



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

2 10:28 a.m.

3 CHAIRPERSON ANDERSON: All right.

4 We're in our show cause hearing status calendar,  
5 and the first case in our show cause hearing  
6 status calendar is Case No. 19-CMP-00150, El Rey,  
7 License No. 86604. Would the parties please  
8 approach and identify themselves for the record,  
9 please?

10 MR. ORTIZ: Stephen Ortiz on behalf of  
11 the District of Columbia.

12 CHAIRPERSON ANDERSON: Good morning,  
13 Mr. Ortiz.

14 MR. ORTIZ: Good morning.

15 MR. HERMAN: Good morning, Scott Herman  
16 for El Rey.

17 CHAIRPERSON ANDERSON: What's your  
18 relationship to El Rey, sir?

19 MR. HERMAN: I'm the manager.

20 CHAIRPERSON ANDERSON: You are a  
21 manager?

22 MR. HERMAN: Yeah, Director of  
23 Operations for the company.

24 CHAIRPERSON ANDERSON: Do you have a  
25 letter from the --

1 MR. HERMAN: I do.

2 CHAIRPERSON ANDERSON: Can you provide  
3 that to the Agency if you have it?

4 MR. HERMAN: Absolutely.

5 CHAIRPERSON ANDERSON: Mr. Ortiz, are  
6 there any preliminary matters in this case?

7 MR. ORTIZ: Yes. The parties have  
8 entered into an offer in compromise.

9 CHAIRPERSON ANDERSON: And what is  
10 that?

11 MR. ORTIZ: So Charge 1, the increased  
12 summer garden occupancy, the establishment shall  
13 pay \$2,100.00 within 30 days or its license shall  
14 be suspended indefinitely until this fine is  
15 paid.

16 CHAIRPERSON ANDERSON: All right, Mr.  
17 Herman, it's my understanding that there is an  
18 offer in compromise, and the offer in compromise  
19 is that there is a fine of \$2,100.00 payable  
20 within 30 days. If the fine is not paid within  
21 30 days, the license will be suspended until the  
22 fine has been paid. Is this your understanding  
23 of the offer in compromise?

24 MR. HERMAN: Yes.

25 CHAIRPERSON ANDERSON: Are you aware

1 that by accepting an offer in compromise that you  
2 are giving up your right to a hearing?

3 MR. HERMAN: Yes.

4 CHAIRPERSON ANDERSON: Are you also  
5 aware that by accepting the offer in compromise  
6 that you are giving up your right to appeal this  
7 matter?

8 MR. HERMAN: Yes.

9 CHAIRPERSON ANDERSON: With this said,  
10 I make a motion that the offer in compromise of a  
11 fine of \$2,100.00 payable within 30 days. If the  
12 fine is not paid within 30 days, the license will  
13 be suspended until the fine has been paid. Is  
14 there a second?

15 MS. CROCKETT: Second.

16 CHAIRPERSON ANDERSON: Ms. Crockett has  
17 second the motion. All those in favor say aye.

18 (CHORUS OF AYES.)

19 CHAIRPERSON ANDERSON: Those opposed?  
20 It passed 6-0-0. Thank you, sir. Have a good  
21 day.

22 MR. HERMAN: You, too.

23 (Whereupon, the above-entitled matter  
24 went off the record at 10:30:17 a.m.)  
25

