

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

2 10:00 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case No. 17-CC-00144, Guilford
5 Liquor, License No. 76393.

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

8 Is there someone here from Guilford
9 Liquor?

10 MR. PARK: Yes, we are here.

11 CHAIRPERSON ANDERSON: You can come
12 over to this side, sir, and, please, identify
13 yourself for the record, sir.

14 MR. PARK: Okay. Because I am here
15 for -- on behalf of Guilford Liquor.

16 CHAIRPERSON ANDERSON: And what's your
17 name, sir?

18 MR. PARK: My name is Jay Wong Park.

19 CHAIRPERSON ANDERSON: Good morning,
20 Mr. Park. I am aware who you are, so thank you
21 for -- you have made your representation known to
22 the Agency. Thank you. Ms. Phillips?

1 MS. PHILLIPS: I have just been given
2 a limited Power of Attorney, so I have it for my
3 file if you have it for yours.

4 CHAIRPERSON ANDERSON: Yes, the Agency
5 -- I was advised that Mr. Park would be
6 representing the Agency. That's one of the
7 reasons I didn't -- since I -- I am not
8 questioning his --

9 MS. PHILLIPS: Right. I just wanted
10 to let you know --

11 CHAIRPERSON ANDERSON: -- because I
12 was told --

13 MS. PHILLIPS: -- that I had one for
14 the file.

15 CHAIRPERSON ANDERSON: Thank you.

16 MS. PHILLIPS: So now, I'll introduce
17 myself?

18 CHAIRPERSON ANDERSON: Yes, ma'am.

19 MS. PHILLIPS: Louise Phillips,
20 Assistant Attorney General for the District of
21 Columbia and with me is Kimberly Berry, also an
22 assistant.

1 CHAIRPERSON ANDERSON: Good morning,
2 Ms. Phillips and again, Ms. Berry.

3 All right. Are there any preliminary
4 matters in this case?

5 MS. PHILLIPS: My understanding is
6 there are not.

7 CHAIRPERSON ANDERSON: I was told that
8 there was a locked-in OIC. Is that --

9 MS. PHILLIPS: Do you have an OIC?

10 MR. PARK: Actually, I --

11 MS. PHILLIPS: Okay. Sorry, my
12 problem, my fault.

13 So all right. We have an Offer in
14 Compromise to -- on charge -- there -- only one
15 charge. It's a fine of \$4,000 to be paid within
16 30 days or the license will be suspended
17 indefinitely until the fine is paid. The license
18 shall be suspended for 10 days with six days
19 stayed for one year and four days shall be
20 served. I don't have those dates. Do you have
21 those dates for the Board?

22 MR. PARK: No. We haven't set

1 specific days.

2 CHAIRPERSON ANDERSON: Can we -- I'll
3 take a recess while you guys can discuss the days
4 and come back and let us know.

5 MS. PHILLIPS: Okay.

6 CHAIRPERSON ANDERSON: So we will
7 recess this case until --

8 MS. PHILLIPS: So I'll come back for
9 two.

10 CHAIRPERSON ANDERSON: All right.
11 That's fine.

12 (Whereupon, the above-entitled matter
13 went off the record at 10:03 a.m. and resumed at
14 10:06 a.m.)

15 MS. PHILLIPS: We are going to need 10
16 minutes on this last case that you called. Is
17 that all right?

18 CHAIRPERSON ANDERSON: We have -- I
19 don't have another hearing until -- what I'll do
20 is that we are going to go around back. Do you--
21 one of the things that we can do, so Mr. Farmer
22 is here and it appears that he is ready, so let

1 me do that case, so I can dismiss them and then--
2 oh, all right.

3 So the --

4 MEMBER SILVERSTEIN: Call us when you
5 are ready on both.

6 MS. PHILLIPS: Thank you.

7 CHAIRPERSON ANDERSON: This is what --
8 all right. This is what we can do. All right.
9 When you are ready for both cases, because I
10 don't have -- our next case is at 11:00, so when
11 you are ready on both cases, let us know and we
12 will come back out. Okay?

