcement who then assigns it to the

1 Investigators to notify the licensees that the
2 report hasn't been received.

3 And they do that via either a warning
4 or a citation, whichever one is appropriate.

5 MEMBER ALBERTI: Okay. Thank you.

6 THE WITNESS: Um-hum.

7 MEMBER ALBERTI: Okay. Thank you.

8 CHAIRPERSON ANDERSON: Yes, Mr. Short?

9 MEMBER SHORT: Yes, good morning, Ms.
10 Clark.

11 THE WITNESS: Good morning.

12 MEMBER SHORT: Ms. Clark, in your line
13 of work for ABRA, to your knowledge, are
14 licensees afforded information about training,
15 about quarterly reports and their duty and
16 obligation as licensees to report these things on
17 time to ABRA?

18 THE WITNESS: Yes. We have -- and
19 they are notified, but we have information on our
20 website. We give a training at least twice a
21 year. Prior to the training taking place, we
22 actually send out notices in regards to that.

1 And we have a training that is actually coming up
2 April 25th, which we will be sending out a notice
3 regarding that probably by some time next week.

4 MEMBER SHORT: I do thank you very
5 much. Thank you, Mr. Chair. That's all I have.

6 CHAIRPERSON ANDERSON: Any other
7 questions by any other Board Members?

8 Do you, ma'am, have any questions of
9 the witness, based on the questions that were
10 asked by the Board?

11 MS. WELDEGEBRIEL: Yeah. There was no
12 information at all about the training. The only
13 time I was told about the training was last time
14 I talked to her.

15 CHAIRPERSON ANDERSON: I mean, you are
16 asking her a question, not me. So?

17 MS. WELDEGEBRIEL: Yes, she did tell
18 me that there was a training on the 25th, but
19 before that I had no information about the
20 training at all.

21 CHAIRPERSON ANDERSON: Do you have any
22 other questions, ma'am?

1 MS. WELDEGEBRIEL: I have never
2 received any kind of -- the only paper that I got
3 is the paper, court paper, never received any
4 other paper before.

5 CHAIRPERSON ANDERSON: All right. Ms.
6 Phillips, your chance to ask last questions if
7 you need.

8 REDIRECT EXAMINATION

9 BY MS. PHILLIPS:

10 Q Because there was some confusion based
11 on the questions that the owner asked you, does
12 the form list information about each quarter and
13 when each quarterly report is due?

14 A Yes, it does at the top of the form.

15 Q Okay. So when you look at the form,
16 there is boxes which give you the first quarter,
17 second quarter, third quarter, fourth quarter.
18 Is that correct?

19 A That's correct.

20 Q And then does it say the time period
21 those quarters span?

22 A Yes, it does.

1 Q And does it say for each quarter when
2 that quarterly report is due?

3 A Yes, it does.

4 Q And you are not responsible for
5 issuing training information when licenses are
6 either obtained or --

7 A No, I'm not.

8 Q -- reassigned or repurchased or
9 transferred?

10 A No, ma'am.

11 Q Okay.

12 A No.

13 Q Thank you, Ms. Clark.

14 MR. SHAH: May I ask a question?

15 CHAIRPERSON ANDERSON: Historically
16 no, but I'll allow and you will still get an
17 opportunity. So, yes, ma'am, you can ask another
18 question.

19 MS. PHILLIPS: I have no objection, by
20 the way.

21 CHAIRPERSON ANDERSON: Okay.

22 MR. SHAH: Can I ask directly on her

1 behalf?

2 CHAIRPERSON ANDERSON: If she allows
3 you to ask.

4 MS. WELDEGEBRIEL: Yes. He is the one
5 who is helping me. He is my accountant. I allow
6 him to ask question.

7 CHAIRPERSON ANDERSON: Okay. Go
8 ahead.

9 RE-RECROSS EXAMINATION

10 BY MR. SHAH:

11 Q Okay. My question is when she took
12 over the business and changed the license to her
13 name as the new owner, is she supposed to receive
14 any package, training or something to show how
15 does she need to file to be in compliance?

16 A We offer the trainings twice --

17 CHAIRPERSON ANDERSON: Ms. Clark,
18 speak into the microphone, please.

19 THE WITNESS: The trainings are
20 offered twice a year and are open to the public.
21 When she transferred the license --

22 BY MR. SHAH:

1 Q How does she know as the owner that
2 when the training is?

3 A That would be between the previous
4 owner and the new owner to convey information to
5 them.

6 Q I mean, the previous owner sold the
7 business, a new owner took over, the new owner
8 comes here change the license to their name, it's
9 not supposed to be information to be passed on to
10 new owner to be in compliance with the rules and
11 regulations are?

