

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

IN THE MATTER OF:                             :  
   :  
 Good Food Market, LLC                     :  
 t/a Good Food Markets                    :  
 2006 Rhode Island Ave. NE: Show Cause  
 Retailer B - ANC 5C                     : Hearing (Status)  
 License No. 98178                         :  
 Case #18-CC-00015                       :  
   :  
 (Sale to Minor, Failed to:  
 Take Steps Necessary to                :  
 Ascertain Legal Drinking               :  
 Age   :

Wednesday  
 September 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  
 JAMES SHORT, Member

**ALSO PRESENT:**

**CHRISTOPHER SOUSA, DC OAG**

**PHILLIP SAM, Licensee**

**CASEY DUNAJIK, Licensee**

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

2 9:41 a.m.

3 CHAIRPERSON ANDERSON: The next case  
4 on our calendar is Case No. 18-CC-00015, Good  
5 Food Markets, License No. 98178.

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

8 MR. SOUSA: Christopher Sousa for the  
9 District of Columbia.

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

12 MR. SAM: Phillip Sam, Good Food  
13 Markets.

14 CHAIRPERSON ANDERSON: Good morning,  
15 Mr. Sam. Please, sir.

16 MS. DUNAJIK: Yes.

17 CHAIRPERSON ANDERSON: Good morning.

18 MS. DUNAJIK: Ann Casey Dunajik from  
19 Good Food Markets.

20 CHAIRPERSON ANDERSON: Good morning,  
21 Ms. Casey Dunajik?

22 MS. DUNAJIK: Um-hum.

1 CHAIRPERSON ANDERSON: There is a  
2 sign-in sheet. Could you, please, sign-in there,  
3 please?

4 Can you tell me your -- what role do  
5 you play at the establishment, please?

6 MR. SAM: I was the first employee  
7 hired. I helped to open the store and I work  
8 with Casey to manage it now.

9 CHAIRPERSON ANDERSON: Oh, you are --  
10 I'm sorry, your name, ma'am, again?

11 MS. DUNAJIK: Casey.

12 CHAIRPERSON ANDERSON: That's your  
13 first name, right?

14 MS. DUNAJIK: That's my first name.

15 CHAIRPERSON ANDERSON: Okay, okay,  
16 good. All right. All right. Mr. Sousa, are  
17 there any preliminary matters in this case?

18 MR. SOUSA: Yes, there is an Offer in  
19 Compromise to present to the Board.

20 CHAIRPERSON ANDERSON: And what is the  
21 Offer in Compromise?

22 MR. SOUSA: For Charge 1, sale to a

1 minor, that will be \$2,000 payable in 60 days,  
2 five says suspended, four stayed for one year.  
3 The one day to be served is September 19th, which  
4 I believe is a Wednesday. And all employees who  
5 serve alcoholic beverages will complete an  
6 alcohol training program within three months.

7 For Charge No. 2, failure to take  
8 reasonable steps necessary to ascertain legal  
9 drinking age, that's \$1,000 payable within 30  
10 days or the license will be suspended. The  
11 license is suspended for five days, all five days  
12 suspended for one year.

13 And yes, that's the Offer in  
14 Compromise.

15 CHAIRPERSON ANDERSON: Let me get some  
16 clarification again, Mr. Sousa.

17 So you are saying it's for Charge 1  
18 it's \$2,000 payable in 60 days?

19 MR. SOUSA: Yes.

20 CHAIRPERSON ANDERSON: And Charge 2 is  
21 payable in 30 days?

22 MR. SOUSA: That -- I must have

1 misspoke. It was 60 days for both charges.

2 CHAIRPERSON ANDERSON: So both of  
3 them.

4 MR. SOUSA: Yes.

5 CHAIRPERSON ANDERSON: All right. So  
6 60 days. And you said there -- for Charge 1, you  
7 said that five day suspension, one served and the  
8 served day would be September 19th?

