

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF: :
 :
Imm on H, LLC, :
t/a Imm on H :
1360 H Street NE, : Show Cause
Retailer CR - ANC 6A : Hearing
License No. 99569 :
Case #17-CMP-00571 :
 :
(Substantial Change :
Without Board Approval) :

Wednesday
June 20, 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
- DONALD ISAAC, SR., Member
- JAMES SHORT, Member
- REMA WAHABZADAH, Member

ALSO PRESENT:

CHRISTINE GEPHARDT, OAG

KHAJORNPAT SRISUTA, LICENSEE

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

2 10:59 a.m.

3 CHAIRPERSON ANDERSON: All right. We
4 are back on the record. I now want to call Case
5 No. 17-CMP-00571, Imm on H, License No. 99569.

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

8 MS. GEPHARDT: Chrissy Gephardt here
9 on behalf of the Office of the Attorney General.

10 CHAIRPERSON ANDERSON: Ms. Gephardt.
11 Introduce yourself.

12 MS. SRISUTA: Hi. My name is
13 Khajornpat Srisuta, manager of the Imm on H
14 Restaurant.

15 CHAIRPERSON ANDERSON: Good morning.
16 Are there any preliminary matters in this case?

17 MS. GEPHARDT: Yes, there is a
18 preliminary matter. The parties have agreed on
19 an Offer in Compromise in this case for the one
20 charge and that is a \$1,500 fine to be paid
21 within 30 days or the license will be suspended
22 indefinitely until the fine is paid.

1 CHAIRPERSON ANDERSON: All right.
2 It's my understanding that there is an Offer in
3 Compromise and the Offer in Compromise is that
4 there is a fine of \$1,500 payable in 30 days. If
5 it's not payable in 30 days, the license will be
6 suspended.

7 Is this your understanding of the
8 Offer in Compromise?

9 MS. SRISUTA: Yes.

10 CHAIRPERSON ANDERSON: Are you aware
11 that by accepting an Offer in Compromise, that
12 you are giving up your right to a hearing?

13 MS. SRISUTA: Yes.

14 CHAIRPERSON ANDERSON: And also you
15 are giving up your right to appeal this matter?

16 MS. SRISUTA: It's okay.

17 CHAIRPERSON ANDERSON: It's okay?

18 MS. SRISUTA: Yes.

19 CHAIRPERSON ANDERSON: Yes. All
20 right.

21 MS. SRISUTA: Yes.

22 CHAIRPERSON ANDERSON: With that said,

1 I then make a motion that the Offer in Compromise
2 of a fine of \$1,500 payable in 30 days be
3 accepted. If the fine is not payable in 30 days,
4 the license will be suspended. Is there a second?

5 MEMBER SHORT: Second.

6 CHAIRPERSON ANDERSON: Mr. Short has
7 seconded the motion.

8 All those in favor say aye.

9 ALL: Aye.

10 CHAIRPERSON ANDERSON: Those opposed?

11 MS. GEPHARDT: I'm sorry. She asked
12 if she could do 60 days? I do not oppose that.

13 CHAIRPERSON ANDERSON: All right.

14 Well, then let me start over. Let me move -- let
15 me go back then. All right. We are changing --
16 before voting, we are changing the terms. The
17 Government and the respondent have -- the
18 licensee has changed the terms of the OIC.

19 The terms of the OIC is that there is
20 a fine of \$1,500 payable in 60 days. If the fine
21 is not payable in 60 days, the license will be
22 suspended.

1 Is this your understanding of the
2 Offer in Compromise?

3 MS. SRISUTA: Yes.

4 CHAIRPERSON ANDERSON: It's also your
5 understanding that if the fine is -- that you are
6 giving up your right to a hearing by accepting an
7 OIC?

8 MS. SRISUTA: Yes.

9 CHAIRPERSON ANDERSON: And also that
10 you are giving up your right to appeal this
11 matter by accepting an OIC?

12 MS. SRISUTA: Yes.

13 CHAIRPERSON ANDERSON: With that said,
14 I then make a motion that the corrected OIC of a
15 fine of \$1,500 payable in 60 days be accepted.
16 If the fine is not payable in 60 days, the
17 license will be suspended. Is there a second?

18 MEMBER SHORT: Second.

19 CHAIRPERSON ANDERSON: Mr. Short has
20 seconded the motion.

21 All those in favor say aye.

22 ALL: Aye.

1 CHAIRPERSON ANDERSON: Those opposed?
2 The matter passes 5-0-0.

3 Thank you very much. All right.

4 MS. SRISUTA: May I say something?

5 CHAIRPERSON ANDERSON: All right.

6 MS. SRISUTA: I have --

7 CHAIRPERSON ANDERSON: Yes, ma'am, go
8 ahead.

9 MS. SRISUTA: I have a question about
10 the C of O a little bit. If like, for example,
11 the officer come and check our seats that day--

12 CHAIRPERSON ANDERSON: Yes.

13 MEMBER SHORT: -- she said we have
14 more seats than C of O that I -- we applied for.
15 But if the upstairs -- or we put some kind of
16 furniture for the employees, is that matter or we
17 should take it up or and count the seats for
18 customer?

19 CHAIRPERSON ANDERSON: All right.
20 Hold on one minute. Hold on. All right. What
21 we will -- we will have you -- we will have
22 someone from Licensing, since you are here, could

1 -- can you get either Mr. Gordy or someone from
2 Licensing to speak?

3 MS. GEPHARDT: Yes.

4 CHAIRPERSON ANDERSON: So you can
5 sign-off on the paperwork there. We will have
6 someone from Licensing talk to you before you
7 leave and explain all of that to you. Okay?

8 MS. SRISUTA: Okay.

9 CHAIRPERSON ANDERSON: All right. Thank
10 you. To make sure that you comply with the law.

11 MS. SRISUTA: Yes.

12 CHAIRPERSON ANDERSON: So --

13 MS. SRISUTA: Because this is our
14 first time that we know about it.

15 CHAIRPERSON ANDERSON: All right. All
16 right. So we will have -- you can sign-off on
17 the paperwork. We will have someone talk to you
18 now and answer all -- whatever questions you
19 have. All right.

20 MS. SRISUTA: Thank you.

21 (Whereupon, the Show Cause Hearing was
22 concluded at 11:04 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: Imm on H

Before: DC ABRA

Date: 06-20-18

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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