

DISTRICT OF COLUMBIA  
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 ALCOHOLIC BEVERAGE CONTROL BOARD  
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 MEETING

IN THE MATTER OF:   :  
    :  
 E and K, Inc.,   :  
 t/a Champion Kitchen   :  
 7730 Georgia Ave NW   : Show Cause  
 Retailer CR - ANC 4A   : Hearing (Status)  
 License No. 103055   :  
 Case #18-CMP-00239   :  
    :  
 (Exceeded Capacity,   :  
 Violation of Settlement   :  
 Agreement)   :

Wednesday,  
 April 10, 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

ALSO PRESENT:

FERNANDO RIVERO, OAG  
 SIDON YOHANNES, Licensee Attorney

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

2 10:06 a.m.

3 CHAIRPERSON ANDERSON: All right. The  
4 next case is Case No. 18-CMP-00239, Champion  
5 Kitchen, License No. 103055.

6 Will the parties, please, identify  
7 themselves for the record, please?

8 MR. RIVERO: Good morning, Board  
9 Members. Fernando Rivero for the District of  
10 Columbia.

11 CHAIRPERSON ANDERSON: Mr. Rivero.

12 MS. YOHANNES: Sidon Yohannes on  
13 behalf of the licensee.

14 CHAIRPERSON ANDERSON: Ms. Yohannes.

15 Are there any preliminary matters in  
16 this case?

17 MR. RIVERO: Yes, and the parties have  
18 an Offer in Compromise to present at this time.

19 CHAIRPERSON ANDERSON: And what is the  
20 Offer in Compromise?

21 MR. RIVERO: The offer is: For Charge  
22 1 a fine of \$2,500.

1                   CHAIRPERSON ANDERSON: Could you hold  
2 your voice down, please, ma'am? We can hear you  
3 all the way up here, please. Go ahead, sir.

4                   MR. RIVERO: For Charge 1 a fine of  
5 \$2,500 payable within 30 days. If the payment is  
6 not received within 30 days, the license will be  
7 suspended until payment is received.

8                   For Charge 2 a warning.

9                   CHAIRPERSON ANDERSON: All right.

10                  MR. RIVERO: Because the Government  
11 believes it's appropriate. The licensee had a  
12 security plan in place, but had not actually  
13 filed it, which is a requirement. And as part of  
14 the warning, the licensee will be required to  
15 file the security plan with the Board within 30  
16 days. That is the OIC.

17                  CHAIRPERSON ANDERSON: Okay. All  
18 right. Ms. Yohannes, it's my understanding there  
19 is an Offer in Compromise and the Offer in  
20 Compromise is that for Charge 1, there is a fine  
21 of \$2,500 payable in 30 days. If the fine is not  
22 payable in 30 days, the license will be suspended

1 until the fine has been paid.

2 For Charge 2, that there is a written  
3 warning. And as a part of that written warning,  
4 that the licensee will provide the Board a  
5 legally sufficient security plan within the next  
6 30 days.

7 Is this your understanding of the  
8 Offer in Compromise?

9 MS. YOHANNES: Yes.

10 CHAIRPERSON ANDERSON: Is your client  
11 aware that by accepting an Offer in Compromise,  
12 that they are giving up their right to a hearing?

13 MS. YOHANNES: Yes.

14 CHAIRPERSON ANDERSON: And that is  
15 your client aware that by accepting an Offer in  
16 Compromise, that they are giving up their to  
17 appeal this matter?

18 MS. YOHANNES: Yes.

19 CHAIRPERSON ANDERSON: With that said,  
20 any questions by any Board Members?

21 With that said, I then make a motion  
22 that the Offer in Compromise that for Charge 1

1 there is a fine of \$2,500 payable in 30 days. If  
2 the fine is not payable in 30 days, the license  
3 will be suspended until the fine has been paid.

4 For Charge 2, there is a written  
5 warning. And as a part of that written warning,  
6 the licensee will be required to provide a  
7 legally sufficient security plan to the Agency  
8 within the next 30 days.

9 Is there a second?

10 MEMBER SHORT: Second.

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

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?

16 The matter passes 4-0-0.

17 The Board will be issuing a Board  
18 Order in this matter. Thank you very much.

19 MS. YOHANNES: Thank you.

20 MR. RIVERO: Thank you. The Board  
21 Order extends to the prior case as well?

22 CHAIRPERSON ANDERSON: Yes, I did --

1 I apologize. Yes, I thought I had reported that  
2 the Board would --

3 MR. RIVERO: Okay. That's fine.

4 CHAIRPERSON ANDERSON: -- issue a  
5 Board Order in that case as well.

6 MR. RIVERO: That's fine. Thanks.

7 CHAIRPERSON ANDERSON: Thanks.

8 (Whereupon, the Show Cause (Status)

9 Hearing was concluded at 10:10 a.m.)

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<b>A</b>	<b>District</b> 1:1 2:9 <b>Donovan</b> 1:15,18	<b>N</b>	<b>sir</b> 3:3 <b>Status</b> 1:7 6:8 <b>Street</b> 1:14 <b>sufficient</b> 4:5 5:7 <b>Suite</b> 1:15 <b>suspended</b> 3:7,22 5:3
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<b>B</b>	<b>F</b>	<b>O</b>	<b>t/a</b> 1:6 <b>Thank</b> 5:18,19,20 <b>Thanks</b> 6:6,7 <b>thought</b> 6:1 <b>time</b> 2:18
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**30** 3:5,6,15,21,22 4:6  
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**400S** 1:15  
**4A** 1:7

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**7730** 1:7



C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: E and K, Inc.

Before: Alcoholic Beverage Control Board

Date: 04-10-19

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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