9 MR. SOUSA: Yes.

10 CHAIRPERSON ANDERSON: Okay. I just  
11 wanted to -- all right. All right.

12 It's my understanding that there is an  
13 Offer in Compromise and the Offer in Compromise  
14 is that there is a fine of \$2,000 payable in 60  
15 days along with the \$2,000 fine there is a five  
16 day suspension, four will be stayed for one year,  
17 and one day will be served and the date that  
18 would be served is September 19, 2018.

19 For Charge 2, there is a \$1,000 fine  
20 payable in 60 days with five days suspended for--  
21 there are five days suspension, all stayed for  
22 one year. And I'm sorry, also as a part of

1 Charge 1, that all employees who sell or serve  
2 alcohol will undergo alcohol training within 90  
3 days.

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

6 MR. SAM: 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. SAM: Yes.

11 MS. DUNAJIK: Yes.

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

16 MR. SAM: Yes.

17 MS. DUNAJIK: Yes.

18 CHAIRPERSON ANDERSON: All right. Are  
19 there any questions by any Board Members  
20 regarding this OIC?

21 Hearing none, I then make a motion  
22 that the Offer in Compromise of a fine of \$2,000

1 payable in 60 days be accepted; that also as a  
2 part of Charge 1, that there is a five day  
3 suspension, four days will be stayed for one  
4 year, one day will be served and the day that  
5 will be served is September 19, 2018.

6 Then for charge -- and that all  
7 employees who sell or serve alcohol will undergo  
8 training within 90 days.

9 For Charge 2, there is a fine of  
10 \$1,000 also payable in 60 days. And that there  
11 will be a five day suspension and all five days  
12 will be stayed for one year.

13 Is there a second?

14 MEMBER SHORT: Second.

15 CHAIRPERSON ANDERSON: Mr. Short has  
16 seconded the motion.

17 All those in favor say aye.

18 ALL: Aye.

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

21 And I am going to say this to you. I  
22 appreciate the fact that the parties have worked



1 this matter out, but I will say this to you, a  
2 sale to minor is something that is -- something  
3 that you need to be careful of.

4 And I'm going to state what my age is.  
5 I'm 54 years-old and I went down to a bar on  
6 Friday and I got carded at 54. So there is no  
7 excuse that someone younger than 21 coming to  
8 your establishment and you do not check their ID.  
9 And I'm going to say that I'm not sympathetic,  
10 because if someone can look at me and I go to a  
11 bar to buy a drink and they ask for an ID, most--  
12 a friend of mine, I'm 54, he is 55, and we both  
13 were carded.

14 You need to card folks when they come  
15 into your establishment. All right. Thank you.

16 Are we issuing a Board Order? We will  
17 issue a Board Order in this matter. Thank you.

18 MR. SOUSA: Okay. Thank you.

19 (Whereupon, the Show Cause (Status)  
20 Hearing was concluded at 9:46 a.m.)  
21  
22

