

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

IN THE MATTER OF:                     :  
  :  
Ima Pizza Store 12, LLC,             :  
t/a Broccoli Bar                     :  
(Formerly-& Pizza)                 :  
1817 7th Street NW                 :  
(Formerly-705 H Street NW: Show Cause  
Retailer CR - ANC 2C             : Hearing (Status)  
License No. 98584                   :  
Case #18-CMP-00191                 :  
  :  
(No ABC Manager on Duty,         :  
Substantial Change in             :  
Operation Without Board           :  
Approval)                             :

Wednesday,  
January 30, 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  
MIKE SILVERSTEIN, Member  
JAMES SHORT, Member

ALSO PRESENT:

WALTER ADAMS, OAG  
MATT DEVENDORF, Licensee's Counsel

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

9:53 a.m.

CHAIRPERSON ANDERSON: The next case on our calendar is Case No. 18-CMP-00191, Broccoli Bar formerly & Pizza, License No. 98584.

Would the parties, please, approach and identify themselves for the record, please?

MR. DEVENDORF: Good morning, Mr. Chairman. Matt Devendorf on behalf of & Pizza.

CHAIRPERSON ANDERSON: Good morning, Mr. Devendorf.

MR. ADAMS: Good morning, Mr. Chairman. Walter Adams representing the District of Columbia.

CHAIRPERSON ANDERSON: Good morning, Mr. Adams.

Mr. Adams, are there any preliminary matters in this case?

MR. ADAMS: There are, Mr. Chairman. The parties have discussed this case prior to the hearing and are able to make a proposal for an Offer in Compromise to the Board.

1           In this case there are two charges,  
2           one for -- Charge 1 for the establishment failing  
3           to have an ABC Manager on the premises and Charge  
4           2 for them making a substantial change.

5           So the parties propose for Charge 1 --  
6           a total fine in the amount of \$3,100 to be paid  
7           within 30 days. If the licensee fails to make  
8           such payment within the 30 day period, it  
9           understands that its license shall be suspended  
10          indefinitely until such fine is paid.

11          How that breaks down, Mr. Chairman, is  
12          that for Charge 1, a fine in the amount of \$600.  
13          For Charge 2, a fine in the amount of \$2,500.  
14          And that is the total amount of the Offer in  
15          Compromise.

16          CHAIRPERSON ANDERSON: All right. All  
17          right. It's my understanding, sir, that there is  
18          an Offer in Compromise. The Offer in Compromise  
19          is that there is a fine. For Charge 1, there is  
20          a fine of \$600. For Charge 2, there is a fine of  
21          \$2,500. The total fine of \$3,100 must be paid  
22          within 30 days. If it's not paid within 30 days,

1 the license will be suspended.

2 Is your client aware that by accepting  
3 an Offer in Compromise, that they are giving up  
4 their right to a hearing?

5 MR. DEVENDORF: Yes.

6 CHAIRPERSON ANDERSON: And is your  
7 client also aware that by accepting an Offer in  
8 Compromise, that they are giving up their right  
9 to appeal this matter?

10 MR. DEVENDORF: Yes.

11 CHAIRPERSON ANDERSON: With that said,  
12 I then make a motion that the Offer in Compromise  
13 of a fine of \$600 for Charge 1 and \$2,500 for  
14 Charge 2 for a total fine of \$3,100 to be payable  
15 within 30 days to accepted. If the fine is not  
16 payable in 30 days, the license will be suspended  
17 until the fine has been paid. Is there a second?

18 MEMBER SILVERSTEIN: Second.

19 CHAIRPERSON ANDERSON: Mr. Silverstein  
20 has seconded the motion.

21 All those in favor say aye.

22 ALL: Aye.

1                   CHAIRPERSON ANDERSON: Those opposed?

2           The matter passes 5-0-0.

3                   Thank you, sir.

4                   MR. DEVENDORF: Thank you.

5                   (Whereupon, the Show Cause (Status)

6           Hearing was concluded at 9:56 a.m.)

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<b>A</b>	<b>charges</b> 3:1 <b>client</b> 4:2,7 <b>Columbia</b> 1:1 2:14 <b>Compromise</b> 2:22 3:15,18,18 4:3,8 4:12 <b>concluded</b> 5:6 <b>Control</b> 1:2,14,15 <b>Counsel</b> 1:22 <b>CR</b> 1:8	<b>J</b>	<b>passes</b> 5:2 <b>payable</b> 4:14,16 <b>payment</b> 3:8 <b>period</b> 3:8 <b>Pizza</b> 1:5,6 2:5,9 <b>please</b> 2:6,7 <b>preliminary</b> 2:17 <b>premises</b> 3:3 <b>PRESENT</b> 1:17,21 <b>presiding</b> 1:16 <b>prior</b> 2:20 <b>proposal</b> 2:21 <b>propose</b> 3:5
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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: Broccoli Bar

Before: DC ABRA

Date: 01-30-19

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.



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Court Reporter

**NEAL R. GROSS**

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