

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

2 9:51 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case in our calendar is Case Number 19-CC-
5 00087, Hard Rock Café, License Number 14130.
6 Will the parties please approach and identify
7 themselves for the record, please.

8 MR. ORTIZ: Steven Ortiz on behalf of
9 the District of Columbia.

10 CHAIRPERSON ANDERSON: Mr. Ortiz.

11 MR. MINORA: Matt Minora, counsel for
12 the licensee.

13 CHAIRPERSON ANDERSON: Mr. Minora.

14 MR. WILLIAMS: Seth Williams, Director
15 of Operations for Hard Rock Café.

16 CHAIRPERSON ANDERSON: Mr. Williams.
17 Good morning.

18 MR. WILLIAMS: Good morning.

19 CHAIRPERSON ANDERSON: Are there any
20 preliminary matters in this case?

21 MR. ORTIZ: Yes, there are. As to
22 Charge 1, which is sale to a minor, the offer in
23 compromise is that the establishment shall pay
24 \$3500 within 30 days or its license shall be
25 suspended indefinitely until this fine is paid.

1 Additionally, this license shall be
2 suspended for ten days, with four days to be
3 served, and six days stayed for one year. Also,
4 all employees who serve alcoholic beverages in
5 the licensed establishment shall complete an
6 alcohol training program within three months from
7 the offer in compromise date, and the Respondent,
8 or the establishment, shall serve five days,
9 which is activated from a previous case.

10 So that brings us to nine days total
11 of having to -- the license being suspended,
12 which will take place on January 6th through
13 January 14th.

14 CHAIRPERSON ANDERSON: Mr. Minora,
15 it's my understanding that there's an offer in
16 compromise and the offer in compromise is that,
17 for Charge 1, there is a fine of \$3500, with a
18 ten-day suspension, for it to be served, that all
19 employees who sell or serve alcohol will go --
20 will undergo a mandatory training within 90 days,
21 and that also, that five days will be activated
22 from Case Number 18-CC-00058, meaning that there
23 will be a nine-day suspension and the suspension
24 will be -- take place January 6, 2020 until
25 January 14, 2020.

1 And that Charge 2 will be dismissed.
2 Is this your understanding of the offer in
3 compromise?

4 MR. MINORA: Yes, that's correct.

5 CHAIRPERSON ANDERSON: Is your client
6 aware that by accepting an offer in compromise,
7 that they're giving up their right to a hearing?

8 MR. MINORA: Yes, that's correct.

9 CHAIRPERSON ANDERSON: And is your
10 client aware that by accepting an offer in
11 compromise, that they're giving up their right to
12 appeal this matter?

13 MR. MINORA: Yes, that's correct.

14 CHAIRPERSON ANDERSON: With that said,
15 I make a motion that the offer in compromise of a
16 fine for Charge 1 of \$3500 with a ten-day
17 suspension, six days will be suspended for one
18 year, four days will be served, that all
19 employees who sell or serve alcohol will undergo
20 a training within the next 90 days, and that five
21 days are activated from Case Number 18-CC-00058,
22 meaning that the establishment will not be able
23 to sell or serve alcohol from January 6, 2020
24 until January 14, 2020.

25 And that Charge 2 will be dismissed.

1 Is there a second?

2 MEMBER SHORT: Second.

3 CHAIRPERSON ANDERSON: Mr. Short has
4 seconded the motion. All those in favor, say
5 aye.

6 (Chorus of Ayes)

7 CHAIRPERSON ANDERSON: Those opposed.
8 The matter passes 4-0-0. The Board will issue a
9 Board order before you leave. Well, the only
10 thing I'll say, Mr. -- and neither of the cases
11 are dismissed, I'm glad you're here Mr. Williams.

12 I know it's going to be difficult on
13 the Hard Rock Café to be closed from January 6,
14 2020, in a sense, closed, cannot serve alcohol, I
15 mean, we take this very seriously, and you have
16 to make sure that the employees in your
17 establishment -- our job is not necessarily to
18 fine you.

19 That's not that. But there's really
20 no reason where everyone who buys alcohol in your
21 establishment where they cannot -- the servers
22 don't do a mandatory training, no matter who they
23 look like.

24 MR. WILLIAMS: Right.

25 CHAIRPERSON ANDERSON: You should do

1 checking I.D.

2 MR. WILLIAMS: Yes.

3 CHAIRPERSON ANDERSON: And so that's
4 all I can say.

5 MR. WILLIAMS: Agreed.

6 CHAIRPERSON ANDERSON: All right.

7 Have a good day, sir.

8 MR. WILLIAMS: Thank you.

9 (Whereupon, the hearing in the above-
10 entitled matter was concluded at 9:56 a.m.)

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<p style="text-align: center;">A</p> <p>a.m 2:2 6:10 able 4:22 above- 6:9 accepting 4:6,10 activated 3:9,21 4:21 Additionally 3:1 Age 1:12 Agreed 6:5 alcohol 3:6,19 4:19,23 5:14,20 alcoholic 1:2,15,16 3:4 ALIYA 1:21 ANC 1:8 Anderson 1:17,20 2:3 2:10,13,16,19 3:14 4:5,9,14 5:3,7,25 6:3 6:6 appeal 4:12 Applicant 1:24,25 approach 2:6 Ascertain 1:11 aware 4:6,10 aye 5:5 Ayes 5:6</p>	<p>concluded 6:10 Control 1:2,15,16 correct 4:4,8,13 counsel 1:24 2:11 CR 1:8 CROCKETT 1:21</p> <p style="text-align: center;">D</p> <p>D.C 1:17 date 3:7 day 6:7 days 2:24 3:2,2,3,8,10 3:20,21 4:17,18,20,21 DC 1:24 December 1:14 difficult 5:12 Director 2:14 dismissed 4:1,25 5:11 District 1:1 2:9 Donovan 1:17,20 Drinking 1:12</p>	<p style="text-align: center;">K</p> <p style="text-align: center;">L</p> <p>leave 5:9 Legal 1:12 license 1:9 2:5,24 3:1 3:11 licensed 3:5 licensee 2:12 look 5:23</p> <p style="text-align: center;">M</p> <p>mandatory 3:20 5:22 Matt 2:11 matter 1:5 4:12 5:8,22 6:10 matters 2:20 MATTHEW 1:24 mean 5:15 meaning 3:22 4:22 MEETING 1:3 Member 1:20,21,21 5:2 met 1:16 minor 1:10 2:22 Minora 1:24 2:11,11,13 3:14 4:4,8,13 months 3:6 morning 2:17,18 motion 4:15 5:4</p>	<p>please 2:6,7 preliminary 2:20 PRESENT 1:19,23 presiding 1:17 previous 3:9 program 3:6</p> <p style="text-align: center;">Q</p> <p style="text-align: center;">R</p> <p>RAFI 1:21 reason 5:20 record 2:7 Reeves 1:16 Respondent 3:7 Retailer 1:8 Rock 1:6,7 2:5,15 5:13 Room 1:16</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: Hard Rock Cafe

Before: DCABRA

Date: 12-04-19

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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