<p style="text-align: center;"><b>A</b></p> <p>a.m 3:2 9:20  <b>accepted</b> 8:1  <b>accepting</b> 7:8,13  <b>age</b> 1:11 5:9 9:4  <b>ALBERTI</b> 1:19  <b>alcohol</b> 5:6 7:2,2 8:7  <b>alcoholic</b> 1:2,14,15 5:5  <b>ANC</b> 1:7  <b>Anderson</b> 1:16,19 3:3  3:10,14,17,20 4:1,9  4:12,15,20 5:15,20  6:2,5,10 7:7,12,18  8:15,19  <b>Ann</b> 3:18  <b>appeal</b> 7:14  <b>appreciate</b> 8:22  <b>approach</b> 3:6  <b>ascertain</b> 1:10 5:8  <b>Ave</b> 1:7  <b>aware</b> 7:7,13  <b>aye</b> 8:17,18</p>	<p>coming 9:7  <b>complete</b> 5:5  <b>Compromise</b> 4:19,21  5:14 6:13,13 7:5,8,13  7:22  <b>concluded</b> 9:20  <b>Control</b> 1:2,14,15</p> <p style="text-align: center;"><b>D</b></p> <p><b>D.C</b> 1:16  <b>date</b> 6:17  <b>day</b> 5:3 6:7,8,16,17 8:2  8:4,4,11  <b>days</b> 5:1,10,11,11,18,21  6:1,6,15,20,20,21 7:3  8:1,3,8,10,11  <b>DC</b> 2:11  <b>District</b> 1:1 3:9  <b>Donovan</b> 1:16,19  <b>drink</b> 9:11  <b>drinking</b> 1:10 5:9  <b>Dunajik</b> 2:13 3:16,18,18  3:21,22 4:11,14 7:11  7:17</p>	<p>helped 4:7  <b>hired</b> 4:7</p> <p style="text-align: center;"><b>I</b></p> <p><b>ID</b> 9:8,11  <b>identify</b> 3:7  <b>Island</b> 1:7  <b>issue</b> 9:17  <b>issuing</b> 9:16</p> <p style="text-align: center;"><b>J</b></p> <p><b>JAMES</b> 1:21  <b>JR</b> 1:20</p> <p style="text-align: center;"><b>K</b></p> <p style="text-align: center;"><b>L</b></p> <p><b>legal</b> 1:10 5:8  <b>license</b> 1:8 3:5 5:10,11  <b>Licensee</b> 2:12,13  <b>LLC</b> 1:6  <b>look</b> 9:10</p> <p style="text-align: center;"><b>M</b></p> <p><b>ma'am</b> 4:10  <b>manage</b> 4:8  <b>Market</b> 1:6  <b>Markets</b> 1:6 3:5,13,19  <b>matter</b> 1:5 7:15 8:20 9:1  9:17  <b>matters</b> 4:17  <b>MEETING</b> 1:3  <b>Member</b> 1:19,20,20,21  8:14  <b>Members</b> 7:19  <b>met</b> 1:15  <b>MIKE</b> 1:20  <b>mine</b> 9:12  <b>minor</b> 1:9 5:1 9:2  <b>misspoke</b> 6:1  <b>months</b> 5:6  <b>morning</b> 3:10,14,17,20  <b>most--</b> 9:11  <b>motion</b> 7:21 8:16</p>	<p><b>OIC</b> 7:20  <b>okay</b> 4:15,15 6:10 9:18  <b>open</b> 4:7  <b>opposed</b> 8:19  <b>Order</b> 9:16,17</p> <p style="text-align: center;"><b>P</b></p> <p><b>P-R-O-C-E-E-D-I-N-G-S</b>  3:1  <b>part</b> 6:22 8:2  <b>parties</b> 3:6 8:22  <b>passes</b> 8:20  <b>payable</b> 5:1,9,18,21  6:14,20 8:1,10  <b>Phillip</b> 2:12 3:12  <b>play</b> 4:5  <b>please</b> 3:6,7,15 4:2,3,5  <b>preliminary</b> 4:17  <b>present</b> 1:18 2:9 4:19  <b>presiding</b> 1:16  <b>program</b> 5:6</p> <p style="text-align: center;"><b>Q</b></p> <p><b>questions</b> 7:19</p>
