

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

2 9:45 a.m.

3 CHAIRPERSON ANDERSON: Good morning,
4 everyone. I would like to welcome you to the
5 regularly scheduled meeting of the District of
6 Columbia Alcoholic Beverage Control Board.
7 Please note that today's hearings will be
8 conducted in accordance with D.C. Official Code
9 Section 2574 of the Open Meetings Act.

10 Today is May 22, 2019. I would like
11 to introduce members of the Board with us today.
12 To my far left is Ms. Rema Wahabzadah. To her
13 right is Mr. Mike Silverstein. To my immediate
14 left is Mr. James Short.

15 My name is Donovan Anderson. I'm
16 Chairman of the Board. We have four members in
17 attendance today for the conduct of business and
18 we do have a quorum.

19 I would like to mention two things
20 before we get started. First of all, if you have
21 any electronic devices; pagers, cell phones, or
22 such, please make certain that they are turned

1 off to avoid any interruption of the proceeding.

2 Secondly, there's a piece of paper on
3 each table. When you come forward as your case
4 is called, please take a seat at the table and
5 please sign in. This is to ensure the correct
6 spelling of your name for the record.

7 Additionally, when you introduce
8 yourself for the record, please spell your name
9 out loud for the court reporter. I would note
10 that the approximate time is 9:45 a.m.

11 Our first order of business today is
12 our show cause hearings status calendar Case No.
13 18-CMP-00252 CIT, License No. 95164. This case
14 is cancelled due to dismissal of the case by the
15 -- I'm sorry. I apologize. I'm looking at the
16 wrong calendar. I apologize.

17 MS. PHILLIPS: Good, because I don't
18 have this on my calendar. I was like what?
19 What's happening?

20 CHAIRPERSON ANDERSON: Our show cause
21 status calendar. The first case on our show
22 cause status calendar is Case No. 18-CIT-00432,

1 DCity Smokehouse, License No. 98368.

2 Would the parties please approach and
3 identify themselves for the record, please.

4 MS. PHILLIPS: Louise Phillips,
5 Assistant Attorney General for the District of
6 Columbia.

7
8 CHAIRPERSON ANDERSON: Good morning,
9 Ms. Phillips. I see that the licensee is not
10 here today.

11 MS. PHILLIPS: My understanding is
12 that someone from the establishment was going to
13 be here and an OIC has been reached so maybe we
14 could call it later.

15 CHAIRPERSON ANDERSON: All right. I
16 will --

17 MS. PHILLIPS: We only have two more
18 so --

19 CHAIRPERSON ANDERSON: I'll see where
20 we are. This matter is scheduled for a show
21 cause hearing on June 19th at 10:00. If you're
22 still here and the person shows up, then I will

1 recall the case, but this matter is scheduled for
2 a show cause hearing on June 19th at 10:00 a.m.

3 (Whereupon, the above-entitled matter went
4 off the record at 9:45 a.m. to resume at 9:49
5 a.m.)

6 CHAIRPERSON ANDERSON: Case No. 18-
7 CIT-00432, DCity Smokehouse, License No. 98368.
8 Will the parties please approach and introduce
9 themselves for the record, please.

10 MS. PHILLIPS: Louise Phillips,
11 Assistant Attorney General for the District of
12 Columbia.

13 CHAIRPERSON ANDERSON: Good morning,
14 Ms. Phillips again.

15 MR. CREYKE: Good morning. My name is
16 John Creyke. I'm the Director of Operations for
17 the Southeast Restaurant Group. One of our
18 properties is the DCity Smokehouse.

19 CHAIRPERSON ANDERSON: Good morning,
20 Mr. Creyke. You're saying that you are the
21 Director of Operations and you have appeared
22 before this Board in that capacity?

1 MR. CREYKE: Yes, I've provided a
2 letter for Power of Attorney and direct
3 authorization for Mr. Melvin Hines, the owner of
4 the Southeast Restaurant Group. I represent him
5 in all matters before the ABRA Board.

6 CHAIRPERSON ANDERSON: All right.
7 That's fine.

8 Ms. Phillips, are there any
9 preliminary matters in this case?

10 MS. PHILLIPS: Yes, the parties have
11 conversed and have reached an offer in compromise
12 which they wish to present to the Board. It's a
13 fine of \$600 to be paid within 30 days or the
14 license shall be suspended indefinitely until
15 this fine is paid. The only other notice, the
16 manager will be attending the hearing.

17 CHAIRPERSON ANDERSON: All right.
18 It's my understanding there is an offer in
19 compromise and the offer in compromise is that
20 there is a fine of \$600 payable within 30 days.
21 If the fine is not paid within 30 days, the
22 license will be suspended until the fine has been

1 paid. Is this your understanding of the offer in
2 compromise?

3 MR. CREYKE: Most assuredly, yes.

4 CHAIRPERSON ANDERSON: Are you aware
5 that by accepting the offer in compromise that
6 you are giving up your right to a hearing?

7 MR. CREYKE: Certainly.

8 CHAIRPERSON ANDERSON: And are you
9 also aware that by accepting that offer in
10 compromise you are giving up your right to appeal
11 this matter?

12 MR. CREYKE: I was raised by a pack of
13 wild lawyers so I know it well.

14 CHAIRPERSON ANDERSON: All right.

15 Thank you.

16 (Laughter.)

17 CHAIRPERSON ANDERSON: With that said,
18 I then make a motion that the offer in
19 compromise, a fine of \$600 to be payable within
20 30 days, be accepted. If the fine is not paid in
21 30 days, the license will be suspended until the
22 fine has been paid. Is there a second?

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MEMBER SILVERSTEIN: Second.

MEMBER SHORT: Second.

CHAIRPERSON ANDERSON: Mr. Short and
Mr. Silverstein have seconded the motion. All
those in favor say aye.

(Chorus of aye.)

CHAIRPERSON ANDERSON: Those opposed?
The matter passes 4-0-0. Thank you.

(Whereupon, the above-entitled matter
went off the record at 9:51 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: DCity Smokehouse

Before: DCABRA

Date: 05-22-19

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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