

DISTRICT OF COLUMBIA
+ + + + +
ALCOHOLIC BEVERAGE CONTROL BOARD
+ + + + +
MEETING

IN THE MATTER OF: :
 :
Dops, Inc., :
t/a Dops, Inc. :
2611 Evarts Street, NE :
Retailer A Wholesaler :
ANC 5C :
License No. 60731 :
Case #18-CMP-00151 and :
Case #18-CMP-00151(a) :
 :
(Stored Alcoholic :
Beverages off Premises :
Without Board Approval, :
Failed to Frame and Post :
the License in a :
Conspicuous Place) :

Wednesday,
December 5, 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
BOBBY CATO, JR., Member
MIKE SILVERSTEIN, Member
JAMES SHORT, Member

ALSO PRESENT:

JEFF DIERINGER, Licensee

MICHAEL FONSECA, Licensee's Counsel

LOUISE PHILLIPS, DC OAG

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

2 9:52 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case on our calendar is Case No. 18-CMP-
5 00151 and 18-CMP-00151(a), Dops, Inc., License
6 No. 60731.

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

9 MR. FONSECA: Michael Fonseca on
10 behalf of the licensee. With me is the owner,
11 Jeff Dieringer.

12 CHAIRPERSON ANDERSON: Mr. Fonseca.

13 MR. DIERINGER: Jeff Dieringer.

14 CHAIRPERSON ANDERSON: Good morning,
15 Mr. -- your last name, sir?

16 MR. DIERINGER: Dieringer.

17 CHAIRPERSON ANDERSON: Dieringer.
18 Good morning, Mr. Dieringer.

19 MS. PHILLIPS: Louise Phillips,
20 Assistant Attorney General, for the District of
21 Columbia.

22 CHAIRPERSON ANDERSON: Good morning,

1 Ms. Phillips.

2 Ms. Phillips, are there any
3 preliminary matters in this case?

4 MS. PHILLIPS: My understanding is
5 that there is an Offer in Compromise that the
6 parties have agreed upon to be presented to the
7 Board. Charge 1 -- this is a two charge case.

8 There is actually a typo it says it is
9 Charge 1 and Charge 3. Just a typo, so there are
10 only two charges. And Charge 2 says Charge 3 on
11 the notice, so that would just be amended.

12 So the Offer in Compromise is Charge
13 1, \$2,000 to be paid within 30 days or the
14 license will be suspended indefinitely. And
15 charge 2, there is going to be a warning.

16 CHAIRPERSON ANDERSON: Thank you. Mr.
17 Fonseca, it is my understanding that there is an
18 Offer in Compromise. The Offer in Compromise is
19 that for Charge 1 there is a \$2,000 fine payable
20 in 30 days. If the fine is not has not been paid
21 in 30 days, the license will be suspended. And
22 that for Charge 2 a written warning would be

1 issued.

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

4 MR. FONSECA: Yes, we are prepared to
5 pay the fine today.

6 CHAIRPERSON ANDERSON: All right. Is
7 your then -- well, I'll still say 30 days. All
8 right. So is your client aware that by accepting
9 an Offer in Compromise, that they are giving up
10 their right to a hearing?

11 MR. FONSECA: Yes, he understands.

12 CHAIRPERSON ANDERSON: And your
13 client --

14 MR. FONSECA: We will waive hearing.

15 CHAIRPERSON ANDERSON: -- is also
16 aware that by accepting an Offer in Compromise,
17 that they are giving up their right to appeal
18 this matter?

19 MR. FONSECA: We understand.

20 CHAIRPERSON ANDERSON: Yes?

21 MR. FONSECA: Yes.

22 CHAIRPERSON ANDERSON: All right.

1 With this said, I then make a motion that the
2 Offer in Compromise of a fine of \$2,000 be
3 payable within 30 days. If the fine if not
4 payable in 30 days, the license will be
5 suspended. Of course the licensee can elect to
6 pay the fine today if he so chooses.

7 Charge 2 will be -- a written warning
8 will be issued for Charge 2.

9 Is there a second?

10 MEMBER SHORT: Second.

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

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?

16 The matter passes 4-0-0.

17 Thank you.

18 MR. FONSECA: Thank you.

19 CHAIRPERSON ANDERSON: All right.

20 (Whereupon, the Show Cause (Status)

21 Hearing was concluded at 9:55 a.m.)

22

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9:52 3:2
9:55 6:21

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Dops, Inc.

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.

Neal R Gross

Court Reporter

NEAL R. GROSS

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