

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

IN THE MATTER OF: :
:
DC Live, LLC, :
t/a Elevate :
15 K Street NE : Show Cause
Retailer CT - ANC 6C : Hearing (Status)
License No. 100316 :
Case #18-CMP-00164 :
:
(Violation of Settlement :
Agreement, Substantial :
Change without Board :
Approval) :

Wednesday,
December 12, 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
NICK ALBERTI, Member
BOBBY CATO, JR., Member
MIKE SILVERSTEIN, Member
REMA WAHABZADAH, Member

ALSO PRESENT:

MOSAB SALIH, Applicant
FERNANDO RIVERO, OAG

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

2 9:54 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case on our calendar is Case No. 18-CMP-
5 00164, Elevate, License No. 100316.

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

8 MR. RIVERO: Good morning, Board
9 Members. Fernando Rivero for the District of
10 Columbia.

11 CHAIRPERSON ANDERSON: Good morning,
12 Mr. Rivero.

13 MR. SALIH: Mosab Salih.

14 CHAIRPERSON ANDERSON: Good morning,
15 Mr. Salih. And who are you, sir?

16 MR. ELLISON: This is Matt Ellison,
17 Elevate.

18 CHAIRPERSON ANDERSON: All right. Mr.
19 Rivero, are there any preliminary matters in this
20 case?

21 MR. RIVERO: Yes, the parties have an
22 Offer in Compromise to present to the Board at

1 this time.

2 CHAIRPERSON ANDERSON: And what is
3 that?

4 MR. RIVERO: The offer consists of for
5 Charge 1 a fine of \$350. For Charge 2 a fine of
6 \$2,500. For a total fine of \$2,850 payable in 30
7 days. And if the fine is not payable in 30 days,
8 the license will be suspended until payment is
9 received. That is the Offer in Compromise.

10 CHAIRPERSON ANDERSON: Good morning,
11 Mr. Salih.

12 MR. SALIH: Salih.

13 CHAIRPERSON ANDERSON: Salih, I'm
14 sorry, sir. It's my understanding that there is
15 an Offer in Compromise and the Offer in
16 Compromise is that for Charge 1 there is a fine
17 of \$350. For Charge 2 there is a fine of \$2,500.
18 For a total fine of \$2,850 payable in 30 days,
19 sir.

20 Is this your understanding of the
21 Offer in Compromise?

22 MR. SALIH: Yes, sir.

1 CHAIRPERSON ANDERSON: All right. Are
2 you aware that by accepting an Offer in
3 Compromise, that you are giving up your right to
4 a hearing?

5 MR. SALIH: Yes, sir.

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

10 MR. SALIH: Yes, sir.

11 CHAIRPERSON ANDERSON: With that said,
12 I then make a motion that the Offer in Compromise
13 of a fine of \$350 for Charge 1; \$2,500 for Charge
14 2; for a total fine of \$2,850 payable in 30 days.
15 If the fine is not payable in 30 days, the
16 license will be suspended until the fine has been
17 paid.

18 Is there a second?

19 MEMBER SILVERSTEIN: Second.

20 CHAIRPERSON ANDERSON: Mr. Silverstein
21 has seconded the motion.

22 All those in favor say aye.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

ALL: Aye.

CHAIRPERSON ANDERSON: Those opposed?
The matter passes 5-0-0.

So we will have you sign-off on this
paperwork, sir.

MR. SALIH: Thank you.

CHAIRPERSON ANDERSON: Thank you.

(Whereupon, the Show Cause (Status)
Hearing was concluded at 9:57 a.m.)

