

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

2 10:00 a.m.

3 CHAIR ANDERSON: All right. Our next
4 case on our show cause hearing status calendar is
5 Case Number 19-CMP-00086, Churreria Madrid
6 Restaurant, License Number 60806. Would the
7 parties please approach and identify themselves
8 for the record, please?

9 MR. GIRON: Good morning. My name is
10 Ernesto Giron from Churreria Madrid.

11 CHAIR ANDERSON: I'm sorry, your last
12 name, sir?

13 MR. GIRON: G-I-R-O-N, Giron.

14 CHAIR ANDERSON: And what's your
15 relationship to this establishment, sir?

16 MR. GIRON: I'm the owner.

17 CHAIR ANDERSON: You're the owner?

18 MR. GIRON: Yes.

19 CHAIR ANDERSON: All right.

20 MR. LUI: Good morning, John Lui on
21 behalf of the District of Columbia.

22 CHAIR ANDERSON: Good morning, Mr. Lui.
23 Are there any preliminary matters in this case?

24 MR. LUI: Yes, there is an offer in
25 compromise to present to the Board.

1 CHAIR ANDERSON: And what is that,
2 please?

3 MR. LUI: For the first charge, no ABC
4 manager, this is a second tier violation, the
5 offer in compromise is a \$2,000 fine, made
6 payable within 60 days or its license shall be
7 suspended indefinitely until this fine is paid.

8 Now, as to the second charge, the
9 purchase of alcoholic beverage from an off-
10 premise retailer, this is a primary tier
11 violation, the offer in compromise is a \$2,500
12 fine, made payable within 60 days or its license
13 shall be suspended indefinitely until this fine
14 is paid.

15 CHAIR ANDERSON: All right. It's my
16 understanding, sir, that there is an offer in
17 compromise. And the offer in compromise is that
18 for Charge 1, there's a fine of \$2,000 payable
19 within 60 days. For charge 2, there is also a
20 fine of \$2,500 payable in 60 days.

21 Therefore, the total fine is a total
22 fine of \$4,500, if not paid within 60 days, your
23 license will be suspended until the fine has been
24 paid. Is this your understanding of the offer in
25 compromise?

1 MR. GIRON: Yes, it is.

2 CHAIR ANDERSON: Are you aware that by
3 accepting an offer in compromise, that you're
4 giving up your right to a hearing?

5 MR. GIRON: I am.

6 CHAIR ANDERSON: Are you also aware
7 that by accepting an offer in compromise, that
8 you're giving up your right to appeal this
9 matter?

10 MR. GIRON: Yes.

11 CHAIR ANDERSON: With this said, I make
12 a motion that the offer in compromise with a fine
13 for Charge 1 of \$2,000 payable in 60 days, for
14 Charge 2, a fine of \$2,500 payable in 60 days.
15 If the fine is not paid within 60 days, the
16 license will be suspended until the fine has been
17 paid. Is there a second?

18 MEMBER CATO: Second.

19 CHAIR ANDERSON: Mr. Cato seconded the
20 motion. All those in favor, say aye.

21 (Chorus of ayes.)

22 CHAIR ANDERSON: Those opposed? The
23 motion passes 5-0-0. Thank you, sir.

24 (Whereupon, the above-entitled matter
25 went off the record at 10:02 a.m.)

