

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

IN THE MATTER OF: :
 :
 Southeast Restaurant :
 Group, LLC :
 t/a DCity Smokehouse : Show Cause
 203 Florida Ave NW : Hearing
 Retailer CT - ANC 5E :
 License No. 98368 :
 Case #18-CIT-00111 :
 :
 (No ABC Manager on Duty) :

Wednesday,
 October 17, 2018

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
 MIKE SILVERSTEIN, Member
 JAMES SHORT, Member
 REMA WAHABZADAH, Member

ALSO PRESENT:

MELVIN HINES, Licensee
 JOHN CRAIG, General Manager of DCity Smokehouse
 FERNANDO RIVERO, DC OAG

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

2 1:34 p.m.

3 CHAIRPERSON ANDERSON: Our next case
4 is Case No. 18-CIT-00111, DCity Smokehouse,
5 License No. 98368.

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

8 Are the parties ready for DCity
9 Smokehouse?

10 MR. RIVERO: A 30 second indulgence,
11 please.

12 CHAIRPERSON ANDERSON: The Board will
13 be in recess and we will come back.

14 (Whereupon, the above-entitled matter
15 went off the record at 1:35 p.m. and resumed at
16 1:45 p.m.)

17 CHAIRPERSON ANDERSON: All right.
18 We're back on the record again. I am now again
19 calling Case No. 18-CIT-00111, DCity Smokehouse,
20 License No. 98368.

21 Will the parties, please, approach and
22 identify themselves for the record, please?

1 MR. RIVERO: Good afternoon, Board
2 Members. Fernando Rivero for the District of
3 Columbia.

4 CHAIRPERSON ANDERSON: Good afternoon,
5 Mr. Rivero.

6 MR. CRAIG: John Craig, General
7 Manager.

8 CHAIRPERSON ANDERSON: Good afternoon,
9 Mr. Craig.

10 MR. HINES: Melvin Hines, owner.

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

13 MR. HINES: Melvin Hines.

14 CHAIRPERSON ANDERSON: Good afternoon,
15 Mr. Hines.

16 All right. We have a Show Cause
17 Hearing in this matter. Are there any
18 preliminary matters?

19 MR. RIVERO: Yes. The parties have an
20 Offer in Compromise to present to the Board, at
21 this time. The offer is as follows:

22 The payment of a fine of \$600 within

1 30 days. And if the fine is not paid within 30
2 days, the license shall be suspended until
3 payment is received. That is the Offer in
4 Compromise.

5 CHAIRPERSON ANDERSON: All right. I'm
6 sorry, Mr. Hines?

7 MR. HINES: Yes.

8 CHAIRPERSON ANDERSON: All right. Mr.
9 Hines, it's my understanding that there is an
10 Offer in Compromise and the Offer in Compromise
11 is that there is a fine of \$600 payable in 30
12 days. If the fine is not payable in 30 days, the
13 license will be suspended indefinitely.

14 Is this your understanding, sir, of
15 the Offer in Compromise?

16 MR. HINES: Just a point of clarity,
17 that is not my understanding. I thought it was--
18 it would be suspended until the fine was paid.

19 CHAIRPERSON ANDERSON: That's the same
20 difference, sir. Indefinitely meaning that until
21 the fine -- you agree to pay it in 30 days. If
22 it's not paid in 30 days, your -- it will be --

1 let me be -- let me stand corrected.

2 The fine -- if the fine is not payable
3 in 30 days, the license will be suspended until
4 the fine is paid.

5 Is this your understanding, sir, of
6 the Offer in Compromise?

7 MR. HINES: Yes, it is. Sorry for my
8 misunderstanding.

9 CHAIRPERSON ANDERSON: All right. Are
10 you aware that by accepting an Offer in
11 Compromise, that you are giving up your right to
12 a hearing?

13 MR. HINES: Yes.

14 CHAIRPERSON ANDERSON: Are you also
15 aware that by accepting an Offer in Compromise,
16 that you are giving up your right to appeal this
17 matter?

18 MR. HINES: Yes, I am.

19 CHAIRPERSON ANDERSON: With that said,
20 I then make a motion that the Offer in Compromise
21 of a fine of \$600 payable in 60 days be accepted.

22 MR. RIVERO: 30 days.

1 CHAIRPERSON ANDERSON: I'm sorry.
2 Payable in 30 days be accepted. If the fine is
3 not payable in 30 days, the license will be
4 suspended until the fine has been paid. Is there
5 a second?

6 MEMBER SHORT: Second.

7 CHAIRPERSON ANDERSON: Mr. Short has
8 seconded the motion.

9 All those in favor say aye.

10 ALL: Aye.

11 CHAIRPERSON ANDERSON: Those opposed?
12 The matter passes 4-0-0.

13 And we are -- you can sign-off on this
14 document, sir, and the matter is over. I want to
15 thank the parties for agreeing to this OIC.
16 Thank you very much.

17 MR. RIVERO: Thank you.

18 (Whereupon, the Show Cause Hearing was
19 concluded at 1:48 p.m.)
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22

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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: Southeast Restaurant Group, LLC

Before: Alcoholic Beverage Control Board

Date: 10-17-18

Place: Washington, D.C.

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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