12 A I'm not responsible for the transfer
13 of licenses, so I can't speak to that.

14 Q She paid \$10,000 in fine different
15 violations since she took over.

16 MS. PHILLIPS: I'm going to object to
17 that question and have it struck from the record.
18 I think that that probably is not what he wants
19 to do.

20 MR. SHAH: But this is --

21 MS. PHILLIPS: It's a prejudicial
22 comment.

1 MR. SHAH: It's not a comment, ma'am.

2 It's a --

3 CHAIRPERSON ANDERSON: All right.

4 MR. SHAH: -- there is this owner --

5 CHAIRPERSON ANDERSON: All right. All

6 right. I'm --

7 MR. SHAH: There is this owner paying

8 fines.

9 CHAIRPERSON ANDERSON: Hold on, hold
10 on a minute. Hold on a minute. All right. I'm
11 going to end the line of questions. Normally,
12 what happens is that it's the Government's
13 witness, after the Government we go through a
14 line of questions. You do cross-exam. I allow
15 each side to respond and then the Government has
16 the last question.

17 But in this particular case, I allowed
18 the applicant to ask an additional question,
19 which is not normally the way it goes. So I'm
20 going to end that question, but in all fairness,
21 I'm going to then -- because that is going too
22 far afield, so but I'll give Ms. Phillips and

1 opportunity if she wants to ask the witness any
2 final questions before I dismiss the witness.

3 MS. PHILLIPS: I just want to know
4 what you rule on my Motion to Strike that last
5 question, which was not relevant and I believe
6 prejudicial to the owner.

7 CHAIRPERSON ANDERSON: All right.
8 I'll -- well, on the matter -- I'm going to
9 overrule your objection. And the reason I'm
10 going to overrule your objection, she gave him
11 permission to speak. So I hear you saying it's
12 prejudicial, but I specifically asked her. She
13 said that she gives him permission to speak on
14 her behalf, so that's her loss if it's
15 prejudicial to her, that was a chance that she
16 took when she allowed him to speak.

17 So I'll overrule the objection. Any
18 other questions you have, Miss?

19 MS. PHILLIPS: I have no further
20 questions, Mr. Chair. Thank you.

21 CHAIRPERSON ANDERSON: All right.
22 Thank you, Ms. Clark, for your testimony. You

1 can step down.

2 (Whereupon, the witness was excused.)

3 CHAIRPERSON ANDERSON: Does the
4 Government rest?

5 MS. PHILLIPS: The Government rests,
6 yes.

7 CHAIRPERSON ANDERSON: This is your
8 opportunity to present your case. Do you have a
9 witness you wish to call?

10 MS. WELDEGEBRIEL: (No audible
11 answer.)

12 CHAIRPERSON ANDERSON: How do you plan
13 to defend your -- how do you plan to explain what
14 is going on and what's your defense?

15 MS. WELDEGEBRIEL: What I would like
16 to mention is --

17 CHAIRPERSON ANDERSON: All right.
18 Hold on.

19 MS. WELDEGEBRIEL: -- I just don't
20 understand --

21 CHAIRPERSON ANDERSON: Hold on, hold
22 on, hold on, ma'am.

1 So she is the only one that is going
2 to testify? She is not going to call a witness?
3 I just want to get some clarification first. I
4 just want to get some clarification.

5 MS. WELDEGEBRIEL: My witness --

6 CHAIRPERSON ANDERSON: All right.
7 This is what I'm going to do.

8 MS. WELDEGEBRIEL: I don't understand.

9 CHAIRPERSON ANDERSON: All right. How
10 do you plan -- this is what I'm going to do.

11 Can you raise your right hand, please?
12 Have her raise her right hand.

13 Whereupon,

14 ABEDA WELDEGEBRIEL
15 was called as a witness by the Respondent, and
16 having been first duly sworn, assumed the witness
17 stand and was examined and testified as follows:

18 MS. WELDEGEBRIEL: Yes, I do.

19 CHAIRPERSON ANDERSON: She can say
20 whatever she wants to say now.

21 DIRECT EXAMINATION

22 THE WITNESS: All of this is happening

1 is because I am not able to understand and I have
2 not been properly notified about the process.

3 And even the problem that the previous owner had,
4 I have to inherit all of that and I have to be --
5 being held reliable, accountable to that, which I
6 did, but I never received information about the
7 training or the due dates and the reports at all.

