

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

2 9:37 a.m.

3 CHAIRPERSON ANDERSON: We now turn to
4 our Show Cause (Status) Calendar. The first case
5 on our Show Cause (Status) Calendar is Case No.
6 18-251-00115 and 18-251-00115(a), Don Juan
7 Restaurant & Carryout, License No. 15934.

8 Will the parties, please, approach and
9 identify themselves for the record, please?

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

13 CHAIRPERSON ANDERSON: Good morning,
14 Ms. Phillips. I see that the licensee is not
15 here.

16 This matter then is scheduled for a
17 Show Cause Hearing on January 16, 2019 at 2:30
18 p.m.

19 (Whereupon, the above-entitled matter
20 went off the record at 9:38 a.m. and resumed at
21 10:00 a.m.)

22 CHAIRPERSON ANDERSON: I will now

1 recall -- I had called this case earlier. The
2 licensee is now here. He wasn't here at the
3 time, so I'm recalling the case.

4 It's Case No. 18-251-00115 and Case
5 No. 18-251-00115(a), Don Juan Restaurant &
6 Carryout, License No. 15934.

7 Will the licensee and the parties,
8 please, approach and identify themselves for the
9 record, please?

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

13 CHAIRPERSON ANDERSON: Ms. Phillips.

14 MR. KELVIN FERRUFINO: Kelvin Ferrufino
15 from Don Juan Restaurant.

16 CHAIRPERSON ANDERSON: Mr. Ferrufino.

17 MR. ODILBER FERRUFINO: Odilber
18 Ferrufino, Don Juan Restaurant.

19 CHAIRPERSON ANDERSON: Mr. Ferrufino.

20 MR. LUIS FERRUFINO: Luis Ferrufino,
21 President of Don Juan Restaurant.

22 CHAIRPERSON ANDERSON: Your last name,

1 sir?

2 MR. LUIS FERRUFINO: Luis Ferrufino.

3 CHAIRPERSON ANDERSON: Mr. Luis
4 Ferrufino. You are the owner. Is that correct,
5 sir?

6 MR. LUIS FERRUFINO: Yes.

7 CHAIRPERSON ANDERSON: All right. Ms.
8 Phillips, when I had asked earlier I had asked
9 was there any preliminary matters in this case,
10 has anything changed?

11 MS. PHILLIPS: Is this Don Jaime?

12 MR. LUIS FERRUFINO: No.

13 CHAIRPERSON ANDERSON: No, Don Juan.
14 Don Juan.

15 MS. PHILLIPS: Okay. Sorry. I have
16 to get the right ones. My understanding there is
17 not, but just a second.

18 CHAIRPERSON ANDERSON: Okay. If you
19 need a break, we have --

20 MS. PHILLIPS: No, I just need to find
21 the case.

22 CHAIRPERSON ANDERSON: -- lots of time

1 today.

2 MS. PHILLIPS: So I hear.

3 CHAIRPERSON ANDERSON: All right.

4 MS. PHILLIPS: It's my understanding
5 that there is not an Offer in Compromise. If you
6 would like to discuss it some more, we can take a
7 break or --

8 MR. KELVIN FERRUFINO: We would like
9 to discuss this, yes.

10 MS. PHILLIPS: Okay.

11 CHAIRPERSON ANDERSON: All right. So
12 I will recall it.

13 All right. So what I will do, let me
14 go with our calendar. So you guys can discuss
15 it. I'll just call some other cases.

16 (Whereupon, the above-entitled matter
17 went off the record at 10:01 a.m. and resumed at
18 10:12 a.m.)

19 CHAIRPERSON ANDERSON: Okay. I am now
20 recalling Case No. 18-251-00115 and 18-251-
21 00115(a), Don Juan Restaurant & Carryout, License
22 No. 15934.

1 Just for the record and just to keep
2 the record clear, will the parties again
3 introduce themselves for the record, please?

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

7 CHAIRPERSON ANDERSON: Ms. Phillips.

8 MR. ODILBER FERRUFINO: Odilber
9 Ferrufino.

10 CHAIRPERSON ANDERSON: Ogar? Mr.
11 Ferrufino.

12 MR. LUIS FERRUFINO: Luis Ferrufino.

13 CHAIRPERSON ANDERSON: Mr. Luis
14 Ferrufino. And you are the owner of the
15 establishment, sir?

16 MR. LUIS FERRUFINO: Yes.

17 CHAIRPERSON ANDERSON: Is that
18 correct? Yes, sir. Go ahead, sir.

19 MR. KELVIN FERRUFINO: Son, Kelvin
20 Ferrufino.

21 CHAIRPERSON ANDERSON: What's your
22 last name?

1 MR. KELVIN FERRUFINO: Ferrufino.

2 CHAIRPERSON ANDERSON: I got the last
3 name, sir.

4 MR. KELVIN FERRUFINO: Oh, sorry,
5 Kelvin.

6 CHAIRPERSON ANDERSON: Kelvin. Mr.
7 Kelvin Ferrufino. All right. I did get the last
8 name correct, okay. All right. Since I knew
9 that they were consistent.