A	fine 3:5,5,6,7,16,17,18 4:13,14,15,16	please 2:6,7 preliminary 2:19 present 1:16,20 2:22 presiding 1:15	0
a.m 2:2 5:9 accepting 4:2,7 Agreement 1:9 ALBERTI 1:18 Alcoholic 1:2,13,14 ANC 1:7 Anderson 1:15,17 2:3 2:11,14,18 3:2,10,13 4:1,6,11,20 5:2,7 appeal 4:9 appear 2:6 Applicant 1:21 Approval 1:10 aware 4:2,7 aye 4:22 5:1	G		00164 2:5
B	giving 4:3,8	Q	1
Beverage 1:2,13,14 Board 1:2,10,13 2:8,22 BOBBY 1:18 Building 1:14	H		100316 1:7 2:5 12 1:12 14th 1:14 15 1:6 18-CMP- 2:4 18-CMP-00164 1:8
C	hearing 1:7,14 4:4 5:9	R	2
calendar 2:4 case 1:8 2:4,4,20 CATO 1:18 Cause 1:6 5:8 Chairperson 1:15,17 2:3,11,14,18 3:2,10 3:13 4:1,6,11,20 5:2,7 Change 1:10 Charge 3:5,5,16,17 4:13,13 Columbia 1:1 2:10 Compromise 2:22 3:9 3:15,16,21 4:3,8,12 concluded 5:9 consists 3:4 Control 1:2,13,14 CT 1:7	I	received 3:9 record 2:7 Reeves 1:14 REMA 1:19 Retailer 1:7 Rivero 1:21 2:8,9,12,19 2:21 3:4 Room 1:14	2 3:5,17 4:14 2,500 3:6,17 4:13 2,850 3:6,18 4:14 2000 1:14 20009 1:15 2018 1:12
D	J	S	3
D.C 1:15 days 3:7,7,18 4:14,15 DC 1:5 December 1:12 District 1:1 2:9 Donovan 1:15,17	JR 1:18	Salih 1:21 2:13,13,15 3:11,12,12,13,22 4:5 4:10 5:6 second 4:18,19 seconded 4:21 Settlement 1:9 Show 1:6 5:8 sign-off 5:4 Silverstein 1:19 4:19,20 sir 2:15 3:14,19,22 4:5 4:10 5:5 sorry 3:14 Status 1:7 5:8 Street 1:6,14 Substantial 1:9 Suite 1:15 suspended 3:8 4:16	30 3:6,7,18 4:14,15 350 3:5,17 4:13
E	K		4
Elevate 1:6 2:5,17 Ellison 2:16,16	K 1:6	T	400S 1:15
F	L	t/a 1:6 Thank 5:6,7 total 3:6,18 4:14	5
favor 4:22 Fernando 1:21 2:9	license 1:7 2:5 3:8 4:16 Live 1:5 LLC 1:5	2:15 3:14,19,22 4:5 4:10 5:5 3:14 5:8 6,14 9:15 16	5-0-0 5:3
	M		6
	Matt 2:16 matter 1:4 4:9 5:3 matters 2:19 MEETING 1:3 Member 1:18,18,19,19 4:19 Members 2:9 met 1:14 MIKE 1:19 morning 2:8,11,14 3:10 Mosab 1:21 2:13 motion 4:12,21	6:14 7:14 8:16 9:16	6C 1:7
	N		7
	N.W 1:14 NE 1:6 NICK 1:18	10:16 11:14 12:14 13:14 14:16 15:16 16:16	8
	O		9
	OAG 1:21 offer 2:22 3:4,9,15,15 3:21 4:2,7,12 opposed 5:2	17:16 18:16 19:16 20:16 21:16 22:16 23:16 24:16	9:54 2:2 9:57 5:9
	P		
	P-R-O-C-E-E-D-I-N-G-S 2:1 paid 4:17 paperwork 5:5 parties 2:6,21 passes 5:3 payable 3:6,7,18 4:14 4:15 payment 3:8	25:16 26:16 27:16 28:16 29:16 30:16 31:16 32:16 33:16 34:16 35:16 36:16 37:16 38:16 39:16 40:16	
		U	
		understanding 3:14,20	
		V	
		Violation 1:9	
		W	
		W 1:15,17 WAHABZADAH 1:19 Washington 1:15 Wednesday 1:12	
		X	
		Y	
		Z	

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Elevate

Before: DCABRA

Date: 12-12-18

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

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701