8 CHAIRPERSON ANDERSON: Does she have
9 anything else she wants to say? Is that it?

10 THE WITNESS: That's it.

11 CHAIRPERSON ANDERSON: Ms. Phillips?

12 MS. PHILLIPS: I have no questions of
13 this witness.

14 CHAIRPERSON ANDERSON: Any questions
15 by any Board Members?

16 MEMBER ALBERTI: I have one.

17 CHAIRPERSON ANDERSON: Go ahead, Mr.
18 Alberti.

19 MEMBER ALBERTI: Okay. Ms.
20 Weldegebriel, our records show that Mr. Kiraeeb
21 Emaye is a partner. Is that correct?

22 THE WITNESS: No.

1 MEMBER ALBERTI: I --

2 CHAIRPERSON ANDERSON: She has to --
3 hold on. She has to answer the question by --

4 THE WITNESS: Yes.

5 CHAIRPERSON ANDERSON: -- yeah, okay.

6 MEMBER ALBERTI: On September 19,
7 2018, you appeared before us with Mr. Emaye. I
8 am looking at the record of that hearing.

9 THE WITNESS: Okay.

10 MEMBER ALBERTI: At that hearing, the
11 Board recommended that you attend Books and
12 Records Training.

13 THE WITNESS: I did not understand.
14 She is the one who told me, the person who was a
15 witness just right now, she was the one who
16 mentioned and told me about the training and when
17 it is. And when it was told to me in here, I
18 didn't understand.

19 MEMBER ALBERTI: Are you saying that
20 Mr. Emaye, your partner, never told you?

21 THE WITNESS: No, that was not
22 correct. What was said here, I did not

1 understand it at all, but the person who was just
2 a witness, she was the one who told me about the
3 training for the first time.

4 MEMBER ALBERTI: So my question is did
5 Mr. Emaye tell you that you needed to -- that you
6 should attend train -- that he or you should
7 attend training?

8 THE WITNESS: Even him, he does not
9 understand English at all. He was the one who
10 asked for an interpreter, didn't have an
11 interpreter.

12 MEMBER ALBERTI: Okay. I have no
13 further questions.

14 MS. PHILLIPS: Mr. Alberti, I did not
15 hear the date that you said there was a hearing,
16 because I wasn't at that hearing.

17 MEMBER ALBERTI: Okay. For the
18 record, I'm looking at a transcript of a hearing
19 that occurred on September 19, 2018.

20 MS. PHILLIPS: Thank you.

21 CHAIRPERSON ANDERSON: All right. Do
22 you have any questions, Mr. Short?

1 MEMBER SHORT: No, no.

2 CHAIRPERSON ANDERSON: Have you gone
3 to any training? When you bought this business,
4 did you -- have you gone to any training on how
5 to operate the business?

6 THE WITNESS: No.

7 CHAIRPERSON ANDERSON: And so you
8 don't believe that it's important to figure out
9 how to run the business to be trained by ABRA or
10 any other Agency how to operate the business?

11 THE WITNESS: I didn't know about it,
12 so that's why I didn't think about it. I didn't
13 know there was available in here.

14 I don't know there was a class being
15 offered and that I could take it at all.

16 CHAIRPERSON ANDERSON: Do you now know
17 that this Agency offers training on what -- how
18 to operate your business?

19 THE WITNESS: Yes.

20 CHAIRPERSON ANDERSON: Are you also
21 aware that if training is offered, if you call
22 the Agency in advance to let them know that you

1 are attending the training and you need an
2 interpreter, that they will provide you an
3 interpreter?

4 THE WITNESS: I know -- I now know.

5 CHAIRPERSON ANDERSON: So you now know
6 that?

7 THE WITNESS: Yes.

8 CHAIRPERSON ANDERSON: All right. Any
9 other questions by any other Board Members? Ms.
10 Phillips?

11 CROSS-EXAMINATION

12 BY MS. PHILLIPS:

13 Q You referred to somebody that told you
14 about training when an interpreter was present
15 last year, that was me, right?

16 A No, the first time I heard about the
17 training was the person who was in the witness
18 box and two weeks ago I came to her office and I
19 asked her like what I could do, then she told me
20 about the training.

21 Q So you met with me in October of 2018.
22 Is that correct?

1 A Yes, I do remember we were here and
2 you were here.

3 Q And there was an interpreter. Is that
4 correct?

5 A Yes, there was.

6 Q And we talked at length about the fact
7 that there was training available and I said that
8 after our hearing, you should go see Ms. Clark.
9 Do you remember that, because we talked about it
10 previously in the conference room just this
11 morning?