13 MS. PHILLIPS: I thought it was going
14 to be simple today, Mr. Anderson.

15 CHAIRPERSON ANDERSON: Huh?

16 MEMBER SILVERSTEIN: Well, send up a
17 flare.

18 MS. PHILLIPS: All right. A little
19 longer.

20 CHAIRPERSON ANDERSON: All right.

21 (Whereupon, the above-entitled matter
22 went off the record at 10:07 a.m. and resumed at

1 10:32 a.m.)

2 CHAIRPERSON ANDERSON: All right.

3 Recalling our next case, Case No. 17-CC-00144,

4 Guilford Liquor, License No. 76393.

5 Would the parties, please, approach

6 and identify themselves for the record, please?

7 MR. PARK: Yes, Your Honor. Jay Wong

8 Park on behalf of Guilford Liquor.

9 CHAIRPERSON ANDERSON: Good morning

10 again, Mr. Park.

11 MR. PARK: Good morning.

12 MS. PHILLIPS: Louise Phillips,

13 Assistant Attorney General for the District of

14 Columbia and along with Kimberly Berry, also an

15 assistant.

16 CHAIRPERSON ANDERSON: All right. Ms.

17 Phillips and Ms. Berry.

18 Are there any preliminary matters in

19 this case?

20 MS. PHILLIPS: Yes, there are.

21 CHAIRPERSON ANDERSON: What are they?

22 MS. PHILLIPS: The parties have agreed

1 to present an Offer in Compromise that has many
2 parts.

3 CHAIRPERSON ANDERSON: So go slowing
4 since I'm taking notes, please.

5 MS. PHILLIPS: There is one charge.

6 CHAIRPERSON ANDERSON: All right.

7 MS. PHILLIPS: All right. So the fine
8 for this case is \$4,000 to be paid, I believe he
9 said, today or his license will be suspended
10 indefinitely until the fine is paid.

11 And then the license shall be
12 suspended for 10 days with six days stayed for
13 one year and four days shall be served.

14 And because there is another day --
15 I'm going to do the days once I get through the
16 rest of this. All employees who serve alcoholic
17 beverage in this licensed establishment to
18 complete alcohol training within three months of
19 the OIC's date.

20 And in addition, the establishment
21 will serve five days, a five day suspension
22 activated from Case No. 17-CC-00061.

1 Therefore, the days to be served are
2 May 21st through May 29, 2018.

3 CHAIRPERSON ANDERSON: And that covers
4 everything?

5 MS. PHILLIPS: That covers everything.

6 CHAIRPERSON ANDERSON: All right. Mr.
7 Park, it's my understanding that there is an
8 Offer in Compromise and the Offer in Compromise
9 is that for the one charge, there is a \$4,000
10 fine and the fine will be paid today.

11 That there is a -- on Charge 1, that
12 there is a 10 day suspension, six days will be
13 stayed and four days will be served.

14 All employees will undergo alcohol
15 training within 90 days of the date of the Board
16 Order that will be issued.

17 And that as a result of Charge 1,
18 there are a five day suspension must be served
19 based on Case No. 17-CC-00061. Therefore, there
20 will be a nine day suspension and the nine days
21 of suspension are from May 21st through May 29,
22 2018.

1 And if the fine is not payable within
2 -- payable today, the license will be suspended,
3 sir.

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

6 MR. PARK: Yes, agree.

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. PARK: Yes, Your Honor.

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

15 MR. PARK: Yes, Your Honor.

16 CHAIRPERSON ANDERSON: Are there any
17 questions by any Board Members regarding this
18 Offer in Compromise?

19 Hearing none, I make a motion that
20 this Offer in Compromise of a fine of \$4,000
21 payable -- a fine for Charge 1, a fine of \$4,000
22 that the fine will be paid today. If not paid

1 today, the license will be suspended. That there
2 is a -- for that charge, there is a 10-day
3 suspension, six days are stayed and four days are
4 served.

