DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

+ + + + + MEETING

IN THE MATTER OF:

:

Betty's Gojo Restaurant : and Lounge, LLC, : t/a Betty's Gojo :

7616 Georgia Avenue NW : Show Cause

Retailer CR - ANC 4A : Hearing

License No. 102500 : Case #18-AUD-00106 :

:

(Failed to File Quarterly:
Statement) :

Wednesday October 23, 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 RAFI ALIYA CROCKETT, Member BOBBY CATO, JR., Member JAMES SHORT, Member REMA WAHABZADAH, Member

ALSO PRESENT:

JOHN LUI, PROTESTANT
MICHAEL DESTA, INTERPRETER FOR APPLICANT
ABEBA WOLDEGEBRIEL, APPLICANT
MONICA CLARK, WITNESS

| 1 | P-R-O-C-E-E-D-I-N-G-S |
|----|---|
| 2 | 11:29 a.m. |
| 3 | CHAIRPERSON ANDERSON: Our next case |
| 4 | is Case No. 18-AUD-00106, Betty's Gojo, License |
| 5 | No. 102500. Would the parties please approach |
| 6 | and identify themselves for the record, please? |
| 7 | MR. LUI: Good morning, John Lui on |
| 8 | behalf of the District. |
| 9 | CHAIRPERSON ANDERSON: Hold on, Mr. |
| 10 | Lui. I'm sorry, Mr. Lui. I apologize. Can you |
| 11 | raise your right hand? What language is this, |
| 12 | sir? |
| 13 | MR. DESTA: This is Tigrinya. |
| 14 | CHAIRPERSON ANDERSON: Tigrinya? |
| 15 | Raise your right hand, please. Do you swear or |
| 16 | affirm that you will faithfully translate these |
| 17 | proceedings from English to Tigrinya, and from |
| 18 | Tigrinya to English? |
| 19 | MR. DESTA: Yes, I do. |
| 20 | CHAIRPERSON ANDERSON: Can you |
| 21 | identify yourself for the record, please? |
| 22 | MR. DESTA: My name is Michael Desta. |
| 23 | CHAIRPERSON ANDERSON: What's your |
| 24 | last name, sir? |
| 25 | MR. DESTA: Desta, which is D-E-S-T-A. |

| | CHAIRPERSON ANDERSON: GOOD MOTHING, |
|----|---|
| 2 | Mr. Desta. There's a sign-in sheet, so can you |
| 3 | also sign in and identify yourself by the sign in |
| 4 | who you are, sir? Good ahead, again, Mr. Lui. |
| 5 | MR. LUI: Good morning, Mr. |
| 6 | Chairperson. My name is John Lui, on behalf of |
| 7 | the District of Columbia. |
| 8 | CHAIRPERSON ANDERSON: Good morning, |
| 9 | Mr. Lui. Can you have her identify herself, |
| 10 | please, sir? Can the licensee identify himself |
| 11 | for the record? |
| 12 | MS. WOLDEGEBRIEL: My name is Abeba |
| 13 | Woldegebriel. |
| 14 | CHAIRPERSON ANDERSON: Good morning, |
| 15 | ma'am. |
| 16 | MS. WOLDEGEBRIEL: Good morning. |
| 17 | CHAIRPERSON ANDERSON: This is a show |
| 18 | cause hearing. |
| 19 | PARTICIPANT: I'm sorry; could you |
| 20 | spell your name for the record, please? |
| 21 | MS. WOLDEGEBRIEL: Abeba Woldegebriel. |
| 22 | MR. DESTA: It's A-B-E-B-A, and |
| 23 | Woldegebriel is W-O-L-D-E-G-E-B-R-I-E-L, |
| 24 | Woldegebriel. |
| 25 | CHAIRPERSON ANDERSON: All right, this |

is a show cause hearing. Are there any preliminary matters before we move forward?

MR. LUI: No, Mr. Chairperson.

CHAIRPERSON ANDERSON: Is the

Government ready to move forward?

MR. LUI: Yes.

CHAIRPERSON ANDERSON: Does the

Government have an opening statement?

MR. LUI: Yes, Mr. Chairperson.

CHAIRPERSON ANDERSON: Go ahead.

OPENING STATEMENTS

MR. LUI: Good morning, Board members. We're here today in the show cause matter of Betty's Gojo Restaurant and Lounge, LLC, trading as Betty's Gojo, located at 7616 Georgia Avenue, Northwest.

The show cause notice issued in this matter concerns the charge that the licensee failed to timely file with the Board, the required quarterly statements reporting for the preceding quarter, such as gross receipts for the establishment, gross receipts for sales of alcoholic beverages, gross receipts for food sales, total expenses of purchase of food and beverages, alcoholic beverages, and the expenses

for purchases of food and alcoholic beverages 1 2 separately, in violation of D.C. Code Section 3 25-113(b)(2)(a). It is our belief that a preponderance 4 5 of the evidence, based on the testimony of our witness, ABRA Compliance Analyst Monica Clark, 6 7 will show that the licensee failed to timely file 8 the quarterly statement for the quarter ending 9 September 30, 2018, which was due to be filed by 10 October 30, 2018. At this time, we would like to 11 call Compliance Analyst Monica Clark. 12 CHAIRPERSON ANDERSON: Have a seat. 13 Do you wish to make an opening statement at this 14 juncture, or do you want to waive -- or will you 15 wait until you present your case? 16 MS. WOLDEGEBRIEL: What's the best 17 thing? 18 CHAIRPERSON ANDERSON: I'm sorry, sir? 19 I didn't hear you. 20 MS. WOLDEGEBRIEL: I don't understand 21 what is the issue. 22 CHAIRPERSON ANDERSON: This is a show 23 cause hearing. At a show cause hearing, the 24 Government just made its opening statement. Do 25 you wish to make an opening statement now, or do