10 All right. Ms. Phillips, is there any
11 preliminary matters in this case?

12 MS. PHILLIPS: Yes, Mr. Chair, there
13 are. This is a one charge case and the Offer in
14 Compromise is \$1,500 fine to be paid within 30
15 days, but they agreed to pay today.

16 CHAIRPERSON ANDERSON: All right.
17 Mr. --

18 MR. LUIS FERRUFINO: Ferrufino.

19 CHAIRPERSON ANDERSON: What's your
20 first name again, sir?

21 MR. LUIS FERRUFINO: Ferrufino, Luis.

22 CHAIRPERSON ANDERSON: No. Mr. Luis

1 Ferrufino. Because there is three Ferrufinos, I
2 want to make sure that Mr. Luis Ferrufino is the
3 owner of the establishment. So Mr. Luis
4 Ferrufino, it is my understanding that there is
5 an Offer in Compromise. And the Offer in
6 Compromise is that there is a \$1,500 fine payable
7 in 30 days. If the fine is not payable in 30
8 days, your license will be suspended until the
9 fine has been paid.

10 Is this your understanding, sir, of
11 the Offer in Compromise?

12 MR. LUIS FERRUFINO: Yes, we do.

13 CHAIRPERSON ANDERSON: Are you aware
14 that by accepting an Offer in Compromise, that
15 you are giving up your right to a hearing?

16 MR. LUIS FERRUFINO: Yeah.

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

21 MR. LUIS FERRUFINO: Yes.

22 CHAIRPERSON ANDERSON: All right.

1 With that said, I then make a motion that the
2 Offer in Compromise of a fine of \$1,500 be
3 accepted and it's payable in 30 days. If the
4 fine is not payable in 30 days, the license will
5 be suspended.

6 Is there a second?

7 MEMBER SHORT: Second.

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

10 All those in favor say aye.

11 ALL: Aye.

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

14 We are going to have you sign some
15 paperwork, sir. You are free to pay the fine
16 today if you so desire. We will not -- we will
17 never turn your money away. Okay.

18 So you can sign this paperwork and
19 then you are free to go. Thank you very much and
20 thank the parties for working this matter out.

21 (Whereupon, the Show Cause (Status)
22 Hearing was concluded at 10:15 a.m.)