<p style="text-align: center;">A</p> <p>a.m 2:2 4:25 ABC 1:10 3:3 above-entitled 4:24 accepting 4:3,7 Alcohol 1:10 alcoholic 1:2,14,15 3:9 ALIYA 1:20 ANC 1:8 Anderson 1:16,19 2:3 2:11,14,17,19,22 3:1 3:15 4:2,6,11,19,22 appeal 4:8 APPLICANT 1:23 approach 2:7 aware 4:2,6 aye 4:20 ayes 4:21</p> <hr/> <p style="text-align: center;">B</p> <p>behalf 2:21 beverage 1:2,14,15 3:9 Board 1:2,14 2:25 BOBBY 1:19 Building 1:15</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 2:4 case 1:9 2:4,5,23 Cato 1:19 4:18,19 cause 1:7 2:4 CHAIR 2:3,11,14,17,19 2:22 3:1,15 4:2,6,11 4:19,22 Chairperson 1:16,19 Champlain 1:7 charge 3:3,8,18,19 4:13 4:14 Chorus 4:21 Churreria 1:6 2:5,10 Columbia 1:1 2:21 compromise 2:25 3:5 3:11,17,17,25 4:3,7 4:12 Control 1:2,14,15 CR 1:8 CROCKETT 1:20</p> <hr/> <p style="text-align: center;">D</p> <p>D.C 1:16 days 3:6,12,19,20,22 4:13,14,15 DC 1:23 District 1:1 2:21 Donovan 1:16,19 Duty 1:10</p>	<p style="text-align: center;">E</p> <p>Enterprises 1:6 Ernesto 2:10 establishment 2:15</p> <hr/> <p style="text-align: center;">F</p> <p>favor 4:20 fine 3:5,7,12,13,18,20 3:21,22,23 4:12,14,15 4:16 first 3:3</p> <hr/> <p style="text-align: center;">G</p> <p>G-I-R-O-N 2:13 Giron 1:23 2:9,10,13,13 2:16,18 4:1,5,10 giving 4:4,8</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:8,15 2:4 4:4</p> <hr/> <p style="text-align: center;">I</p> <p>identify 2:7 IGNACIO 1:23 indefinitely 3:7,13</p> <hr/> <p style="text-align: center;">J</p> <p>JAMES 1:20 John 1:23 2:20 JR 1:19,20</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p style="text-align: center;">L</p> <p>license 1:8 2:6 3:6,12 3:23 4:16 Lui 1:23 2:20,20,22,24 3:3</p> <hr/> <p style="text-align: center;">M</p> <p>Madrid 1:6 2:5,10 manager 1:10 3:4 matter 1:5 4:9,24 matters 2:23 MEETING 1:3 Member 1:19,20,20,21 4:18 met 1:15 morning 2:9,20,22 motion 4:12,20,23 MST 1:6</p> <hr/> <p style="text-align: center;">N</p> <p>N.W 1:15 name 2:9,12 November 1:13 Number 2:5,6</p>	<p>NW 1:7</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:23 off- 3:9 Off-Premise 1:11 offer 2:24 3:5,11,16,17 3:24 4:3,7,12 opposed 4:22 owner 2:16,17</p> <hr/> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 paid 3:7,14,22,24 4:15 4:17 parties 2:7 passes 4:23 payable 3:6,12,18,20 4:13,14 please 2:7,8 3:2 preliminary 2:23 premise 3:10 present 1:18,22 2:25 presiding 1:16 primary 3:10 purchase 3:9 Purchased 1:10</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p style="text-align: center;">R</p> <p>RAFI 1:20 record 2:8 4:25 Reeves 1:15 relationship 2:15 REMA 1:21 Restaurant 1:7 2:6 retailer 1:8,11 3:10 Room 1:15</p> <hr/> <p style="text-align: center;">S</p> <p>second 3:4,8 4:17,18 seconded 4:19 SHORT 1:20 show 1:7 2:4 sir 2:12,15 3:16 4:23 sorry 2:11 status 1:8 2:4 Street 1:7,15 Suite 1:16 suspended 3:7,13,23 4:16</p> <hr/> <p style="text-align: center;">T</p> <p>t/a 1:6 Thank 4:23 tier 3:4,10</p>	<p>total 3:21,21</p> <hr/> <p style="text-align: center;">U</p> <p>understanding 3:16,24</p> <hr/> <p style="text-align: center;">V</p> <p>violation 3:4,11</p> <hr/> <p style="text-align: center;">W</p> <p>W 1:16,19 WAHABZADAH 1:21 Washington 1:16 Wednesday 1:12 went 4:25</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p style="text-align: center;">1</p> <p>10:00 2:2 10:02 4:25 14th 1:15 19-CMP-00086 1:9 2:5 1C 1:8</p> <hr/> <p style="text-align: center;">2</p> <p>2 3:19 4:14 2,000 3:5,18 4:13 2,500 3:11,20 4:14 20 1:13 2000 1:15 20009 1:16 2019 1:13 2505 1:7</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p style="text-align: center;">4</p> <p>4,500 3:22 400S 1:16</p> <hr/> <p style="text-align: center;">5</p> <p>5-0-0 4:23</p> <hr/> <p style="text-align: center;">6</p> <p>60 3:6,12,19,20,22 4:13 4:14,15 60806 1:8 2:6</p>
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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: Churreria Madrid Restaurant

Before: DCABRA

Date: 11-20-19

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

NEAL R. GROSS

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