| 1 | you wish to wait until after the Government has |
|----|---|
| 2 | presented its case, when you present your case, |
| 3 | you give an opening statement? What do you want |
| 4 | to do? |
| 5 | MS. WOLDEGEBRIEL: Let me run, and the |
| 6 | Government first. |
| 7 | CHAIRPERSON ANDERSON: Let you do |
| 8 | what? |
| 9 | MS. WOLDEGEBRIEL: The Government |
| 10 | CHAIRPERSON ANDERSON: Okay, sir, |
| 11 | she'll make an opening statement when she |
| 12 | presents her case, after the fact, is that what |
| 13 | |
| 14 | MR. DESTA: Yes, sir. |
| 15 | CHAIRPERSON ANDERSON: Does the |
| 16 | Government have a witness? |
| 17 | MR. LUI: Yes, Mr. Chairperson. |
| 18 | CHAIRPERSON ANDERSON: Who's your |
| 19 | first witness? |
| 20 | MR. LUI: Monica Clark. |
| 21 | CHAIRPERSON ANDERSON: Ms. Clark, can |
| 22 | you raise your right hand, please? Do you swear |
| 23 | or affirm to tell the truth and nothing but the |
| 24 | truth? |
| 25 | MS. CLARK: I do. |

| 1 | CHAIRPERSON ANDERSON: Your witness. |
|----|---|
| 2 | DIRECT EXAMINATION OF MONICA CLARK |
| 3 | MR. LUI: What is your name? |
| 4 | MS. CLARK: My name is Monica Clark. |
| 5 | MR. LUI: What is your occupation? |
| 6 | MS. CLARK: I am a compliance analyst |
| 7 | for the |
| 8 | (Simultaneous Speaking) |
| 9 | CHAIRPERSON ANDERSON: I can't hear |
| 10 | you, Ms. Clark. Please speak in the microphone. |
| 11 | MS. CLARK: Is this better? |
| 12 | CHAIRPERSON ANDERSON: Yes. |
| 13 | MS. CLARK: I am a compliance analyst |
| 14 | for the Alcoholic Beverage Regulation |
| 15 | Administration. |
| 16 | MR. LUI: How long have you been |
| 17 | employed at the Alcoholic Beverage Regulatory |
| 18 | Administration? |
| 19 | MS. CLARK: For seven years. |
| 20 | MR. LUI: Do you have any duties that |
| 21 | involve reports from licensees? |
| 22 | MS. CLARK: Yes, I do. |
| 23 | MR. LUI: What are they? What are |
| 24 | your responsibilities and duties? |
| 25 | MS. CLARK: I receive, record, and |
| | |

| 1 | analyze data on quarterly statements received |
|----|--|
| 2 | from restaurants and hotels. |
| 3 | MR. LUI: Are you familiar with |
| 4 | Betty's Gojo? |
| 5 | MS. CLARK: I am. |
| 6 | MR. LUI: How are you familiar? |
| 7 | MS. CLARK: Betty's Gojo is one of the |
| 8 | restaurants within the District of Columbia that |
| 9 | reports quarterly statements to ABRA. |
| 10 | MR. LUI: I'm going to show you a |
| 11 | document marked Government Exhibit 1 for |
| 12 | identification. |
| 13 | (Whereupon, the above-referred to |
| 14 | document was marked as Government |
| 15 | Exhibit 1 for identification.) |
| 16 | MR. LUI: May I approach? |
| 17 | CHAIRPERSON ANDERSON: Sure. Do we |
| 18 | have a copy of the document? |
| 19 | MR. LUI: I do have a copy of the |
| 20 | document. |
| 21 | CHAIRPERSON ANDERSON: Has she seen |
| 22 | the document? |
| 23 | MR. LUI: I'll show her. I'm showing |
| 24 | the licensee the document. |
| 25 | CHAIRPERSON ANDERSON: Does she have |
| | |

| 1 | a copy of the document? |
|----|--|
| 2 | (Simultaneous Speaking.) |
| 3 | MR. LUI: There's one copy here for |
| 4 | her, and there's one copy for the Board. |
| 5 | CHAIRPERSON ANDERSON: Go ahead. |
| 6 | MR. LUI: Ms. Clark, what does this |
| 7 | document look like to you? |
| 8 | MS. CLARK: This is a case report. |
| 9 | MR. LUI: Is this is an accurate copy |
| 10 | of the case report that you created? |
| 11 | MS. CLARK: Yes, it is. |
| 12 | MR. LUI: Mr. Chairperson, at this |
| 13 | time, the District would like to move the case |
| 14 | report into evidence. |
| 15 | CHAIRPERSON ANDERSON: Do you have an |
| 16 | objection, ma'am? |
| 17 | MS. WOLDEGEBRIEL: Yes. |
| 18 | CHAIRPERSON ANDERSON: The Government |
| 19 | wants to move this document into evidence. Do |
| 20 | you have an objection with the Government moving |
| 21 | this document into evidence? If you have an |
| 22 | objection, why? |
| 23 | MS. WOLDEGEBRIEL: Yes, but she can go |
| 24 | ahead. |
| 25 | CHAIRPERSON ANDERSON: All right, so |
| | |

| 1 | moved. |
|----|--|
| 2 | (Whereupon, the above-referred to |
| 3 | document was received into evidence as |
| 4 | Government Exhibit 1.) |
| 5 | CHAIRPERSON ANDERSON: Go ahead, Mr. |
| 6 | Lui. |
| 7 | MR. LUI: Ms. Clark, to your |
| 8 | knowledge, has the licensee filed a report for |
| 9 | the quarter ending September 30, 2018? |
| 10 | MS. CLARK: Yes, the licensee filed |
| 11 | the report on December 13, 2018. |
| 12 | MR. LUI: When was this quarterly |
| 13 | statement due? |
| 14 | MS. CLARK: The quarterly statement |
| 15 | was actually due no later than October 30, 2018. |
| 16 | MR. LUI: No further questions. |
| 17 | CHAIRPERSON ANDERSON: I'm sorry; |
| 18 | what? |
| 19 | MR. LUI: No further questions. |
| 20 | CHAIRPERSON ANDERSON: I did not hear |
| 21 | when she said the document was filed. |
| 22 | MS. CLARK: It was filed December 13, |
| 23 | 2018. |
| 24 | CHAIRPERSON ANDERSON: Do you have any |
| 25 | questions of the witness based on the questions |

