

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

2 10:18 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case No. 18-CIT-00293,
5 District Hardware and Bike, License No. 104936.

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

8 MR. ADAMS: Good morning, Mr.
9 Chairman. Again, Walter Adams representing the
10 District of Columbia.

11 CHAIRPERSON ANDERSON: Mr. Adams.

12 MR. CONWAY: Good morning, Mr.
13 Chairman. Neil Conway, District Hardware and
14 Bike.

15 CHAIRPERSON ANDERSON: Good morning,
16 Mr. Conway.

17 Are there any preliminary matters in
18 this case?

19 MR. ADAMS: There is a preliminary
20 matter, Mr. Chairman. The parties have discussed
21 this matter, which is a single charge, for no ABC
22 manager. The parties have agreed to proffer an

1 Offer in Compromise in which the establishment
2 will pay a fine in the amount of \$350 to be paid
3 within a period of 30 days. And if the licensee
4 does not make that such payment within the 30-day
5 period, his license will be suspended
6 indefinitely until the fine is paid.

7 CHAIRPERSON ANDERSON: Good morning,
8 Mr. Conway, again. It's my understanding, sir,
9 that there is an Offer in Compromise and the
10 Offer in Compromise that the parties have agreed
11 to a fine of \$350 payable in 30 days. If the
12 fine has not been paid in 30 days, the license
13 will be suspended until the fine has been paid.

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

16 MR. CONWAY: Yes, it is.

17 CHAIRPERSON ANDERSON: Are you aware
18 that by accepting an Offer in Compromise, that
19 you are giving up your right to a hearing?

20 MR. CONWAY: I am.

21 CHAIRPERSON ANDERSON: Are you also
22 aware that by accepting an Offer in Compromise,

1 that you are giving -- also giving up your right
2 to appeal this matter?

3 MR. CONWAY: Yes, sir.

4 CHAIRPERSON ANDERSON: With that said,
5 I then make a motion that the Offer in Compromise
6 of a fine of \$350 payable in 30 days be accepted.
7 If the fine is not payable in 30 days, the
8 license will be suspended until the fine has been
9 paid. Is there a second?

10 MEMBER SILVERSTEIN: Second.

11 CHAIRPERSON ANDERSON: Mr. Silverstein
12 has seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?

16 The matter passes 5-0-0.

17 Thank you, sir. We will have you
18 sign-off on this paperwork and then once you
19 sign, then you have 30 days from today to pay the
20 fine. Thank you.

21 MR. CONWAY: Thank you. Thank you
22 now.

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MR. ADAMS: Thank you, Mr. Chairman.
(Whereupon, the Show Cause (Status)
Hearing was concluded at 10:20 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: District Hardware, Inc.

Before: Alcoholic Beverage Control Board

Date: 09-19-18

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.



Court Reporter

NEAL R. GROSS

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