

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

IN THE MATTER OF: :

1716 I, LLC, :

t/a Eye Bar/Garden of :

Eden :

1716 I Street NW, : Show Cause

Retailer CN - ANC 2B : Hearing (Status)

License No. 83133 :

Case #18-251-00109 :

(Failed to Follow :
security Plan) :

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
CHRISTIAN MALLEA, Licensee

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

2 10:04 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 in our calendar is Case number 18-251-00109, Eye
5 Bar, License number 83133. Will the parties
6 please approach and identify themselves for the
7 record, please?

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

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

13 MR. MALLEA: Christian Mallea for Eden
14 Night Club, Eye Ball Bar.

15 CHAIRPERSON ANDERSON: Mr., I'm sorry,
16 what's your last name again, sir?

17 MR. MALLEA: Mallea.

18 CHAIRPERSON ANDERSON: Mallea?

19 MR. MALLEA: Yes.

20 CHAIRPERSON ANDERSON: And what's your
21 representation? What's --

22 MR. MALLEA: General manager.

1 CHAIRPERSON ANDERSON: Do you have a
2 letter? We'll get that. Okay. Are there any
3 preliminary matters in this case?

4 MR. RIVERO: Yes. The parties have an
5 offer in compromise to present to the Board at
6 this time.

7 CHAIRPERSON ANDERSON: And what is the
8 offer in compromise?

9 MR. RIVERO: The offer consists of a
10 fine of \$2,000 dollars, payable within 60 days.
11 And if the fine is not paid within 60 days the
12 license will be suspended until the payment is
13 received. That is the offer.

14 CHAIRPERSON ANDERSON: Mr. Malara --

15 MR. MALLEA: Mallea.

16 CHAIRPERSON ANDERSON: Mallea. I'm
17 sorry. I apologize. Mr. Mallea, it's my
18 understanding that there's an offer in
19 compromise. And the offer in compromise is that
20 there is a fine of \$2,000. Payable in 60 days
21 you said?

22 MR. RIVERO: Yes.

1 CHAIRPERSON ANDERSON: Payable in 60
2 days. If the fine is not payable in 60 days the
3 license will be suspended. Is this your
4 understanding, sir, of the offer in compromise?

5 MR. MALLEA: Yes.

6 CHAIRPERSON ANDERSON: Are you aware
7 that by accepting the offer in compromise that
8 the establishment has given up its right to a
9 hearing?

10 MR. MALLEA: Yes.

11 CHAIRPERSON ANDERSON: And are you
12 also aware that by accepting an offer in
13 compromise the establishment has given up its
14 right to appeal this matter?

15 (No audible response)

16 CHAIRPERSON ANDERSON: With this said
17 I make a motion that the offer in compromise of a
18 fine of \$2,000 dollars, payable in 60 days, be
19 accepted. If the fine is not payable in 60 days
20 the license will be suspended until the fine has
21 been paid. Is there a second?

22 MEMBER SHORT: Second.

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

3 (Chorus of aye.)

4 CHAIRPERSON ANDERSON: Those opposed.

5 (No response)

6 CHAIRPERSON ANDERSON: And that passed
7 5-0-0. The Board will issue a Board Order on
8 this matter. So therefore, we will issue an
9 order, and 60 days from the issuance of this
10 order then the fine has to be paid. Thank you,
11 sir.

12 (Off microphone comments)

13 CHAIRPERSON ANDERSON: Oh, I
14 apologize. Six, the Board, I failed to, at least
15 when we started off this morning there were five
16 Board Members. But Mr. Short joined us. So,
17 it's now, the matter was passed 6-0-0, because
18 there are six Board Members here. All right.
19 Thank you, Mr. Cato. See, mess is an issue this
20 morning. All right.

21 (Whereupon, the above-entitled matter
22 went off the record at 10:06 a.m.)