12 A No, you did not tell me about that.
13 I don't know anything about training. You didn't
14 tell me about it.

15 Q Okay.

16 A The only thing she told me is that I
17 will receive this paper and she told me there is
18 a court date today in here.

19 Q Ah, so in October in 2018, we had a
20 hearing, correct?

21 A It's September.

22 MR. SHAH: It was September, not

1 October.

2 THE WITNESS: It's not in October. In
3 October I was the one who came.

4 MR. SHAH: There was something wrong.

5 THE WITNESS: Before that, like she
6 was here and I was here. But before that twice I
7 came here and she was not the one who was here,
8 somebody else.

9 BY MS. PHILLIPS:

10 Q And that, the hearing, I'm sorry I was
11 looking at when you paid the -- when the Board
12 Order was issued. So the hearing was on
13 September 19, 2018 and that's when -- so that was
14 the hearing that you and I first met. Is that
15 correct?

16 A Yes, that day I remember I was fined
17 \$2,500.

18 Q It looks like it says \$2,000, but I
19 don't --

20 A It's \$2,500.

21 Q That's all I have.

22 A I paid it today.

1 Q All I have is what is on the calendar.
2 I mean, the calendar that I gave you.

3 So an interpreter was there at that
4 hearing. Is that fair?

5 A Yes.

6 Q And that's when Mr. Alberti indicated
7 that, and read from the transcript, you were
8 advised to take training on books and records?

9 A As I said before, the first time I
10 heard about the training, understand about the
11 training when the person who was on the witness
12 stand told me about that they offered the
13 training twice a year and the next one was after
14 spring break and that's the first time I heard
15 about it.

16 Q And how long has your accountant been
17 helping you with these quarterly statements?

18 A Since the first.

19 Q The first of what? 2018? 2019?

20 A 2018. Yeah, December. No, this one
21 for --

22 MR. SHAH: December 2017.

1 BY MS. PHILLIPS:

2 Q So the answer is?

3 A December 2018.

4 Q That's when you had the accountant
5 helping you with quarterly statements?

6 A Um-hum.

7 Q And your accountant speaks fluent
8 English. Is that correct?

9 A Uh.

10 Q Did you hire him because he had
11 experience of doing accounting for ABRA
12 restaurants?

13 A It's not specifically for ABRA, but
14 like all the -- my accounting work like I hired
15 him to do that for me.

16 Q Is that because he is fluent in both
17 English and Amharic?

18 A He does not speak Amharic.

19 Q Okay.

20 MS. PHILLIPS: I have no further
21 questions.

22 CHAIRPERSON ANDERSON: Is there any

1 last clarification you want to make of --
2 normally what occurs is that if there was a
3 witness, you could ask clarifying questions. Is
4 there anything else you want to say to explain
5 the answers you gave to Ms. Phillips? Yes or no?

6 THE WITNESS: No.

7 (Whereupon, the witness was excused.)

8 CHAIRPERSON ANDERSON: Do you have
9 anything else you want to say?

10 MS. WELDEGEBRIEL: So I would like for
11 the fine to be dropped, because I did all of this
12 unknowingly.

13 CHAIRPERSON ANDERSON: All right.
14 Hold on. So but --

15 MS. WELDEGEBRIEL: For the Board to
16 help me.

17 CHAIRPERSON ANDERSON: All right. So
18 you rest. Okay. Then I'll give you an
19 opportunity to explain. So you rest. All right.

20 Does the Government wish to make a
21 closing statement?

22 MS. PHILLIPS: I'll make a brief

1 closing. The Government is always sympathetic
2 with people who are non-English speakers who are
3 trying to run a business in Washington, D.C.

4 Unfortunatly or fortunatly, there
5 are rules, regulations and laws which must be
6 followed. Getting a license to run an alcohol
7 establishment is a privilege.

8 If you provide the information
9 requested on the transfer application, you should
10 receive regular notices with regard to training.

11 From the beginning as while not truly
12 relevant to this case, Ms. -- the owner has had
13 several violations and has been responsible for
14 violations and accepted responsibility for
15 violations from the previous owners, which she
16 was not obligated under the rules and regulations
17 and statutes to do.

18 Because she has a long history of
19 violations and hasn't had an accountant who
20 speaks fluent English since the beginning of her
21 resuming or assuming control of this
22 establishment, as an accountant helping her, he

1 should have looked at the required rules and
2 regulations.