| 1 | do you have any questions this is an |
|----|---|
| 2 | opportunity for you to cross-examine her, so do |
| 3 | you have any questions to ask her? |
| 4 | MS. WOLDEGEBRIEL: I sent |
| 5 | CHAIRPERSON ANDERSON: No. She is |
| 6 | asking her questions, not me. The Government |
| 7 | just asked that's the Government witness. |
| 8 | MR. DESTA: Yes, I understand. |
| 9 | CHAIRPERSON ANDERSON: This is her |
| 10 | opportunity to cross-examine the Government's |
| 11 | witness. |
| 12 | MR. DESTA: I understand. |
| 13 | CHAIRPERSON ANDERSON: You're not |
| 14 | addressing me. |
| 15 | MR. DESTA: She's objecting. |
| 16 | CHAIRPERSON ANDERSON: What is she |
| 17 | objecting, sir? Ask her questions, not to me. |
| 18 | You're asking her questions about the document. |
| 19 | CROSS-EXAMINATION OF MONICA CLARK |
| 20 | MS. WOLDEGEBRIEL: How many does it |
| 21 | take by mail for you to receive the report? |
| 22 | MS. CLARK: I can't speak to how long |
| 23 | it takes by mail. I don't work for the postal |
| 24 | service. |
| 25 | MS. WOLDEGEBRIEL: Because I sent it |
| | |

| 1 | on October 26, 2018. You say you received it |
|----|---|
| 2 | late. There is, on the stamp, it was accepted on |
| 3 | December 2nd. |
| 4 | MS. CLARK: The date stamp is provided |
| 5 | when the mail is received in the office. |
| 6 | CHAIRPERSON ANDERSON: Do you have any |
| 7 | other questions you want to ask her? |
| 8 | MS. WOLDEGEBRIEL: I don't have |
| 9 | further questions because she has received almost |
| 10 | after three weeks. |
| 11 | CHAIRPERSON ANDERSON: I'm sorry, you |
| 12 | said what? I'm sorry. |
| 13 | MS. WOLDEGEBRIEL: She received the |
| 14 | mail |
| 15 | CHAIRPERSON ANDERSON: You're not |
| 16 | making this is not the time to |
| 17 | MR. DESTA: I am addressing I am |
| 18 | properly addressing the |
| 19 | CHAIRPERSON ANDERSON: She doesn't |
| 20 | have does she have any other questions she |
| 21 | wants to ask the witness? |
| 22 | MS. WOLDEGEBRIEL: I don't have |
| 23 | questions. |
| 24 | CHAIRPERSON ANDERSON: All right, |
| 25 | fine. Ms. Clark, how are these documents |
| | |

submitted to ABRA?

MS. CLARK: The documents can be submitted several different ways. They can be done online, where they're filed directly through a portal system on our website, or they can be mailed in. They can be faxed in, or they can be brought to the office.

CHAIRPERSON ANDERSON: How was this document submitted to ABRA?

MS. CLARK: This particular quarterly statement was submitted by mail.

CHAIRPERSON ANDERSON: When was this document -- when did ABRA date stamp the document as being in receipt?

MS. CLARK: The document was date stamped by ABRA on December 13, 2018.

CHAIRPERSON ANDERSON: The licensee's stating that she mailed it on October 26. If she mailed it on October 26, how is it that ABRA date stamped it December 13th?

MS. CLARK: The documents are date stamped when they're received in the office. I really can't speak to why it was received into the office in December. That's just the date that it was stamped and given to me.

1 CHAIRPERSON ANDERSON: Does any 2 witnesses have any other question that they want 3 to ask -- yes, Mr. Short. MEMBER SHORT: Good morning, still, 4 5 Ms. Clark. Ms. Clark, you worked for ABRA for 6 how many years? 7 Seven years. MS. CLARK: 8 MEMBER SHORT: Have you ever seen this 9 particular establishment for the same reason 10 we're here today? 11 MS. CLARK: Yes, I --12 CHAIRPERSON ANDERSON: No, you can't 13 ask that question, Mr. Short, because that's not 14 in evidence. We don't have any record that they 15 have any -- the Government has to put that in the 16 record. 17 MEMBER SHORT: Thank you, Mr. Chair. 18 CHAIRPERSON ANDERSON: That's up to 19 the Government, and then we can further explore 20 that, if that's in the record by the Government. 21 Yes, Ms. Crockett. 22 MEMBER CROCKETT: I'm looking at the 23 It states that on December 5th -case report. 24 PARTICIPANT: Could you turn on your 25 microphone, please?

MEMBER CROCKETT: Sorry. According to this case report, on December 5th, Investigator Dantzler visited the establishment and determined that Betty's Gojo was in compliance with ABRA recordkeeping provisions in maintaining its books. What is the relationship to them -- between that and them having sent in or not sent in their quarterly statements?

MS. CLARK: The books and records
Investigator Dantzler did, that would have been
more of a regulatory inspection, where the
investigator would have checked with the licensee
to make sure that they were maintaining receipts
and invoices and that type of thing. It wouldn't
have been an in-depth check in regards to any
receipts, nor would it have involved looking for
a quarterly statement on any level.

MEMBER CROCKETT: When we receive mail and we obviously time stamp it, date stamp it when we receive it. Do we maintain the entire packet, as in the envelope that would have had her postmark on it?

