

DISTRICT OF COLUMBIA  
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 ALCOHOLIC BEVERAGE CONTROL BOARD  
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 MEETING

IN THE MATTER OF:   :  
    :  
 5534 Connecticut, LLC,   :  
 t/a Capital Crab &   :  
 Seafood   :  
 5534 Connecticut Avenue   :  
 NW   : Show Cause  
 Retailer CR - ANC 3G   : Hearing (Status)  
 License No. 106151   :  
 Case #19-AUD-00079   :  
    :  
 (Failed to File Quarterly:  
 Statement)   :

Wednesday  
 February 5, 2020

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:**  
 ANDREW KLINE, COUNSEL FOR APPLICANT  
 JOHN LUI, DC OAG

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

2 10:11 a.m.

3 CHAIRPERSON ANDERSON: All right. Our  
4 next case is Case Number 19-AUD-00079, Capitol  
5 Crab & Seafood, License Number 106151. Will the  
6 parties please approach and identify themselves  
7 for the record, please.

8 MR. KLINE: Good morning. Andrew  
9 Kline, on behalf of the Applicant.

10 CHAIRPERSON ANDERSON: Good morning,  
11 Mr. Kline.

12 MR. LUI: Good morning. John Lui, on  
13 behalf of the Government.

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

17 MR. LUI: Yes. There is an offer in  
18 compromise to present.

19 CHAIRPERSON ANDERSON: What's that,  
20 sir?

21 MR. LUI: For Charge 1, the failure to  
22 file the required quarterly statement, the offer  
23 in compromise is \$600 fine, made payable within  
24 30 days, or its license shall be suspended  
25 indefinitely until this fine is paid, and submit

1 any pending quarterly statements if they have not  
2 been submitted yet.

3 CHAIRPERSON ANDERSON: All right. Mr.  
4 Kline, it's my understanding that there is an  
5 offer in compromise and the offer in compromise  
6 is there's a fine of \$600, payable within 30  
7 days, and that all pending quarterly statements  
8 will be filed. Is this your understanding of the  
9 offer in compromise?

10 MR. KLINE: Yes, sir, it is, Mr.  
11 Chair.

12 CHAIRPERSON ANDERSON: Is your client  
13 aware that by accepting the offer in compromise  
14 that they're giving up their right to a hearing?

15 MR. KLINE: Yes.

16 CHAIRPERSON ANDERSON: Is your client  
17 also aware that by accepting the offer in  
18 compromise that they're giving up their right to  
19 appeal this matter?

20 MR. KLINE: Yes.

21 CHAIRPERSON ANDERSON: With this said,  
22 I then make a motion that the offer in compromise  
23 of a fine of \$600, payable within 30 days, and  
24 that all outstanding quarterly statements will be  
25 filed, be accepted. Is there a second?

1 MEMBER CATO: Second.

2 CHAIRPERSON ANDERSON: Mr. Cato has  
3 seconded the motion. All those in favor, say,  
4 aye.

5 (Chorus of ayes)

6 CHAIRPERSON ANDERSON: Those opposed.  
7 The motion passes 4-0-0.

8 MR. KLINE: Thank you, Mr. Chairman.

9 (Whereupon, the hearing in the above-  
10 entitled matter was concluded at 10:13 a.m.)  
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<b>A</b>	<b>Donovan</b> 1:16,19	<b>opposed</b> 4:6	<b>X</b>
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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: Capital Crab and Seafood

Before: DCABRA

Date: 02-05-20

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*

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Court Reporter

**NEAL R. GROSS**

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