<p style="text-align: center;"><b>B</b></p> <p><b>B</b> 1:7  <b>bar</b> 9:5,11  <b>believe</b> 5:4  <b>Beverage</b> 1:2,14,15  <b>beverages</b> 5:5  <b>Board</b> 1:2,14 4:19 7:19  9:16,17  <b>BOBBY</b> 1:20  <b>Building</b> 1:15  <b>buy</b> 9:11</p>	<p style="text-align: center;"><b>E</b></p> <p><b>employee</b> 4:6  <b>employees</b> 5:4 7:1 8:7  <b>establishment</b> 4:5 9:8  9:15  <b>excuse</b> 9:7</p> <p style="text-align: center;"><b>F</b></p> <p><b>fact</b> 8:22  <b>Failed</b> 1:9  <b>failure</b> 5:7  <b>favor</b> 8:17  <b>fine</b> 6:14,15,19 7:22 8:9  <b>first</b> 4:6,13,14  <b>five</b> 5:2,11,11 6:7,15,20  6:21 8:2,11,11  <b>folks</b> 9:14  <b>Food</b> 1:6,6 3:5,12,19  <b>for--</b> 6:20  <b>four</b> 5:2 6:16 8:3  <b>Friday</b> 9:6  <b>friend</b> 9:12</p>	<p style="text-align: center;"><b>N</b></p> <p><b>N.W</b> 1:15  <b>name</b> 4:10,13,14  <b>NE</b> 1:7  <b>necessary</b> 1:10 5:8  <b>need</b> 9:3,14  <b>NICK</b> 1:19</p> <p style="text-align: center;"><b>O</b></p> <p><b>OAG</b> 2:11  <b>Offer</b> 4:18,21 5:13 6:13  6:13 7:5,8,13,22  <b>Oh</b> 4:9</p>	<p style="text-align: center;"><b>R</b></p> <p><b>reasonable</b> 5:8  <b>record</b> 3:7  <b>Reeves</b> 1:15  <b>regarding</b> 7:20  <b>Retailer</b> 1:7  <b>Rhode</b> 1:7  <b>right</b> 4:13,16,16 6:5,11  6:11 7:9,14,18 9:15  <b>role</b> 4:4  <b>Room</b> 1:15</p>
<p style="text-align: center;"><b>C</b></p> <p><b>calendar</b> 3:4  <b>card</b> 9:14  <b>carded</b> 9:6,13  <b>careful</b> 9:3  <b>case</b> 1:8 3:3,4 4:17  <b>Casey</b> 2:13 3:18,21 4:8  4:11  <b>CATO</b> 1:20  <b>Cause</b> 1:7 9:19  <b>Chairperson</b> 1:16,19  3:3,10,14,17,20 4:1,9  4:12,15,20 5:15,20  6:2,5,10 7:7,12,18  8:15,19  <b>charge</b> 4:22 5:7,17,20  6:6,19 7:1 8:2,6,9  <b>charges</b> 6:1  <b>check</b> 9:8  <b>Christopher</b> 2:11 3:8  <b>clarification</b> 5:16  <b>Columbia</b> 1:1 3:9  <b>come</b> 9:14</p>	<p style="text-align: center;"><b>G</b></p> <p><b>giving</b> 7:9,14  <b>go</b> 9:10  <b>going</b> 8:21 9:4,9  <b>good</b> 1:6,6 3:4,10,12,14  3:17,19,20 4:16</p> <p style="text-align: center;"><b>H</b></p> <p><b>hearing</b> 1:7,15 7:9,21  9:20</p>	<p style="text-align: center;"><b>S</b></p> <p><b>sale</b> 1:9 4:22 9:2  <b>Sam</b> 2:12 3:12,12,15  4:6 7:6,10,16  <b>saying</b> 5:17  <b>says</b> 5:2  <b>second</b> 8:13,14  <b>seconded</b> 8:16  <b>sell</b> 7:1 8:7  <b>September</b> 1:13 5:3 6:8  6:18 8:5  <b>serve</b> 5:5 7:1 8:7  <b>served</b> 5:3 6:7,8,17,18  8:4,5  <b>sheet</b> 4:2  <b>Short</b> 1:21 8:14,15  <b>Show</b> 1:7 9:19  <b>sign-in</b> 4:2,2  <b>SILVERSTEIN</b> 1:20  <b>sir</b> 3:15  <b>sorry</b> 4:10 6:22</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: Good Food Market, LLC

Before: Alcoholic Beverage Control Board

Date: 09-12-18

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**

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