MS. CLARK: Actually, that usually is the practice to keeping the envelope. However, that hasn't -- that was not available for this

| 1 | particular quarterly statement. |
|----|---|
| 2 | MEMBER CROCKETT: Okay, thank you. |
| 3 | CHAIRPERSON ANDERSON: Any other |
| 4 | questions for any of the Board members? |
| 5 | (No audible response.) |
| 6 | CHAIRPERSON ANDERSON: Ma'am, do you |
| 7 | wish to ask the witness any questions based on |
| 8 | any of the questions that were asked by the Board |
| 9 | members? |
| 10 | MS. WOLDEGEBRIEL: I don't have |
| 11 | questions. |
| 12 | CHAIRPERSON ANDERSON: Mr. Lui, do you |
| 13 | wish to ask any questions of the witness based on |
| 14 | the questions that were asked by the Board? |
| 15 | MR. LUI: Just one question, Mr. |
| 16 | Chair. |
| 17 | CHAIRPERSON ANDERSON: What is that, |
| 18 | sir? |
| 19 | REDIRECT EXAMINATION OF MONICA CLARK |
| 20 | MR. LUI: Ms. Clark, do you have any |
| 21 | reason to believe that this stamp would be |
| 22 | inaccurate? |
| 23 | MS. CLARK: No. |
| 24 | CHAIRPERSON ANDERSON: Thank you. |
| 25 | Thank you for your testimony, Ms. Clark. You can |

| 1 | step down. Does the Government have any other |
|----|---|
| 2 | witness? |
| 3 | MR. LUI: No, Mr. Chairperson. |
| 4 | CHAIRPERSON ANDERSON: Does the |
| 5 | Government rest? |
| 6 | MR. LUI: Yes. |
| 7 | CHAIRPERSON ANDERSON: All right, Ms. |
| 8 | now is your time to present your case. Do you |
| 9 | have any witnesses you're going to call? You're |
| 10 | the only witness? Are you the only witness? |
| 11 | MS. WOLDEGEBRIEL: My husband or my |
| 12 | accountant can be a witness in the future. |
| 13 | CHAIRPERSON ANDERSON: I'm talking |
| 14 | about she doesn't have any witness today to |
| 15 | testify, right? |
| 16 | MR. DESTA: She doesn't have any |
| 17 | witness. |
| 18 | CHAIRPERSON ANDERSON: Are you going |
| 19 | to put a case on? Are you going to testify to |
| 20 | explain your position? |
| 21 | MS. WOLDEGEBRIEL: Yes. |
| 22 | CHAIRPERSON ANDERSON: Can you raise |
| 23 | your right hand, please, ma'am? Do you swear or |
| 24 | affirm to tell the truth and nothing but the |
| 25 | truth? |
| | II |

| 1 | MS. WOLDEGEBRIEL: Yes. |
|----|--|
| 2 | CHAIRPERSON ANDERSON: Go ahead, |
| 3 | ma'am. |
| 4 | MR. DESTA: I'm telling her to give me |
| 5 | some brief sentences. |
| 6 | CHAIRPERSON ANDERSON: I'm sorry? |
| 7 | MR. DESTA: I'm telling her to testify |
| 8 | in brief sentences. |
| 9 | CHAIRPERSON ANDERSON: No, sir. Don't |
| 10 | tell her to testify in brief sentences, sir. You |
| 11 | are supposed to translate word for word what she |
| 12 | has to say. You can tell her to speak slower, |
| 13 | but I don't need you to tell her she needs to |
| 14 | testify in brief. I need her to tell me her |
| 15 | position, and your job is to translate word for |
| 16 | word everything that she says, okay? |
| 17 | MR. DESTA: Yes, that's understood, |
| 18 | sir, but when it's long sentences, then |
| 19 | (Simultaneous Speaking) |
| 20 | CHAIRPERSON ANDERSON: Sir, you are a |
| 21 | professional hired translator. That is not my |
| 22 | concern. If you're not up to the job, then we |
| 23 | need to get somebody else, but your job is |
| 24 | (Simultaneous Speaking) |
| 25 | MR. DESTA: sir. It's just standard |

| 1 | procedure that interpreters only interpret chunks |
|----|---|
| 2 | of the |
| 3 | CHAIRPERSON ANDERSON: Interpreters do |
| 4 | what, sir? |
| 5 | MR. DESTA: Chunks, we interpret in |
| 6 | chunks, in two-three sentences. |
| 7 | CHAIRPERSON ANDERSON: What do you |
| 8 | mean chance? Sir |
| 9 | PARTICIPANT: Chunks. |
| 10 | CHAIRPERSON ANDERSON: No, sir, that's |
| 11 | not the way I see |
| 12 | (Simultaneous Speaking.) |
| 13 | CHAIRPERSON ANDERSON: No, sir, that's |
| 14 | not the way I see interpretation occurs. What I |
| 15 | see occurs is someone speak, and someone |
| 16 | interprets everything. I want to make sure, sir, |
| 17 | in these proceedings, that the interpreter is |
| 18 | translating everything that the person says. |
| 19 | I don't want chunks. I don't want a |
| 20 | summary. I want word for word. If you are |
| 21 | unable to do that, I will recess these |
| 22 | proceedings so we can hire an interpreter who |
| 23 | will interpret word for word what she has to say. |
| 24 | You can tell her to speak slowly. |
| 25 | (Simultaneous Speaking) |
| | |

| 1 | MR. DESTA: word for word, sir. |
|----|---|
| 2 | CHAIRPERSON ANDERSON: That is what I |
| 3 | expect from you, sir. I expect word for word. |
| 4 | You can tell her she can speak slower, so you can |
| 5 | tell us word for word, but I do not want chunks. |
| 6 | I do not want a summary. I want word for word. |
| 7 | MR. DESTA: Okay. |
| 8 | CHAIRPERSON ANDERSON: Thank you. Go |
| 9 | ahead. |
| 10 | MS. WOLDEGEBRIEL: What's wrong with |
| 11 | this document? I presented it on time. |
| 12 | Regarding the stamp, is it whose error is it? |
| 13 | I sent it by mail on October 26th. Based on the |
| 14 | experience that I have had in the past, I |
| 15 | presented another document, I mailed them on |
| 16 | time. |
| 17 | CHAIRPERSON ANDERSON: Anything else? |
| 18 | Is that it? |
| 19 | MS. WOLDEGEBRIEL: Nothing, Your |
| 20 | Honor. |
| 21 | CHAIRPERSON ANDERSON: Mr. Lui? |
| 22 | MR. LUI: No questions. |
| 23 | CHAIRPERSON ANDERSON: When is the |
| 24 | deadline that a document is due, ma'am? |
| 25 | MS. WOLDEGEBRIEL: October 30, sir. |

