

ALSO PRESENT:

CHRISTINE GEPHARDT, OAG

KYUNG-HUAN LEE, LICENSEE

HWA YOUNG CHUNG, LICENSEE

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

2 9:43 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case No. 17-CC-00141 and this
5 is t/a 1101 Convenience Mart, License No. 86305.

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

8 MS. GEPHARDT: Good morning, Board
9 Members. Chrissy Gephardt here on behalf of the
10 Office of the Attorney General.

11 CHAIRPERSON ANDERSON: Good morning,
12 Ms. Gephardt.

13 MS. GEPHARDT: Good morning.

14 MR. LEE: Good morning, Members. My
15 name is Kevin Lee, Y & H Trading trade name 1101
16 Convenience Mart and next to me is the owner of
17 the establishment and license.

18 CHAIRPERSON ANDERSON: And you, sir,
19 are you an attorney?

20 MR. LEE: Yes.

21 CHAIRPERSON ANDERSON: Oh, I wasn't
22 aware, so all right. And the client's name?

1 MR. CHUNG: Hwa Young Chung.

2 CHAIRPERSON ANDERSON: Good morning.

3 MR. CHUNG: Yeah, 1101 Convenience
4 Mart the owner, yeah.

5 CHAIRPERSON ANDERSON: All right.
6 Fine. Can you make sure you sign-in on the sign-
7 in sheet, please?

8 MR. LEE: Okay.

9 CHAIRPERSON ANDERSON: Are there any
10 preliminary matters in this case?

11 MS. GEPHARDT: Yes, there is a
12 preliminary matter. The parties have reached an
13 Offer in Compromise that we would like to present
14 to the Board.

15 CHAIRPERSON ANDERSON: And what is
16 that?

17 MS. GEPHARDT: And the Offer in
18 Compromise consists of for Charge 1 it would be a
19 \$3,000 fine to be paid within 30 days. The
20 second part would be a 10 day suspension with 6
21 days served and 4 days stayed for one year. The
22 dates that the establishment would be closed is

1 July 23rd to July 28th. And finally, all
2 employees who serve alcoholic beverages in the
3 licensed establishment complete an alcohol
4 training program within three months from the
5 OIC's date.

6 CHAIRPERSON ANDERSON: I'm sorry, all
7 employees to do what?

8 MS. GEPHARDT: All employees who serve
9 alcoholic beverages.

10 CHAIRPERSON ANDERSON: Okay. And?

11 MS. GEPHARDT: And finally Charge 2 is
12 a warning.

13 CHAIRPERSON ANDERSON: I'm sorry, your
14 name again, sir? Your name again, please?

15 MR. LEE: Kevin Lee.

16 CHAIRPERSON ANDERSON: Mr. Lee.

17 MR. LEE: Yes.

18 CHAIRPERSON ANDERSON: Okay. All
19 right. Mr. Lee, it's my understanding that there
20 is an Offer in Compromise and the Offer in
21 Compromise consists of for Charge 1, there is a
22 fine of \$3,000 payable in 30 days.

1 Also as a part of Charge 1, there is
2 a 10 day suspension, 6 days served and 4 will be
3 stayed for one year. The 6 days that would --
4 that are being served are July 23rd through July
5 28th. All employees who serve alcohol will
6 undergo training within 90 days. And for Charge
7 2, a warning will be issued. Is this your
8 understanding, sir, of the Offer in Compromise?

9 MR. LEE: Yes. I have a -- there is
10 a slight change for 6 days served date.

11 CHAIRPERSON ANDERSON: Yes.

12 MR. LEE: And my client wanted to --

13 CHAIRPERSON ANDERSON: Well, you --
14 why don't you discuss it with Ms. Gephardt and
15 let me know and then she can tell me what it is.

16 MS. GEPHARDT: Okay. I mean, I don't
17 have a calendar in front of me, but what dates
18 are those?

19 Okay. So go ahead. I mean, I am okay
20 with that, but --

21 CHAIRPERSON ANDERSON: What is -- what
22 are the dates?

1 MS. GEPHARDT: -- present it to the
2 Board.

3 MR. LEE: Yeah, it's July 22nd, it's
4 a Sunday through July 27th, that's a Friday. We
5 are worried the -- Ms. Phillips before that it's
6 the 22nd to -- 23rd to 28th, but my client ask
7 for from Sunday to Friday.

8 CHAIRPERSON ANDERSON: If the
9 Government -- remember, you are not negotiating
10 with me.

11 MR. LEE: Yes.

12 CHAIRPERSON ANDERSON: You are
13 negotiating with the Government.

14 MR. LEE: I understand that.

15 MS. GEPHARDT: I am in agreement with
16 that.

17 CHAIRPERSON ANDERSON: All right.

18 MS. GEPHARDT: I consent to it.

19 CHAIRPERSON ANDERSON: All right.

20 MR. LEE: Okay.

21 CHAIRPERSON ANDERSON: So the
22 Government has consented to for Charge 1 the 6

1 day suspension will be July 22nd to July 27th.
2 All employees who -- all right. So the question
3 where I was?

4 As I said before, so let me start at
5 the beginning, so it's clear for the record.
6 It's my understanding there is an Offer in
7 Compromise. The Offer in Compromise is that for
8 Charge 1, there is a \$3,000 fine payable in 30
9 days. Also as a part of Charge 1, there is a 10
10 day suspension, 6 days will be served and 4 days
11 will be stayed for one year. The 6 days to be
12 served are July 22nd through July 27th. All
13 employees who serve alcohol will undergo training
14 within 90 days. And that Charge 2 will -- there
15 will be a warning.

16 Is this your understanding, sir, of
17 the Offer in Compromise?

18 MR. LEE: Yes, I understand.

19 CHAIRPERSON ANDERSON: And is your
20 client aware that by accepting an Offer in
21 Compromise, that they are giving up their right
22 to a hearing?

1 MR. LEE: Yes.

2 CHAIRPERSON ANDERSON: And does your
3 client also understand that by accepting an Offer
4 in Compromise, that he is giving up his right to
5 appeal this matter?

6 MR. LEE: Yes.

7 CHAIRPERSON ANDERSON: With this said,
8 I then make a motion that the Offer in Compromise
9 of a -- for Charge 1 there is a fine of \$3,000
10 payable in 30 days. There is also a 10 days
11 suspension, 6 days served, 4 days will be stayed
12 for one year. The 6 days to be served are July
13 22nd through July 27, 2-18. All employees who
14 serve alcohol must undergo training within 90
15 days. For Charge 2, there is a letter -- a
16 written warning. Is there a second?

17 MEMBER SHORT: Second.

18 CHAIRPERSON ANDERSON: Mr. Short has
19 seconded the motion.

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON ANDERSON: Those opposed?

1 The matter passes 5-0-0.

2 The Board will issue a Board Order
3 memorializing this -- the terms of the OIC and
4 the effective date will be the date the Board
5 issues its order. Okay. So thank you very much.
6 Have a good day. That's it?

7 MR. LEE: Yes.

8 CHAIRPERSON ANDERSON: All right.
9 Thank you. You can go, sir, I mean, we are done.

10 MR. LEE: Thank you.

11 CHAIRPERSON ANDERSON: Thank you.

12 (Whereupon, the Show Cause (Status)
13 Hearing was concluded at 9:50 a.m.)

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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: 1101 Convenience Mart

Before: DC ABRA

Date: 06-20-18

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

Court Reporter

NEAL R. GROSS

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