



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

2 12:06 p.m.

3 CHAIRPERSON ANDERSON: The next case  
4 on our calendar is Case No. 17-CC-00100, Dacha  
5 Beer Garden, License No. 92773.

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

8 MS. SCHMIDT: Good morning, Amy  
9 Schmidt, Assistant Attorney General on behalf of  
10 the District of Columbia.

11 CHAIRPERSON ANDERSON: Ms. Schmidt.

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

14 CHAIRPERSON ANDERSON: Good morning,  
15 Ms. Yohannes.

16 Are there any preliminary matters in  
17 this case?

18 MS. SCHMIDT: Yes, there are. Yes,  
19 there is. There is an Offer in Compromise in  
20 this case and the Offer in Compromise consists of  
21 for Charge 1, sale to a minor, a \$3,000 fine to  
22 be paid within 30 days or its license shall be

1 suspended indefinitely until this fine is paid.  
2 And the license shall be suspended for five days  
3 with all five days stayed for one year. And all  
4 employees who serve alcoholic beverages in the  
5 licensed establishment complete an alcohol  
6 training program within 3 months from the OIC's  
7 date.

8 Charge 2 will be dismissed. But I  
9 would like to speak about this OIC before we  
10 proceed.

11 The District realizes this is a very  
12 serious charge, sale to a minor, in this  
13 establishment. And I would also like to point  
14 out that it did give the maximum fine for Charge  
15 1, but this is a -- and Charge 2 was dismissed  
16 because upon review of the evidence, we saw that  
17 the bartender -- I'm sorry, the bouncer did check  
18 the ID and it has been the policy of this Board  
19 not to proceed if the ID has been checked.

20 However, nevertheless, given the fact  
21 -- even though there is a separate statutory  
22 scheme for 781 as -- it doesn't count as the

1 fourth primary for this violation. However, it  
2 will count as a fourth violation in the future,  
3 fourth primary violation in the future. So the  
4 establishment should be on notice that they --  
5 that next time they are facing revocation, if  
6 there is a next time.

7 CHAIRPERSON ANDERSON: All right. Ms.  
8 Yohannes, it's my understanding that there is an  
9 Offer in Compromise and for Charge 1, there is a  
10 \$3,000 fine payable in 30 days. There is also  
11 five days suspension for one year and all five  
12 days are stayed. And that all employees who  
13 serve or sell alcohol will undergo training  
14 within 90 days.

15 And that for Charge 2, a written  
16 warning will be issued.

17 MS. SCHMIDT: I'm sorry, we are  
18 dropping Charge 2. Charge 2 is being dropped.

19 CHAIRPERSON ANDERSON: Oh, it's been  
20 dropped, not a warning. Okay. And that for  
21 charge -- all right. And that the Government is  
22 dismissing Charge 2.

1                   Is this your understanding of the  
2 Offer in Compromise?

3                   MS. YOHANNES: Yes, it is.

4                   CHAIRPERSON ANDERSON: And does -- is  
5 your client aware that by accepting an Offer in  
6 Compromise, that they are giving up their right  
7 to a hearing?

8                   MS. YOHANNES: Yes.

9                   CHAIRPERSON ANDERSON: And that they  
10 are -- does your client also understand that by  
11 accepting an Offer in Compromise, that they are  
12 giving up their right to appeal this matter?

13                   MS. YOHANNES: Yes.

14                   CHAIRPERSON ANDERSON: All right. Are  
15 there any questions by any Board Members?  
16 Hearing none, I make a motion that the Offer in  
17 Compromise of a fine of \$3,000 payable in 30  
18 days, that there will be a five -- there is a  
19 five day suspension for one year and all five  
20 days will -- a five day suspension and all five  
21 days will be stayed for one year. And that all  
22 employees who sell or serve alcohol will go --

1 will undergo training within the -- within 90  
2 days. And that Charge 2 will be dismissed. Is  
3 there a second?

4 MEMBER SHORT: Second.

5 CHAIRPERSON ANDERSON: Mr. Short has  
6 seconded the motion.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON ANDERSON: Those opposed?  
10 The matter passes 5-0-0.

11 We will be issuing a Board Order on  
12 this matter. Thank you very much.

13 MS. YOHANNES: Thank you.

14 MS. SCHMIDT: Thank you.

15 CHAIRPERSON ANDERSON: The Board is  
16 now in recess and we will return at 1:30. Thank  
17 you.

18 (Whereupon, the Show Cause Hearing was  
19 concluded at 12:10 p.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: Dacha Beer Garden

Before: DC ABRA

Date: 04-04-18

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.



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Court Reporter

**NEAL R. GROSS**

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