| 1 | CHAIRPERSON ANDERSON: October 30. |
|----|--|
| 2 | MS. WOLDEGEBRIEL: Yes. |
| 3 | CHAIRPERSON ANDERSON: You mailed them |
| 4 | |
| 5 | (Simultaneous Speaking.) |
| 6 | CHAIRPERSON ANDERSON: October 26. |
| 7 | MS. WOLDEGEBRIEL: I mailed it after |
| 8 | school. After I received the school from here, |
| 9 | after I learned my lessons, I was sending them |
| 10 | based on the deadlines, June 30, July 30, and so |
| 11 | on. I sent it on October 26th. |
| 12 | CHAIRPERSON ANDERSON: You mailed it |
| 13 | on October |
| 14 | (Simultaneous Speaking) |
| 15 | CHAIRPERSON ANDERSON: I just checked |
| 16 | my calendar. You mailed it on a Friday. |
| 17 | MS. WOLDEGEBRIEL: Yes, sir. |
| 18 | CHAIRPERSON ANDERSON: You mailed it |
| 19 | on Friday; it was due on the Tuesday, which is |
| 20 | the 30th. |
| 21 | MS. WOLDEGEBRIEL: Yes. |
| 22 | CHAIRPERSON ANDERSON: How did you |
| 23 | mail it? Did you go to the post office to mail |
| 24 | it, or did you drop it in the mailbox? |
| 25 | MS. WOLDEGEBRIEL: I sent it from our |
| | II |

| 1 | house, my house. I did have a postage stamp. I |
|----|---|
| 2 | put it on a mailbox. |
| 3 | CHAIRPERSON ANDERSON: Where did you |
| 4 | mail it from? Did you mail it from D.C.? Did |
| 5 | you mail it from Maryland? |
| 6 | MS. WOLDEGEBRIEL: From D.C., sir. |
| 7 | CHAIRPERSON ANDERSON: You mailed it |
| 8 | from D.C. on Friday. Do you have any idea why it |
| 9 | was date stamped in our office on December 13th? |
| 10 | MS. WOLDEGEBRIEL: December 13th. I |
| 11 | don't know. |
| 12 | CHAIRPERSON ANDERSON: Any questions |
| 13 | by any other Board members? Mr. Short. |
| 14 | MEMBER SHORT: I'd just like to ask |
| 15 | the licensee, I'd like to ask her has she ever |
| 16 | been late filing before? |
| 17 | MS. WOLDEGEBRIEL: Yes, several times |
| 18 | because I was not knowledgeable of the deadlines, |
| 19 | and I got penalties. I took a lesson on that |
| 20 | aspect here. |
| 21 | MEMBER SHORT: Does she have a copy of |
| 22 | her history? |
| 23 | MS. WOLDEGEBRIEL: I only have this |
| 24 | copy. I have the history of the documents at |
| 25 | home, but not here. |
| | |

No further questions. 1 MEMBER SHORT: 2 CHAIRPERSON ANDERSON: Any other 3 questions by any other Board members? Mr. Lui, do you have any questions of the witness based on 4 5 the questions that were asked by the Board? 6 MR. LUI: No, Mr. Chair. 7 CHAIRPERSON ANDERSON: All right. Do 8 you have anything else you need to say, ma'am? 9 MS. WOLDEGEBRIEL: No, I don't have. 10 CHAIRPERSON ANDERSON: Mr. Lui, do you 11 wish to make a closing statement? 12 CLOSING STATEMENTS 13 MR. LUI: Yes, very briefly. 14 Chairperson, we believe that the Government has 15 introduced witness testimony from the ABRA 16 compliance analyst, Monica Clark, that supports 17 that by a preponderance of the evidence, the 18 licensee failed to timely file the quarterly 19 statement for the quarter ending September 30, 2018, which was due to be filed by October 30, 20 2018. The Government recommends a fine of 21 22 \$2,000. 23 CHAIRPERSON ANDERSON: Of \$2,000? How 24 many? 25 MR. LUI: \$2,000.

1 CHAIRPERSON ANDERSON: What is it you 2 want us to do, ma'am? 3 MS. WOLDEGEBRIEL: \$2,000 is too much 4 for me because I've been penalized in the past, 5 as well. CHAIRPERSON ANDERSON: What is it that 6 7 you want the Board to do? 8 MS. WOLDEGEBRIEL: If you can revise the decision because this has not been my fault. 9 10 CHAIRPERSON ANDERSON: I'm sorry? 11 MS. WOLDEGEBRIEL: This was not my 12 fault, so can you please revise the decision. CHAIRPERSON ANDERSON: 13 Ma'am, the 14 Board will -- all right. As chairperson of the 15 -- I'm sorry, no, not there first. Before, I 16 should have asked this question. Does the 17 parties wish to file proposed findings of fact and conclusion of law or wish the Board makes the 18 19 decision on the presentation? 20 MR. LUI: Mr. Chairperson, the 21 Government waives. 22 CHAIRPERSON ANDERSON: The question I 23 asked, ma'am, is that you want the Board to make 24 the decision on the presentation that was made 25 today? Is that what you want the Board to do?

MS. WOLDEGEBRIEL: Yes, I don't have 1 2 any other --3 CHAIRPERSON ANDERSON: All right. As chairperson of the Alcoholic Beverage Control 4 5 Board for the District of Columbia, in accordance 6 with D.C. Official Code Section 2574(b) of the 7 Open Meetings Act, I move that the ABC Board hold 8 a closed meeting for the purpose of seeking legal advice from our counsel on Betty's Gojo, pursuant 9 10 to D.C. Official Code Section 2574(b)(4) of the 11 Open Meetings Act, and deliberate upon Betty's 12 Gojo, Case No. 18-AUD-00106, for the reasons 13 cited in D.C. Official Code Section 2574(b)(13) 14 of the Open Meetings Act. Is there a second? 15 MEMBER CROCKETT: Second. 16 CHAIRPERSON ANDERSON: Ms. Crockett 17 has seconded the motion. I will now take a roll call vote on the motion before us now that has 18 19 been seconded. Ms. Crockett. 20 MEMBER CROCKETT: I agree. 21 CHAIRPERSON ANDERSON: Mr. Cato. 22 MEMBER CATO: I agree. 23 CHAIRPERSON ANDERSON: Mr. Short. 24 MEMBER SHORT: I agree. 25 CHAIRPERSON ANDERSON: Ms. Wahabzadah.