A	8:5,6,11,14,18 9:2 concluded 9:22 consistent 7:9 Control 1:2,14,15 correct 4:4 6:18 7:8 CR 1:8	JR 1:19 Juan 1:6,6 2:6 3:5,15 3:18,21 4:13,14 5:21	paperwork 9:15,18 parties 2:8 3:7 6:2 9:20 passes 9:13 pay 7:15 9:15 payable 8:6,7 9:3,4 Phillips 1:22 2:10,10,14 3:10,10,13 4:8,11,15 4:20 5:2,4,10 6:4,4,7 7:10,12 Plan 1:11 please 2:8,9 3:8,9 6:3 preliminary 4:9 7:11 PRESENT 1:17,21 President 3:21 presiding 1:16	
a.m 2:2,20,21 5:17,18 9:22 above-entitled 2:19 5:16 accepted 9:3 accepting 8:14,18 agreed 7:15 ahead 6:18 Alcoholic 1:2,14,15 ANC 1:8 Anderson 1:16,18 2:3 2:13,22 3:13,16,19,22 4:3,7,13,18,22 5:3,11 5:19 6:7,10,13,17,21 7:2,6,16,19,22 8:13 8:17,22 9:8,12 appeal 8:19 approach 2:8 3:8 asked 4:8,8 Assistant 2:11 3:11 6:5 Attorney 2:11 3:11 6:5 aware 8:13,18 aye 9:10,11	D	K	L	
B	D.C 1:16 days 7:15 8:7,8 9:3,4 DC 1:22 December 1:13 desire 9:16 discuss 5:6,9,14 District 1:1 2:11 3:11 6:5 Don 1:6,6 2:6 3:5,15,18 3:21 4:11,13,14 5:21 Donovan 1:16,18	keep 6:1 Kelvin 3:14,14 5:8 6:19 6:19 7:1,4,5,6,7 knew 7:8	Lamont 1:7 license 1:8 2:7 3:6 5:21 8:8 9:4 licensee 2:14 3:2,7 lots 4:22 Louise 1:22 2:10 3:10 6:4 Luis 3:20,20 4:2,2,3,6 4:12 6:12,12,13,16 7:18,21,21,22 8:2,3 8:12,16,21	Q
Beverage 1:2,14,15 Board 1:2,14 BOBBY 1:19 break 4:19 5:7 Building 1:15	E	M	R	
C	earlier 3:1 4:8 establishment 6:15 8:3	matter 1:5 2:16,19 5:16 8:20 9:13,20 matters 4:9 7:11 MEETING 1:3 Member 1:19,19,20 9:7 met 1:15 MIKE 1:19 money 9:17 morning 2:12,13 motion 9:1,9	recall 3:1 5:12 recalling 3:3 5:20 record 2:9,20 3:9 5:17 6:1,2,3 Reeves 1:15 Restaurant 1:6,6 2:7 3:5,15,18,21 5:21 resumed 2:20 5:17 Retailer 1:8 Room 1:15	
calendar 2:4,5 5:14 call 5:15 called 3:1 Carryout 1:7 2:7 3:6 5:21 case 1:9,9 2:4,5 3:1,3,4 3:4 4:9,21 5:20 7:11 7:13 cases 5:15 CATO 1:19 Cause 1:7 2:4,5,17 9:21 Chair 7:12 Chairperson 1:16,18 2:3,13,22 3:13,16,19 3:22 4:3,7,13,18,22 5:3,11,19 6:7,10,13 6:17,21 7:2,6,16,19 7:22 8:13,17,22 9:8 9:12 changed 4:10 charge 7:13 clear 6:2 Columbia 1:1 2:12 3:12 6:6 Compromise 5:5 7:14	F	N	S	
A	Failed 1:10 favor 9:10 Ferrufino 3:14,14,16,17 3:18,19,20,20 4:2,2,4 4:6,12 5:8 6:8,9,11,12 6:12,14,16,19,20 7:1 7:1,4,7,18,18,21,21 8:1,2,4,12,16,21 Ferrufinos 8:1 find 4:20 fine 7:14 8:6,7,9 9:2,4 9:15 first 2:4 7:20 Follow 1:10 free 9:15,19	N.W 1:15 name 3:22 6:22 7:3,8 7:20 need 4:19,20 never 9:17 NW 1:7	scheduled 2:16 second 4:17 9:6,7 seconded 9:9 Security 1:11 Short 1:20 9:7,8 Show 1:7 2:4,5,17 9:21 sign 9:14,18 SILVERSTEIN 1:19 sir 4:1,5 6:15,18,18 7:3 7:20 8:10 9:15 Son 6:19 sorry 4:15 7:4 Status 1:8 2:4,5 9:21 Street 1:7,15 Suite 1:16 suspended 8:8 9:5	
B	G	O	T	
Board 1:2,14 BOBBY 1:19 break 4:19 5:7 Building 1:15	General 2:11 3:11 6:5 giving 8:15,19	OAG 1:22 Odilber 3:17,17 6:8,8 Offer 5:5 7:13 8:5,5,11 8:14,18 9:2 Ogar 6:10 ones 4:16 opposed 9:12 owner 4:4 6:14 8:3	t/a 1:6 thank 9:19,20 three 8:1 today 5:1 7:15 9:16 turn 2:3 9:17	
C	H	P	U	
calendar 2:4,5 5:14 call 5:15 called 3:1 Carryout 1:7 2:7 3:6 5:21 case 1:9,9 2:4,5 3:1,3,4 3:4 4:9,21 5:20 7:11 7:13 cases 5:15 CATO 1:19 Cause 1:7 2:4,5,17 9:21 Chair 7:12 Chairperson 1:16,18 2:3,13,22 3:13,16,19 3:22 4:3,7,13,18,22 5:3,11,19 6:7,10,13 6:17,21 7:2,6,16,19 7:22 8:13,17,22 9:8 9:12 changed 4:10 charge 7:13 clear 6:2 Columbia 1:1 2:12 3:12 6:6 Compromise 5:5 7:14	hear 5:2 hearing 1:8,15 2:17 8:15 9:22	P-R-O-C-E-E-D-I-N-G-S 2:1 p.m 2:18 paid 7:14 8:9	understanding 4:16 5:4 8:4,10	
D	I	J		
a.m 2:2,20,21 5:17,18 9:22 above-entitled 2:19 5:16 accepted 9:3 accepting 8:14,18 agreed 7:15 ahead 6:18 Alcoholic 1:2,14,15 ANC 1:8 Anderson 1:16,18 2:3 2:13,22 3:13,16,19,22 4:3,7,13,18,22 5:3,11 5:19 6:7,10,13,17,21 7:2,6,16,19,22 8:13 8:17,22 9:8,12 appeal 8:19 approach 2:8 3:8 asked 4:8,8 Assistant 2:11 3:11 6:5 Attorney 2:11 3:11 6:5 aware 8:13,18 aye 9:10,11	identify 2:9 3:8 introduce 6:3	Jaime 4:11 JAMES 1:20 January 2:17		

V	8	
W	9	
W 1:16,18 Washington 1:16 wasn't 3:2 Wednesday 1:12 went 2:20 5:17 working 9:20	9:37 2:2 9:38 2:20	
X		
Y		
Z		
0		
00115(a) 5:21		
1		
1,500 7:14 8:6 9:2 10:00 2:21 10:01 5:17 10:12 5:18 10:15 9:22 14th 1:15 15934 1:8 2:7 3:6 5:22 16 2:17 1660 1:7 18-251- 5:20 18-251-00115 1:9 2:6 3:4 5:20 18-251-00115(a) 1:9 2:6 3:5 1D 1:8		
2		
2:30 2:17 2000 1:15 20009 1:16 2018 1:13 2019 2:17		
3		
30 7:14 8:7,7 9:3,4		
4		
4-0-0 9:13 400S 1:16		
5		
5 1:13		
6		
7		

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Don Juan Restaurant

Before: DC ABRA

Date: 12-05-18

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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