5 That all employees will undergo
6 alcohol training within 90 days of the OIC and
7 that based on the violation in Charge 1, there is
8 a five day suspension that must be served based
9 on -- because they were triggered by the
10 provisions of Case No. 17-CC-00061 and that the
11 days of suspension will be May 21st through May
12 29, 2018. Is there a second?

13 MEMBER SHORT: Second.

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

16 All those in favor say aye.

17 ALL: Aye.

18 CHAIRPERSON ANDERSON: All those
19 opposed? The matter passes 7-0-0.

20 We will issue a Board Order to
21 memorialize this agreement, but although the
22 Board Order probably -- I'm not sure when the

1 Board Order will be written. However, you should
2 pay the fine today and your 90 day triggers for
3 the TIPS training will be 90 days from the date
4 of the written order that you will receive.

5 Okay, sir?

6 MR. PARK: (No audible answer.)

7 CHAIRPERSON ANDERSON: All right. I
8 want to thank the parties today for working this
9 matter out and have a good day.

10 MR. PARK: Thank you.

11 CHAIRPERSON ANDERSON: Thank you. The
12 Board will be in recess until our 11:00 hearing.

13 (Whereupon, the Show Cause (Status)
14 Hearing was concluded at 10:37 a.m.)

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<p style="text-align: center;">A</p> <p>a.m 2:2 5:13,14 6:22 7:1 12:14</p> <p>above-entitled 5:12 6:21</p> <p>accepting 10:8,12</p> <p>activated 8:22</p> <p>addition 8:20</p> <p>advised 3:5</p> <p>Agency 2:22 3:4,6</p> <p>agree 10:6</p> <p>agreed 7:22</p> <p>agreement 11:21</p> <p>ALBERTI 1:17</p> <p>alcohol 8:18 9:14 11:6</p> <p>alcoholic 1:2,12,13 8:16</p> <p>ANC 1:7</p> <p>Anderson 1:14,16 2:3 2:11,16,19 3:4,11,15 3:18 4:1,7 5:2,6,10,18 6:7,14,15,20 7:2,9,16 7:21 8:3,6 9:3,6 10:7 10:11,16 11:14,18 12:7,11</p> <p>answer 12:6</p> <p>appeal 10:13</p> <p>appears 5:22</p> <p>approach 2:6 7:5</p> <p>assistant 3:20,22 7:13 7:15</p> <p>Attorney 3:2,20 7:13</p> <p>audible 12:6</p> <p>Ave 1:7</p> <p>aware 2:20 10:7,12</p> <p>aye 11:16,17</p>	<p>cases 6:9,11</p> <p>CATO 1:17</p> <p>Cause 1:7 12:13</p> <p>Chairperson 1:14,16 2:3,11,16,19 3:4,11 3:15,18 4:1,7 5:2,6,10 5:18 6:7,15,20 7:2,9 7:16,21 8:3,6 9:3,6 10:7,11,16 11:14,18 12:7,11</p> <p>charge 4:14,15 8:5 9:9 9:11,17 10:21 11:2,7</p> <p>Columbia 1:1 3:21 7:14</p> <p>come 2:11 5:4,8 6:12</p> <p>complete 8:18</p> <p>Compromise 4:14 8:1 9:8,8 10:5,8,12,18,20</p> <p>concluded 12:14</p> <p>Control 1:2,12,13</p> <p>covers 9:3,5</p>	<p>go 5:20 8:3</p> <p>going 5:15,20 6:13 8:15</p> <p>good 2:19 4:1 7:9,11 12:9</p> <p>Guilford 1:6 2:4,8,15 7:4,8</p> <p>guys 5:3</p>	<p>Minor 1:9</p> <p>minutes 5:16</p> <p>months 8:18</p> <p>morning 2:19 4:1 7:9 7:11</p> <p>motion 10:19 11:15</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: YDK, Inc.
t/a Guilford Liquor

Before: Alcoholic Beverage Control Board

Date: 05-02-18

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.

Neal R Gross

Court Reporter

NEAL R. GROSS

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