| 1 | MEMBER WAHABZADAH: I agree. |
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| 2 | CHAIRPERSON ANDERSON: Mr. Anderson. |
| 3 | I agree. As it appears that the motion has |
| 4 | passed, I hereby give notice that ABC Board will |
| 5 | recess these proceedings to hold a closed meeting |
| 6 | in the ABC Board conference room, pursuant to |
| 7 | Section 2574(b) of the Open Meetings Act. Thank |
| 8 | you for your presentation today. The Board will |
| 9 | take this matter under advisement. Thank you. |
| 10 | The Board is in recess until its 1:30 hearing. |
| 11 | (Whereupon, the above-entitled matter |
| 12 | went off the record at 12:02 p.m.) |
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Α **A-B-E-B-A** 3:22 a.m 2:2 **ABC** 25:7 26:4.6 **Abeba** 1:24 3:12.21 above-entitled 26:11 above-referred 8:13 10:2 **ABRA** 5:6 8:9 13:1,9,13 13:16,19 14:5 15:4 23:15 accepted 12:2 accountant 17:12 accurate 9:9 **Act** 25:7,11,14 26:7 addressing 11:14 12:17 12:18 Administration 7:15,18 advice 25:9 advisement 26:9 affirm 2:16 6:23 17:24 agree 25:20,22,24 26:1 26:3 ahead 3:4 4:10 9:5,24 10:5 18:2 20:9 alcoholic 1:2,14,14 4:23,25 5:1 7:14,17 25:4 **ALIYA** 1:19 analyst 5:6,11 7:6,13 23:16 analyze 8:1 **ANC** 1:8 apologize 2:10 appears 26:3 **APPLICANT** 1:23,24 approach 2:5 8:16 asked 11:7 16:8,14 23:5 24:16.23 asking 11:6,18 aspect 22:20 **audible** 16:5 available 15:25 **Avenue** 1:7 4:15 В based 5:5 10:25 16:7 16:13 20:13 21:10 23:4 behalf 2:8 3:6 belief 5:4 believe 16:21 23:14 best 5:16

brief 18:5,8,10,14 **briefly** 23:13 brought 13:7 Building 1:15 C calendar 21:16 call 5:11 17:9 25:18 **case** 1:9 2:3,4 5:15 6:2 6:2,12 9:8,10,13 14:23 15:2 17:8,19 25:12 Cato 1:19 25:21,22 cause 1:7 3:18 4:1,13 4:17 5:23,23 Chair 14:17 16:16 23:6 chance 19:8 charge 4:18 check 15:15 checked 15:12 21:15 **chunks** 19:1,5,6,9,19 20:5 **cited** 25:13 Clark 1:25 5:6,11 6:20 6:21,25 7:2,4,4,6,10 7:11,13,19,22,25 8:5 8:7 9:6,8,11 10:7,10 10:14,22 11:19,22 12:4,25 13:2,10,15,21 14:5,5,7,11 15:9,23 16:19,20,23,25 23:16 closed 25:8 26:5 closing 23:11,12 Code 5:2 25:6,10,13 Columbia 1:1 3:7 8:8 25:5 compliance 5:6,11 7:6 7:13 15:4 23:16 concern 18:22 concerns 4:18 conclusion 24:18 conference 26:6 Control 1:2,14,14 25:4 **copy** 8:18,19 9:1,3,4,9 22:21,24 counsel 25:9 **CR** 1:8 created 9:10

7:14.17 25:4

5:1

26:10

BOBBY 1:19

books 15:6,9

beverages 4:23,25,25

Board 1:2,14 4:12,19

9:4 16:4,8,14 22:13

23:3,5 24:7,14,18,23

24:25 25:5,7 26:4,6,8

11:19 cross-examine 11:2,10 D **D-E-S-T-A** 2:25 **D.C** 1:15 5:2 22:4,6,8 25:6,10,13 **Dantzler** 15:3,10 data 8:1 date 12:4 13:13,15,19 13:21,24 15:19 22:9 deadline 20:24 deadlines 21:10 22:18 **December** 10:11,22 12:3 13:16,20,24 14:23 15:2 22:9,10 decision 24:9,12,19,24 deliberate 25:11 Desta 1:23 2:13,19,22 2:22,25,25 3:2,22 6:14 11:8,12,15 12:17 17:16 18:4,7,17,25 19:5 20:1.7 determined 15:3 different 13:3 DIRECT 7:2 directly 13:4 **District** 1:1 2:8 3:7 8:8 9:13 25:5 document 8:11,14,18 8:20,22,24 9:1,7,19 9:21 10:3,21 11:18 13:9,13,13,15 20:11 20:15.24 documents 12:25 13:2 13:21 22:24 **Donovan** 1:16,18 drop 21:24 due 5:9 10:13,15 20:24 21:19 23:20 duties 7:20,24 Ε

Crockett 1:19 14:21.22

CROSS-EXAMINATI...