3 And so all I can say is that the Board
4 can look at this however it wants and can offer
5 leniency, but I believe there is a minimum fine
6 on these types of cases of \$2,000.

7 CHAIRPERSON ANDERSON: That's it?

8 MS. PHILLIPS: Yes.

9 CHAIRPERSON ANDERSON: What is it you
10 want the Board to do, ma'am? This is your
11 closing. Now, you can tell us what it is you
12 want the Board to do.

13 MS. WELDEGEBRIEL: Can he speak for
14 me?

15 CHAIRPERSON ANDERSON: Huh?

16 MS. WELDEGEBRIEL: Can he speak for
17 me?

18 CHAIRPERSON ANDERSON: You can tell
19 anybody to speak for you, if that's what you
20 want.

21 MS. WELDEGEBRIEL: Okay. I have give
22 him permission.

1 MR. SHAH: As she said that she have
2 accountant who should have looked into that and
3 speak fluent English, but DC Government have to
4 do their own job as well. DC Government never
5 gave her what she is supposed to do. Training-
6 wise, the paper-wise, nothing except the license
7 one page. She is not aware anything.

8 Accountant job is not to come and do
9 DC work. Accountant job is to run their numbers,
10 do the paperwork and submit tax purposes. So
11 because our being an accountant doesn't mean that
12 she can be penalized what she is not doing it.
13 She already paid many fines already since she
14 took over.

15 So I think it's because of being
16 accountant, she should not be penalized. She
17 should get a little break this time on the good
18 faith and she should be in compliance from going
19 on further.

20 CHAIRPERSON ANDERSON: That's it? All
21 right. Do the parties wish to file proposed
22 findings of fact and conclusions of law or waive

1 their right to do so?

2 MS. PHILLIPS: The Government waives
3 the right.

4 CHAIRPERSON ANDERSON: What that means
5 is that do you want the Board to make a decision
6 on the testimony that was heard today or do you
7 want to make legal, do you want to write some
8 legal brief about what your position is?

9 MS. WELDEGEBRIEL: I would like the
10 Board to make the decision.

11 CHAIRPERSON ANDERSON: All right. So
12 the Board will issue a decision within 90 days.

13 And so, hold on, all right.

14 MS. PHILLIPS: Are we dismissed, Mr.
15 Chair?

16 CHAIRPERSON ANDERSON: No, not quite.

17 MS. PHILLIPS: All right.

18 CHAIRPERSON ANDERSON: As Chairperson
19 of the Alcoholic Beverage Control Board for the
20 District of Columbia and in accordance with DC
21 Official Code Section 2-574(b) of the Open
22 Meetings Act, I move that the ABC Board hold a

1 closed meeting for the purpose of seeking legal
2 advice from our counsel on Case No. 18-AUD-00089,
3 Betty's Gojo, pursuant to DC Official Code
4 Section 2-574(b)(4) of the Open Meetings Act and
5 deliberating upon Case No. 18-AUD-00089, Betty's
6 Gojo, for the reasons cited in DC Official Code
7 Section 2-574(b)(13) of the Open Meetings Act.

8 Is there a second?

9 MEMBER SHORT: Second.

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

12 I will now take a roll call vote on
13 the motion before us now that it has been
14 seconded.

15 Ms. Wahabzadah?

16 MEMBER WAHABZADAH: I agree.

17 CHAIRPERSON ANDERSON: Mr. Silverstein?

18 MEMBER SILVERSTEIN: I agree.

19 CHAIRPERSON ANDERSON: Mr. Short?

20 MEMBER SHORT: I agree.

21 CHAIRPERSON ANDERSON: Mr. Alberti?

22 MEMBER ALBERTI: I agree.

1 CHAIRPERSON ANDERSON: Mr. Cato?

2 MEMBER CATO: I agree.

3 CHAIRPERSON ANDERSON: Mr. Anderson?

4 I agree.

5 As it appears that the motion has
6 passed, I hereby give notice that the ABC Board
7 will recess this proceeding to hold a closed
8 meeting in the ABC Board conference room pursuant
9 to Section 2-574(b) of the Open Meetings Act.

10 Thank you very much and the Board will
11 issue a decision within 90 days. Thank you.

12 MR. SHAH: Thank you.

13 CHAIRPERSON ANDERSON: Have a good day.

14 MS. WELDEGEBRIEL: Thank you.

15 (Whereupon, the Show Cause Hearing was
16 concluded at 11:16 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: Betty's Gojo Restaurant and Lounge,
LLC, t/a Betty's Gojo

Before: DC ABRA

Date: 03-13-19

Place: Washington, DC

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