

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

2 9:54 a.m.

3 CHAIRPERSON ANDERSON: All right.

4 Let's move on to our Show Cause Hearing (Status).

5 The first case on our Show Cause Hearing (Status)

6 Calendar is Case No. 19-CMP-00029, Empire Lounge,

7 License No. 110702.

8 Would the parties, please, approach

9 and identify themselves for the record, please?

10 MR. RIVERO: Good morning, Board

11 Members. Fernando Rivero for the District of

12 Columbia.

13 CHAIRPERSON ANDERSON: Good morning,

14 Mr. Rivero.

15 MR. NIGUSSIE: Good morning, Board.

16 My name is Dessalegh Nigussie, owner of Empire

17 Lounge.

18 CHAIRPERSON ANDERSON: Good morning,

19 Mr. Nigussie.

20 Are there any preliminary matters in

21 this case?

22 MR. RIVERO: Yes, there are, Board

1 Members. My understanding is that the parties
2 have a global Offer in Compromise to present to
3 the Board today for a number of cases concerning
4 this establishment, each of the six separate
5 cases concern the same violation. It's a noise
6 violation and we have an agreement for all of
7 those today.

8 CHAIRPERSON ANDERSON: Sure. What's
9 that, please?

10 MR. RIVERO: What I will do for the
11 clarity of the record is read the case number for
12 each case first and then state the Offer in
13 Compromise term for that case.

14 CHAIRPERSON ANDERSON: Okay.

15 MR. RIVERO: Before moving on to the
16 next one, I will do this throughout.

17 CHAIRPERSON ANDERSON: Sure, that's
18 fine.

19 MR. RIVERO: The first case is 19-CMP-
20 00029, the fine is \$350. I will talk about the
21 payment term at the end. It is actually 60 days.
22 If the payment is not made in 60 days, the

1 license will be suspended until payment is
2 received.

3 The next case is 19-CMP-00030, the
4 fine is \$350 payable in 60 days or the license
5 will be suspended until payment is received.

6 The next case is 19-CMP-00031, the
7 fine is \$350 payable within 60 days or the
8 license shall be suspended until payment is
9 received.

10 The fourth case is 19-CMP-00032, the
11 fine is \$350 payable within 60 days or the
12 license will be suspended until payment is
13 received.

14 The fifth case is 19-CMP-00035, the
15 fine is a payment of \$350 in 60 days or the
16 license will be suspended until payment is
17 received.

18 And the last case is 19-CMP-00053 and
19 the payment is a fine of \$350 within 60 days or
20 the license will be suspended until payment is
21 received.

22 The total for all cases is a fine of

1 \$2,100 payable in 60 days. If it is not paid in
2 that time, the license will be suspended until
3 payment is received.

4 That is the Offer in Compromise, the
5 Global Offer in Compromise to cover these six
6 cases.

7 CHAIRPERSON ANDERSON: All right.
8 Good morning, Mr. Nigussie. It's my
9 understanding that there is an Offer in
10 Compromise and the Offer in Compromise is that
11 for Case No. 19-CMP-00029, there is a fine of
12 \$350 payable in 60 days.

13 For Case No. 19-CMP-00030 also a fine
14 of \$350 payable in 60 days.

15 For the third case, Case No. 19-CMP-
16 00031 a fine of \$350 payable in 60 days.

17 Case No. 19-CMP-00032 a fine of \$350
18 payable in 60 days.

19 For Case No. 19-CMP-00035, that there
20 is a fine of \$350 payable in 60 days.

21 And for Case 19-CMP-00053 there is
22 also a fine of \$350 payable in 60 days for a

1 total fine of \$2,100 payable in 60 days. If the
2 fine is not payable in 60 days, your license will
3 be suspended until the fine has been paid.

4 Is this your understanding, sir, of
5 the Offer in Compromise?

6 MR. NIGUSSIE: Yes.

7 CHAIRPERSON ANDERSON: Are you aware
8 that by accepting an Offer in Compromise, that
9 you are giving up your right to a hearing?

10 MR. NIGUSSIE: That's correct.

11 CHAIRPERSON ANDERSON: Are you also
12 aware that by accepting and Offer in Compromise,
13 that you are giving up your right to appeal this
14 matter?

15 MR. NIGUSSIE: Yes.

16 CHAIRPERSON ANDERSON: With that said,
17 I then make a motion that the Offer in Compromise
18 for Case 19-CMP-00029 of \$350 payable in 60 days;
19 Case No. 19-CMP-00030 of a fine of \$350 payable
20 in 60 days; Case No. 19-CMP-00031 a fine of \$350
21 payable in 60 days; Case No. 19-CMP-00032 of a
22 fine of \$350 payable in 60 days; Case No. 19-CMP-

1 00035 a fine of \$350 payable in 60 days and Case
2 No. 19-CMP-00053 with a fine of \$350 payable in
3 60 days with a total fine of \$2,100 payable in 60
4 days.

5 I make a motion that this Offer in
6 Compromise be accepted. Is there a second?

7 MEMBER CROCKETT: Second.

8 CHAIRPERSON ANDERSON: Ms. Crockett
9 has 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 very much. All right. Can
15 you sign-off on this paperwork, sir? And thank
16 you very much.

17 (Whereupon, the Show Cause (Status)
18 Hearing was concluded at 10:00 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: ABRA Hearing

Before: Alcoholic Beverage Control Board

Date: 09-11-19

Place: Washington, D.C.

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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