25:19,20

15:1,18 16:2 25:15,16

E employed 7:17 English 2:17,18 entire 15:20 envelope 15:21,24 error 20:12 establishment 4:22 14:9 15:3 evidence 5:5 9:14,19 9:21 10:3 14:14 23:17 EXAMINATION 7:2 16:19 Exhibit 8:11,15 10:4 expect 20:3,3 expenses 4:24,25 experience 20:14 explain 17:20 explore 14:19

fact 6:12 24:17 failed 1:10 4:19 5:7 23:18 faithfully 2:16 familiar 8:3.6 fault 24:9,12 **faxed** 13:6 file 1:10 4:19 5:7 23:18 24:17 **filed** 5:9 10:8,10,21,22 13:4 23:20 filing 22:16 findings 24:17 fine 12:25 23:21 first 6:6,19 24:15 food 4:23,24 5:1 forward 4:2,5 Friday 21:16,19 22:8 further 10:16,19 12:9 14:19 23:1 future 17:12

G
Georgia 1:7 4:15
give 6:3 18:4 26:4
given 13:25
Gojo 1:6,7 2:4 4:14,15
8:4,7 15:4 25:9,12
Government 4:5,8 5:24
6:1,6,9,16 8:11,14
9:18,20 10:4 11:6,7
14:15,19,20 17:1,5
23:14,21 24:21
Government's 11:10
gross 4:21,22,23

H
hand 2:11,15 6:22
17:23
hear 5:19 7:9 10:20
hearing 1:8,14 3:18 4:1
5:23,23 26:10
hire 19:22
hired 18:21
history 22:22,24
hold 2:9 25:7 26:5
home 22:25
Honor 20:20
hotels 8:2
house 22:1,1

better 7:11

25:11

Betty's 1:6,7 2:4 4:14

Beverage 1:2,14,14

4:15 8:4,7 15:4 25:9

husband 17:11 Northwest 4:16 procedure 19:1 **Lui** 1:22 2:7,7,10,10 3:4 notice 4:17 26:4 proceedings 2:17 3:5,6,9 4:3,6,9,12 **NW** 1:7 6:17,20 7:3,5,16,20 19:17,22 26:5 idea 22:8 7:23 8:3,6,10,16,19 professional 18:21 0 identification 8:12,15 8:23 9:3,6,9,12 10:6,7 properly 12:18 identify 2:6,21 3:3,9,10 10:12,16,19 16:12,15 **objecting** 11:15,17 proposed 24:17 **PROTESTANT** 1:22 in-depth 15:15 16:20 17:3,6 20:21,22 **objection** 9:16,20,22 inaccurate 16:22 23:3,6,10,13,25 24:20 obviously 15:19 provided 12:4 provisions 15:5 inspection 15:11 occupation 7:5 М occurs 19:14,15 purchase 4:24 **interpret** 19:1,5,23 purchases 5:1 interpretation 19:14 ma'am 3:15 9:16 16:6 **October** 1:12 5:10 **interpreter** 1:23 19:17 17:23 18:3 20:24 23:8 10:15 12:1 13:18,19 purpose 25:8 pursuant 25:9 26:6 19:22 24:2.13.23 20:13,25 21:1,6,11,13 interpreters 19:1,3 mail 11:21,23 12:5,14 23:20 put 14:15 17:19 22:2 interprets 19:16 13:11 15:18 20:13 office 12:5 13:7,22,24 Q 21:23,23 22:4,4,5 21:23 22:9 introduced 23:15 Official 25:6,10,13 **investigator** 15:2,10,12 mailbox 21:24 22:2 quarter 4:21 5:8 10:9 invoices 15:14 **mailed** 13:6,18,19 **online** 13:4 23:19 20:15 21:3,7,12,16,18 involve 7:21 **Open** 25:7,11,14 26:7 quarterly 1:10 4:20 5:8 involved 15:16 22:7 opening 4:8,11 5:13,24 8:1,9 10:12,14 13:10 **issue** 5:21 maintain 15:20 5:25 6:3,11 15:8,17 16:1 23:18 **issued** 4:17 maintaining 15:5.13 opportunity 11:2,10 question 14:2,13 16:15 **making** 12:16 24:16,22 Ρ marked 8:11,14 questions 10:16,19,25 P-R-O-C-E-E-D-I-N-G-S **JAMES** 1:20 Maryland 22:5 10:25 11:1,3,6,17,18 **job** 18:15,22,23 matter 1:5 4:13,18 26:9 2:1 12:7,9,20,23 16:4,7,8 John 1:22 2:7 3:6 26:11 16:11,13,14 20:22 **p.m** 26:12 matters 4:2 22:12 23:1,3,4,5 **JR** 1:19 packet 15:21 PARTICIPANT 3:19 **July** 21:10 **mean** 19:8 R iuncture 5:14 meeting 1:3 25:8 26:5 14:24 19:9 June 21:10 Meetings 25:7,11,14 particular 13:10 14:9 **RAFI** 1:19 26:7 raise 2:11,15 6:22 16.1 Κ Member 1:19,19,20,20 parties 2:5 24:17 17:22 keeping 15:24 14:4,8,17,22 15:1,18 **passed** 26:4 ready 4:5 knowledge 10:8 16:2 22:14,21 23:1 penalized 24:4 reason 14:9 16:21 knowledgeable 22:18 25:15,20,22,24 26:1 penalties 22:19 reasons 25:12 members 4:12 16:4,9 **person** 19:18 receipt 13:14 22:13 23:3 please 2:5,6,15,21 3:10 receipts 4:21,22,23 met 1:14 language 2:11 3:20 6:22 7:10 14:25 15:13,16 late 12:2 22:16 Michael 1:23 2:22 17:23 24:12 receive 7:25 11:21 microphone 7:10 14:25 portal 13:5 law 24:18 15:18,20 position 17:20 18:15 Monica 1:25 5:6,11 received 8:1 10:3 12:1 learned 21:9 6:20 7:2,4 11:19 post 21:23 12:5,9,13 13:22,23 legal 25:8 16:19 23:16 lesson 22:19 postage 22:1 21:8 morning 2:7 3:1,5,8,14 **postal** 11:23 recess 19:21 26:5,10 lessons 21:9 3:16 4:12 14:4 postmark 15:22 level 15:17 recommends 23:21 **License** 1:8 2:4 motion 25:17,18 26:3 practice 15:24 record 2:6,21 3:11,20 move 4:2,5 9:13,19 licensee 3:10 4:18 5:7 preceding 4:21 7:25 14:14,16,20 25:7 preliminary 4:2 8:24 10:8,10 15:12 26:12 moved 10:1 preponderance 5:4 recordkeeping 15:5 22:15 23:18 licensee's 13:17 moving 9:20 23:17 records 15:9 present 1:17,21 5:15 **REDIRECT** 16:19 licensees 7:21 Ν **LLC** 1:6 4:14 6:2 17:8 **Reeves** 1:15 N.W 1:15 presentation 24:19,24 Regarding 20:12 located 4:15 **regards** 15:15 name 2:22,24 3:6,12,20 long 7:16 11:22 18:18 26:8 presented 6:2 20:11.15 Regulation 7:14 look 9:7 looking 14:22 15:16 need 18:13.14.23 23:8 presents 6:12 regulatory 7:17 15:11

