

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

2 9:45 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case on our calendar is Case No. 18-CMP-
5 00175, El Tio, License No. 94140.

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

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

11 CHAIRPERSON ANDERSON: Ms. Phillips.
12 Your name, sir?

13 MR. GUZMAN: Antonio Guzman.

14 CHAIRPERSON ANDERSON: I didn't hear
15 your last name.

16 MR. GUZMAN: Antonio Guzman.

17 CHAIRPERSON ANDERSON: Guzman?

18 MR. GUZMAN: Yes, sir.

19 CHAIRPERSON ANDERSON: Good morning,
20 Mr. Guzman. And who are you, sir?

21 MR. GUZMAN: I'm general manager of El
22 Tio.

1 CHAIRPERSON ANDERSON: Good morning.

2 And you, sir?

3 MR. MEJIA: I am Cesar Mejia. I'm the
4 owner of El Tio.

5 CHAIRPERSON ANDERSON: And who are
6 you?

7 MR. MEJIA: The owner.

8 CHAIRPERSON ANDERSON: You're the
9 owner?

10 MR. MEJIA: Yes.

11 CHAIRPERSON ANDERSON: And what's your
12 last name, sir?

13 MR. MEJIA: Mejia.

14 CHAIRPERSON ANDERSON: Mejia?

15 MR. MEJIA: Um-hum.

16 CHAIRPERSON ANDERSON: Good morning,
17 Mr. Mejia.

18 All right. Ms. Phillips, are there
19 any preliminary matters in this case?

20 MS. PHILLIPS: Yes, there are, Mr.
21 Chair. The parties have agreed to an Offer in
22 Compromise which they wish to present to the

1 Board. It's a two charge matter.

2 The first charge is to be dismissed.

3 And the second charge is \$750 fine to be paid
4 within 30 days or the license will be suspended
5 indefinitely.

6 And also, Charge 2, there was a typo.
7 It -- the code section should be 825 -- I mean,
8 sorry. 25-823(a)(6) instead of (7).

9 CHAIRPERSON ANDERSON: Okay. So
10 noted.

11 Mr. Mejia, it's my understanding that
12 there is an Offer in Compromise and the Offer in
13 Compromise is that for -- there are two charges.
14 That Charge 1 will be dismissed and for Charge 2
15 there is a \$750 fine payable in 30 days. If the
16 fine is not payable in 30 days, the license will
17 be suspended.

18 Is this your understanding, sir, of
19 the Offer in Compromise?

20 MR. MEJIA: (No audible answer.)

21 CHAIRPERSON ANDERSON: I need you to
22 say yes.

1 MR. MEJIA: Yes, sir.

2 CHAIRPERSON ANDERSON: Is it also your
3 understanding -- are you aware that by accepting
4 an Offer in Compromise, that you are giving up
5 your right to a hearing?

6 MR. MEJIA: Yes, sir.

7 CHAIRPERSON ANDERSON: And are you
8 also aware that by accepting an Offer in
9 Compromise, that you are giving up your right to
10 appeal this matter?

11 MR. MEJIA: Yes, sir.

12 CHAIRPERSON ANDERSON: Yes?

13 MR. MEJIA: Yes, sir.

14 CHAIRPERSON ANDERSON: All right.

15 This is being recorded, so it has to be on the
16 transcript that you responded affirmatively to my
17 -- to the questions I asked you, sir, so that's
18 why I am saying that, because I don't -- it has
19 to be -- the transcriber has to pick up that you
20 responded. Okay.

21 All right. So with this said, I then
22 make a motion that the Offer in Compromise for El

1 Tio, that the Offer in Compromise for Charge 1,
2 that Charge 1 be dismissed. Charge 2 that there
3 is a \$750 fine payable in 30 days. If the fine
4 is not payable in 30 days, the license will be
5 suspended until the fine has been paid.

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 Thank you.

15 (Whereupon, the Show Cause (Status)

