



**ALSO PRESENT:**

**FERNANDO RIVERO, OAG**

**SHANI PACE, LICENSEE**

**SIDON YOHANNES, LICENSEE ATTORNEY**

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

2 10:47 a.m.

3 CHAIRPERSON ANDERSON: All right. We  
4 are back on the record. All right. The next  
5 case on our calendar is Case No. 17-CMP-00681,  
6 Howard Theatre, License No. 88646.

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

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

12 CHAIRPERSON ANDERSON: Good morning,  
13 Mr. Rivero.

14 MS. YOHANNES: Good morning. Sidon  
15 Yohannes on behalf of the licensee.

16 CHAIRPERSON ANDERSON: Good morning,  
17 Ms. Yohannes.

18 MS. PACE: Shani Pace with the Howard  
19 Theatre.

20 CHAIRPERSON ANDERSON: Good morning,  
21 Ms. Pace.

22 Are there any preliminary matters in

1 this case?

2 MR. RIVERO: Yes, the parties have an  
3 Offer in Compromise to present to the Board, at  
4 this time.

5 CHAIRPERSON ANDERSON: And what's the  
6 Offer in Compromise?

7 MR. RIVERO: That offer consists of a  
8 fine of \$4,500 payable in 60 days. And if the  
9 fine is not paid in 60 days, the license will be  
10 suspended until payment is received. That is the  
11 offer.

12 CHAIRPERSON ANDERSON: Thank you, Mr.  
13 Rivero.

14 Ms. Yohannes, it's my understanding  
15 that there is an Offer in Compromise. The Offer  
16 in Compromise is a fine of \$4,500 payable within  
17 60 days. If the fine is not payable in 60 days,  
18 the license will be suspended until the fine has  
19 been paid. Is this your understanding of the  
20 Offer in Compromise?

21 MS. YOHANNES: Yes, it is.

22 CHAIRPERSON ANDERSON: Is your client

1 aware that by accepting an Offer in Compromise,  
2 that they are giving up their right to a hearing?

3 MS. YOHANNES: Yes.

4 CHAIRPERSON ANDERSON: And is your  
5 client also aware that by giving up -- by  
6 accepting an Offer in Compromise, that they are  
7 giving up their right to appeal this matter?

8 MS. YOHANNES: Yes.

9 CHAIRPERSON ANDERSON: Hearing so, I  
10 then make a motion that the Offer in Compromise  
11 of a fine of \$4,500 be accepted. The fine must  
12 be paid in 60 days. If the fine is not paid in  
13 60 days, the license will be suspended.

14 Is there a second?

15 MEMBER SHORT: Second.

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

18 All those in favor say aye.

19 MEMBER SILVERSTEIN: Aye.

20 MEMBER WAHABZADAH: Aye.

21 CHAIRPERSON ANDERSON: Aye.

22 MEMBER ISAAC: Aye.

1 MEMBER SHORT: Aye.

2 CHAIRPERSON ANDERSON: Those opposed?

3 MEMBER ALBERTI: Opposed.

4 CHAIRPERSON ANDERSON: The matter  
5 passes 5-1-0 with Mr. Alberti in opposition.

6 The Board will -- do you wish to make  
7 a statement, Mr. Alberti?

8 MEMBER ALBERTI: Um --

9 CHAIRPERSON ANDERSON: We are going to  
10 issue a Board Order.

11 MEMBER ALBERTI: Yes. I will not at  
12 this time.

13 CHAIRPERSON ANDERSON: All right. The  
14 Board will issue a Board Order on this matter.  
15 Thank you.

16 MS. YOHANNES: Thank you.

17 MS. PACE: Thank you.

18 MR. RIVERO: Thank you.

19 CHAIRPERSON ANDERSON: All right then.  
20 We are off the record.

21 (Whereupon, the Show Cause Hearing was  
22 concluded at 10:49 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: Howard Theatre Entertainment, LLC

Before: Alcoholic Beverage Control Board

Date: 07-11-18

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.



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Court Reporter

**NEAL R. GROSS**

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