presiding 1:16

needs 18:13

Lounge 1:6 4:14

relationship 15:6

REMA 1:20 **slowly** 19:24 wouldn't 15:14 translator 18:21 report 9:8,10,14 10:8 somebody 18:23 **truth** 6:23,24 17:24,25 wrong 20:10 10:11 11:21 14:23 **sorry** 2:10 3:19 5:18 **Tuesday** 21:19 X 10:17 12:11,12 15:1 turn 14:24 reporting 4:20 18:6 24:10,15 two-three 19:6 Υ reports 7:21 8:9 speak 7:10 11:22 13:23 **type** 15:14 required 4:20 18:12 19:15,24 20:4 years 7:19 14:6,7 U response 16:5 **Speaking** 7:8 9:2 18:19 Ζ responsibilities 7:24 18:24 19:12,25 21:5 unable 19:21 rest 17:5 understand 5:20 11:8 21.14 0 **Restaurant** 1:6 4:14 spell 3:20 11.12 **stamp** 12:2,4 13:13 restaurants 8:2,8 understood 18:17 Retailer 1:8 15:19,19 16:21 20:12 **usually** 15:23 revise 24:8,12 22:1 1:30 26:10 roll 25:17 V stamped 13:16,20,22 **102500** 1:8 2:5 room 1:15 26:6 13:25 22:9 violation 5:2 **11:29** 2:2 standard 18:25 run 6:5 visited 15:3 **12:02** 26:12 statement 1:10 4:8 5:8 vote 25:18 **13** 10:11,22 13:16 S 5:13,24,25 6:3,11 **13th** 13:20 22:9,10 W sales 4:22,24 10:13,14 13:11 15:17 **14th** 1:15 **says** 18:16 19:18 16:1 23:11,19 W 1:16,18 18-AUD-00106 1:9 2:4 statements 4:11,20 8:1 **school** 21:8.8 W-O-L-D-E-G-E-B-R-I... 25:12 8:9 15:8 23:12 **seat** 5:12 3:23 second 25:14,15 **states** 14:23 Wahabzadah 1:20 2 stating 13:18 **seconded** 25:17,19 25:25 26:1 **2,000** 23:22,23,25 24:3 **Section** 5:2 25:6,10,13 step 17:1 wait 5:15 6:1 **2000** 1:15 26:7 **Street** 1:15 **waive** 5:14 **20009** 1:15 seeking 25:8 submitted 13:1,3,9,11 waives 24:21 **2018** 5:9,10 10:9,11,15 **Suite** 1:15 seen 8:21 14:8 wants 9:19 12:21 10:23 12:1 13:16 sending 21:9 **summary** 19:20 20:6 Washington 1:15 23:20,21 supports 23:16 sent 11:4,25 15:7,7 **2019** 1:12 way 19:11,14 20:13 21:11,25 supposed 18:11 ways 13:3 **23** 1:12 **sentences** 18:5,8,10,18 swear 2:15 6:22 17:23 website 13:5 **25-113(b)(2)(a)** 5:3 19:6 **system** 13:5 Wednesday 1:12 **2574(b)** 25:6 26:7 separately 5:2 weeks 12:10 **2574(b)(13)** 25:13 **September** 5:9 10:9 went 26:12 **2574(b)(4)** 25:10 23:19 **t/a** 1:7 wish 5:13,25 6:1 16:7 **26** 12:1 13:18,19 21:6 service 11:24 takes 11:23 16:13 23:11 24:17,18 26th 20:13 21:11 seven 7:19 14:7 **talking** 17:13 witness 1:25 5:6 6:16 **2nd** 12:3 she'll 6:11 tell 6:23 17:24 18:10,12 6:19 7:1 10:25 11:7 sheet 3:2 18:13,14 19:24 20:4,5 11:11 12:21 16:7,13 3 telling 18:4,7 **Short** 1:20 14:3,4,8,13 17:2,10,10,12,14,17 **30** 5:9,10 10:9,15 20:25 14:17 22:13,14,21 testify 17:15,19 18:7,10 23:4.15 21:1,10,10 23:19,20 23:1 25:23,24 18:14 witnesses 14:2 17:9 30th 21:20 **show** 1:7 3:17 4:1,13,17 **testimony** 5:5 16:25 Woldegebriel 1:24 3:12 4 5:7,22,23 8:10,23 23:15 3:13,16,21,21,23,24 showing 8:23 thank 14:17 16:2,24,25 5:16,20 6:5,9 9:17,23 400S 1:15 sign 3:3,3 20:8 26:7,9 11:4,20,25 12:8,13,22 **4A** 1:8 sign-in 3:2 three 12:10 16:10 17:11,21 18:1 Simultaneous 7:8 9:2 5 **Tigrinya** 2:13,14,17,18 20:10,19,25 21:2,7,17 18:19,24 19:12,25 timely 4:19 5:7 23:18 21:21,25 22:6,10,17 5th 14:23 15:2 21:5,14 times 22:17 22:23 23:9 24:3,8,11 sir 2:12,24 3:4,10 5:18 today 4:13 14:10 17:14 25:1 6 24:25 26:8 6:10,14 11:17 16:18 word 18:11,11,15,16 18:9,10,18,20,25 19:4 total 4:24 19:20,20,23,23 20:1,1 7 trading 4:14 20:3.3,5,5,6,6 19:8,10,13,16 20:1,3 **7616** 1:7 4:15 20:25 21:17 22:6 translate 2:16 18:11,15 work 11:23 slower 18:12 20:4 translating 19:18 worked 14:5

<u>C E R T I F I C A T E</u>

This is to certify that the foregoing transcript

In the matter of: Betty's Gojo

Before: DCABRA

Date: 10-23-19

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

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