

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF: :
 :
LEI AG Embassy Row, LLC, :
t/a The Embassy Row Hotel: :
2015 Massachusetts Ave NW: Show Cause
Retailer CH - ANC 2B : Hearing (Status)
License No. 93645 :
Case #18-CMP-00082 :
 :
(No ABC Manager on Duty) :

Wednesday
August 15, 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
DONALD ISAAC, SR., Member
MIKE SILVERSTEIN, Member
JAMES SHORT, Member
REMA WAHABZADAH, Member

ALSO PRESENT:

FERNANDO RIVERO, DC OAG
MICHAEL FONSECA, Licensee's Counsel
JAMES SCOTT ROBISON, Licensee

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

2 10:08 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case number 18-CMP-00082, The
5 Embassy Row Hotel, License number 93645. Would
6 the parties please approach and identify
7 themselves for the record, please?

8 MR. RIVERO: Good morning, Board
9 Members. Fernando Rivero for the District of
10 Columbia, standing in for Assistant Attorney
11 General Gonzul (phonetic).

12 CHAIRPERSON ANDERSON: Mr. Rivera.

13 MR. FONSECA: Good morning. Michael
14 Fonseca on behalf of the licensee.

15 CHAIRPERSON ANDERSON: Good morning,
16 Mr. Fonseca.

17 MR. FONSECA: With me is the general
18 manager.

19 MR. ROBISON: Good morning. Scott
20 Robison, The Embassy Row Hotel.

21 CHAIRPERSON ANDERSON: Good morning,
22 Mr. Robison.

1 MR. FONSECA: We have provided the
2 general counsel with an authorization letter.

3 CHAIRPERSON ANDERSON: His name is
4 listed in the record. So, thank you, Mr.
5 Fonseca. But --

6 MR. FONSECA: And the record should
7 note the letter has the N in the name, as
8 Robinson. But it's Robison.

9 CHAIRPERSON ANDERSON: Okay. But
10 since I know, Mr. Fonseca, that you're an
11 attorney, I normally don't ask those questions.
12 Because as a Member of the Bar I would hope that
13 you do have legitimate client showing up with
14 you. But I usually don't go there when we have a
15 Member of the Bar here.

16 MR. FONSECA: Fortunately, all my
17 clients are legitimate.

18 CHAIRPERSON ANDERSON: Well, thank
19 you, Mr. Fonseca.

20 MR. FONSECA: Until they have little
21 bumps in the road.

22 CHAIRPERSON ANDERSON: All right. Mr.

1 Rivero, are there any preliminary matters in this
2 case?

3 MR. RIVERO: Yes. The parties have an
4 offer in compromise to present to the Board at
5 this time. The offer is a fine of \$2,000
6 dollars, payable within 30 days. And if the fine
7 is not paid within 30 days the license will be
8 suspended until the payment is received.

9 CHAIRPERSON ANDERSON: Thank you. Mr.
10 Fonseca, it's my understanding there is an offer
11 in compromise. The offer in compromise is that
12 there is a fine of \$2,000 dollars, payable in 30
13 days. If the fine is not payable in 30 days the
14 license will be suspended until the fine is paid.
15 Is this your understanding, sir, of the offer in
16 compromise?

17 MR. FONSECA: I understand that's the
18 offer. But I will put on the record we're
19 prepared to pay today. So, if we could have a
20 hearing disposition form, as opposed to an order,
21 that would allow us to negotiate an invoice, and
22 make the payment.

1 CHAIRPERSON ANDERSON: All right.

2 We'll do that. All right.

3 (Off microphone comments)

4 CHAIRPERSON ANDERSON: All right. As
5 corrected by Counsel, that the fine will be paid,
6 will be payable today. If the fine is not
7 payable today the license will be suspended until
8 the fine has been paid. Is this your
9 understanding, sir, of the offer in compromise?

10 MR. FONSECA: Yes.

11 CHAIRPERSON ANDERSON: I then make a
12 motion that the offer in compromise of a fine of
13 \$2,000 dollars, payable today, be accepted. If
14 it's not payable today the license will be
15 suspended until the fine has been paid. Is there
16 a second?

17 MEMBER SHORT: Second.

18 CHAIRPERSON ANDERSON: Mr. Short has
19 seconded the motion. All those in favor say aye.

20 (Chorus of aye.)

21 CHAIRPERSON ANDERSON: Those opposed?

22 (No response)

1 CHAIRPERSON ANDERSON: The matter
2 passes 6-0-0. All right. I'll have you sign off
3 on the paper in a minute. We were planning to do
4 a Board Order. But since you corrected the
5 record we'll do that now.

6 MR. FONSECA: I thank you.

7 CHAIRPERSON ANDERSON: Thank you.

8 (Whereupon, the above-entitled matter
9 went off the record at 10:11 a.m.)

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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: LEI AG Embassy Row, LLC

Before: Alcoholic Beverage Control Board

Date: 08-15-18

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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