16 Hearing was concluded at 9:50 a.m.)
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<p style="text-align: center;">A</p> <p>a.m 2:2 6:16 accepting 5:3,8 ADRIAN 1:20 affirmatively 5:16 agreed 3:21 Agreement 1:10 Alcoholic 1:2,13,13 ANC 1:7 Anderson 1:15,17 2:3 2:11,14,17,19 3:1,5,8 3:11,14,16 4:9,21 5:2 5:7,12,14 6:8,12 answer 4:20 Antonio 1:21 2:13,16 appeal 5:10 approach 2:6 asked 5:17 Assistant 2:9 Attorney 2:9 audible 4:20 aware 5:3,8 aye 6:10,11</p> <hr/> <p style="text-align: center;">B</p> <p>Beverage 1:2,13,13 Board 1:2,13 4:1 BOBBY 1:17 Building 1:14</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 2:4 case 1:8 2:4,4 3:19 CATO 1:17 Cause 1:6 6:15 Cesar 3:3 Chair 3:21 Chairperson 1:14,17 2:3,11,14,17,19 3:1,5 3:8,11,14,16 4:9,21 5:2,7,12,14 6:8,12 charge 4:1,2,3,6,14,14 6:1,2,2 charges 4:13 code 4:7 Columbia 1:1 2:10 Compromise 3:22 4:12 4:13,19 5:4,9,22 6:1 concluded 6:16 Control 1:2,13,13 CR 1:7</p> <hr/> <p style="text-align: center;">D</p> <p>D.C 1:14 days 4:4,15,16 6:3,4 DC 1:5,21 December 1:12</p>	<p>dismissed 4:2,14 6:2 District 1:1 2:9 Donovan 1:15,17</p> <hr/> <p style="text-align: center;">E</p> <p>EI 1:5,6 2:5,21 3:4 5:22</p> <hr/> <p style="text-align: center;">F</p> <p>favor 6:10 fine 4:3,15,16 6:3,3,5 first 4:2</p> <hr/> <p style="text-align: center;">G</p> <p>general 2:9,21 giving 5:4,9 Guzman 1:21 2:13,13 2:16,16,17,18,20,21</p> <hr/> <p style="text-align: center;">H</p> <p>hear 2:14 hearing 1:7,13 5:5 6:16</p> <hr/> <p style="text-align: center;">I</p> <p>identify 2:7 indefinitely 4:5</p> <hr/> <p style="text-align: center;">J</p> <p>JAMES 1:18 JR 1:17</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p style="text-align: center;">L</p> <p>license 1:7 2:5 4:4,16 6:4 Licensee 1:20,21 Louise 1:21 2:8</p> <hr/> <p style="text-align: center;">M</p> <p>manager 2:21 matter 1:4 4:1 5:10 6:13 matters 3:19 mean 4:7 MEETING 1:3 Mejia 1:20 3:3,7,10,13 3:13,14,15,17 4:11,20 5:1,6,11,13 Member 1:17,18,18 6:7 met 1:13 MIKE 1:18 morning 2:19 3:1,16 motion 5:22 6:9</p> <hr/> <p style="text-align: center;">N</p> <p>N.W 1:14 name 2:12,15 3:12 need 4:21 Noise 1:9</p>	<p>noted 4:10 NW 1:6</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:21 Offer 3:21 4:12,12,19 5:4,8,22 6:1 opposed 6:12 owner 3:4,7,9</p> <hr/> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 paid 4:3 6:5 parties 2:6 3:21 passes 6:13 payable 4:15,16 6:3,4 Phillips 1:21 2:8,8,11 3:18,20 pick 5:19 please 2:6,7 preliminary 3:19 present 1:16,19 3:22 presiding 1:15</p> <hr/> <p style="text-align: center;">Q</p> <p>questions 5:17</p> <hr/> <p style="text-align: center;">R</p> <p>record 2:7 recorded 5:15 Reeves 1:14 responded 5:16,20 Retailer 1:7 Room 1:14</p> <hr/> <p style="text-align: center;">S</p> <p>saying 5:18 second 4:3 6:6,7 seconded 6:9 section 4:7 Settlement 1:9 Short 1:18 6:7,8 Show 1:6 6:15 SILVERSTEIN 1:18 sir 2:12,18,20 3:2,12 4:18 5:1,6,11,13,17 sorry 4:8 Status 1:7 6:15 Street 1:6,14 Suite 1:14 suspended 4:4,17 6:5</p> <hr/> <p style="text-align: center;">T</p> <p>t/a 1:6 Thank 6:14 Tio 1:5,6 2:5,22 3:4 6:1 transcriber 5:19</p>	<p>transcript 5:16 two 4:1,13 typo 4:6</p> <hr/> <p style="text-align: center;">U</p> <p>Um-hum 3:15 understanding 4:11,18 5:3</p> <hr/> <p style="text-align: center;">V</p> <p>Violation 1:9,9</p> <hr/> <p style="text-align: center;">W</p> <p>W 1:15,17 Washington 1:14 Wednesday 1:11 wish 3:22</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p style="text-align: center;">0</p> <p>00175 2:5</p> <hr/> <p style="text-align: center;">1</p> <p>14th 1:6,14 18-CMP- 2:4 18-CMP-00175 1:8 1A 1:7</p> <hr/> <p style="text-align: center;">2</p> <p>2 4:6,14 6:2 2000 1:14 20009 1:14 2018 1:12 25-823(a)(6) 4:8</p> <hr/> <p style="text-align: center;">3</p> <p>30 4:4,15,16 6:3,4 3345 1:6</p> <hr/> <p style="text-align: center;">4</p> <p>4-0-0 6:13 400S 1:14</p> <hr/> <p style="text-align: center;">5</p> <p>5 1:12</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p style="text-align: center;">7</p> <p>7 4:8 750 4:3,15 6:3</p> <hr/> <p style="text-align: center;">8</p>
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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: El Tio 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.

Neal R Gross

Court Reporter

NEAL R. GROSS

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