<b>A</b>	<b>entered</b> 3:8 <b>establishment</b> 3:12	<b>offer</b> 3:8,18,18,23 4:1,5 4:10 <b>Operations</b> 2:23 <b>opposed</b> 4:19 <b>Ortiz</b> 1:23 2:10,10,13,14 3:5,7,11	<b>W</b>
<b>a.m</b> 2:2 4:24 <b>above-entitled</b> 4:23 <b>Absolutely</b> 3:4 <b>accepting</b> 4:1,5 <b>Agency</b> 3:3 <b>Alcoholic</b> 1:2,14,14 <b>ALIYA</b> 1:20 <b>ANC</b> 1:7 <b>Anderson</b> 1:16,18 2:3 2:12,17,20,24 3:2,5,9 3:16,25 4:4,9,16,19 <b>appeal</b> 4:6 <b>Applicant</b> 1:23 <b>approach</b> 2:8 <b>Approval</b> 1:10 <b>aware</b> 3:25 4:5 <b>aye</b> 4:17 <b>AYES</b> 4:18	<b>F</b>	<b>P</b>	<b>W</b> 1:16,18 <b>WAHABZADAH</b> 1:21 <b>Washington</b> 1:15 <b>Wednesday</b> 1:12 <b>went</b> 4:24
<b>B</b>	<b>favor</b> 4:17 <b>February</b> 1:12 <b>fine</b> 3:14,19,20,22 4:11 4:12,13 <b>first</b> 2:5	<b>P-R-O-C-E-E-D-I-N-G-S</b> 2:1 <b>paid</b> 3:15,20,22 4:12,13 <b>parties</b> 2:7 3:7 <b>passed</b> 4:20 <b>pay</b> 3:13 <b>payable</b> 3:19 4:11 <b>please</b> 2:7,9 <b>preliminary</b> 3:6 <b>PRESENT</b> 1:17,22 <b>presiding</b> 1:16 <b>provide</b> 3:2	<b>X</b>
<b>behalf</b> 2:10 <b>Beverage</b> 1:2,14,14 <b>Board</b> 1:2,10,14 <b>BOBBY</b> 1:19 <b>Building</b> 1:15	<b>G</b>	<b>Q</b>	<b>Y</b>
<b>C</b>	<b>garden</b> 3:12 <b>giving</b> 4:2,6	<b>R</b>	<b>Z</b>
<b>calendar</b> 2:4,6 <b>CAMP</b> 1:23 <b>case</b> 1:8 2:5,5,6 3:6 <b>CATO</b> 1:19 <b>cause</b> 1:7 2:4 <b>Chairperson</b> 1:15,18 2:3,12,17,20,24 3:2,5 3:9,16,25 4:4,9,16,19 <b>Change</b> 1:9 <b>Charge</b> 3:11 <b>CHORUS</b> 4:18 <b>Columbia</b> 1:1 2:11 <b>company</b> 2:23 <b>compromise</b> 3:8,18,18 3:23 4:1,5,10 <b>Control</b> 1:2,14,14 <b>Crockett</b> 1:20 4:15,16 <b>CT</b> 1:7	<b>H</b>	<b>RAFI</b> 1:20 <b>record</b> 2:8 4:24 <b>Reeves</b> 1:15 <b>relationship</b> 2:18 <b>REMA</b> 1:21 <b>Retailer</b> 1:7 <b>Rey</b> 1:6 2:6,16,18 <b>Room</b> 1:15	<b>0</b>
<b>D</b>	<b>HANSEN</b> 1:19 <b>hearing</b> 1:7,14 2:4,5 4:2 <b>Herman</b> 1:23 2:15,15 2:19,22 3:1,4,17,24 4:3,8,22	<b>S</b>	<b>1</b>
<b>D.C</b> 1:15 <b>day</b> 4:21 <b>days</b> 3:13,20,21 4:11,12 <b>Director</b> 2:22 <b>District</b> 1:1 2:11 <b>Donovan</b> 1:16,18	<b>I</b>	<b>Scott</b> 1:23 2:15 <b>second</b> 4:14,15,17 <b>SHORT</b> 1:20 <b>show</b> 1:7 2:4,5 <b>sir</b> 2:18 4:20 <b>status</b> 1:7 2:4,6 <b>Stephen</b> 1:23 2:10 <b>Street</b> 1:6,7,15 <b>Substantial</b> 1:9 <b>Suite</b> 1:15 <b>summer</b> 3:12 <b>suspended</b> 3:14,21 4:13	<b>10:28</b> 2:2 <b>10:30:17</b> 4:24 <b>14th</b> 1:15 <b>19-CMP-00150</b> 1:8 2:6 <b>1B</b> 1:7
<b>E</b>	<b>identify</b> 2:8 <b>Increase</b> 1:10 <b>increased</b> 3:11 <b>indefinitely</b> 3:14	<b>T</b>	<b>2</b>
<b>EI</b> 1:6 2:6,16,18	<b>J</b>	<b>t/a</b> 1:6 <b>Thank</b> 4:20	<b>3</b>
	<b>JAMES</b> 1:20 <b>JENI</b> 1:19 <b>JR</b> 1:19,20	<b>U</b>	<b>2,100.00</b> 3:13,19 4:11 <b>2000</b> 1:15 <b>20009</b> 1:15 <b>2020</b> 1:12 <b>26</b> 1:12
	<b>K</b>	<b>V</b>	<b>4</b>
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	<b>L</b>		<b>6</b>
	<b>manager</b> 2:19,21 <b>matter</b> 1:5 4:7,23 <b>matters</b> 3:6 <b>MEETING</b> 1:3 <b>Member</b> 1:19,19,20,20 1:21 <b>met</b> 1:14 <b>morning</b> 2:12,14,15 <b>motion</b> 4:10,17		<b>7</b>
	<b>M</b>		<b>8</b>
	<b>N.W</b> 1:15 <b>NW</b> 1:7		<b>9</b>
	<b>N</b>		<b>86604</b> 1:8 2:7
	<b>OAG</b> 1:23 <b>occupancy</b> 1:10 3:12		<b>919</b> 1:6,7

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: El Rey

Before: DCABRA

Date: 02-26-20

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*

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Court Reporter

**NEAL R. GROSS**

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