<p style="text-align: center;">A</p> <p>a.m 2:2 5:22 above-entitled 5:21 accepted 4:19 accepting 4:7,12 Alcoholic 1:2,13,13 ANC 1:7 Anderson 1:15,17 2:3 2:11,15,18,20 3:1,7 3:14,16 4:1,6,11,16 5:1,4,6,13 apologize 3:17 5:14 appeal 4:14 approach 2:6 audible 4:15 August 1:12 aware 4:6,12 aye 5:2,3</p> <hr/> <p style="text-align: center;">B</p> <p>Ball 2:14 Bar 2:5,14 Bar/Garden 1:6 Beverage 1:2,13,13 Board 1:2,13 2:8 3:5 5:7,7,14,16,18 BOBBY 1:17 Building 1:14</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 2:4 case 1:8 2:3,4 3:3 Cato 1:17 5:19 Cause 1:7 Chairperson 1:14,17 2:3,11,15,18,20 3:1,7 3:14,16 4:1,6,11,16 5:1,4,6,13 Chorus 5:3 Christian 1:22 2:13 Club 2:14 CN 1:7 Columbia 1:1 2:10 comments 5:12 compromise 3:5,8,19 3:19 4:4,7,13,17 consists 3:9 Control 1:2,13,13</p> <hr/> <p style="text-align: center;">D</p> <p>D.C 1:14 days 3:10,11,20 4:2,2 4:18,19 5:9 DC 1:21 District 1:1 2:9 dollars 3:10 4:18 DONALD 1:18</p>	<p>Donovan 1:15,17</p> <hr/> <p style="text-align: center;">E</p> <p>Eden 1:6 2:13 establishment 4:8,13 Eye 1:6 2:4,14</p> <hr/> <p style="text-align: center;">F</p> <p>failed 1:9 5:14 favor 5:2 Fernando 1:21 2:9 fine 3:10,11,20 4:2,18 4:19,20 5:10 five 5:15 Follow 1:9</p> <hr/> <p style="text-align: center;">G</p> <p>General 2:22 given 4:8,13 Good 2:8,11</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:7,13 4:9</p> <hr/> <p style="text-align: center;">I</p> <p>identify 2:6 ISAAC 1:18 issuance 5:9 issue 5:7,8,19</p> <hr/> <p style="text-align: center;">J</p> <p>JAMES 1:19 joined 5:16 JR 1:17</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p style="text-align: center;">L</p> <p>letter 3:2 license 1:8 2:5 3:12 4:3 4:20 Licensee 1:22 LLC 1:5</p> <hr/> <p style="text-align: center;">M</p> <p>Malara 3:14 Mallea 1:22 2:13,13,17 2:17,18,19,22 3:15,15 3:16,17 4:5,10 manager 2:22 matter 1:4 4:14 5:8,17 5:21 matters 3:3 MEETING 1:3 Member 1:17,18,18,19 1:19 4:22 Members 2:9 5:16,18 mess 5:19</p>	<p>met 1:13 microphone 5:12 MIKE 1:18 morning 2:8,11 5:15,20 motion 4:17 5:2</p> <hr/> <p style="text-align: center;">N</p> <p>N.W 1:14 name 2:16 Night 2:14 number 2:4,5 NW 1:7</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:21 offer 3:5,8,9,13,18,19 4:4,7,12,17 Oh 5:13 Okay 3:2 opposed 5:4 order 5:7,9,10</p> <hr/> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 paid 3:11 4:21 5:10 parties 2:5 3:4 passed 5:6,17 payable 3:10,20 4:1,2 4:18,19 payment 3:12 Plan 1:10 please 2:6,7 preliminary 3:3 present 1:16,20 3:5 presiding 1:15</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p style="text-align: center;">R</p> <p>received 3:13 record 2:7 5:22 Reeves 1:14 REMA 1:19 representation 2:21 response 4:15 5:5 Retailer 1:7 right 4:8,14 5:18,20 Rivero 1:21 2:8,9,12 3:4 3:9,22 Room 1:14</p> <hr/> <p style="text-align: center;">S</p> <p>second 4:21,22 seconded 5:2 security 1:10 See 5:19 Short 1:19 4:22 5:1,16</p>	<p>Show 1:7 SILVERSTEIN 1:18 sir 2:16 4:4 5:11 six 5:14,18 sorry 2:15 3:17 SR 1:18 started 5:15 Status 1:7 Street 1:7,14 Suite 1:14 suspended 3:12 4:3,20</p> <hr/> <p style="text-align: center;">T</p> <p>t/a 1:6 Thank 5:10,19 time 3:6</p> <hr/> <p style="text-align: center;">U</p> <p>understanding 3:18 4:4</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p style="text-align: center;">W</p> <p>W 1:15,17 WAHABZADAH 1:19 Washington 1:14 We'll 3:2 Wednesday 1:11 went 5:22</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> <hr/> <p style="text-align: center;">1</p> <p>10:04 2:2 10:06 5:22 14th 1:14 15 1:12 1716 1:5,7 18-251-00109 1:8 2:4</p> <hr/> <p style="text-align: center;">2</p> <p>2,000 3:10,20 4:18 2000 1:14 20009 1:14 2018 1:12 2B 1:7</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p style="text-align: center;">4</p> <p>400S 1:14</p>
--	---	--	---

5

5-0-0 5:7

6

6-0-0 5:17

60 3:10,11,20 4:1,2,18
4:19 5:9

7

8

83133 1:8 2:5

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: 1716 I, 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

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701