



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

2 (9:46 a.m.)

3 MEMBER ANDERSON: We now move to a  
4 show cause hearing status calendar. The first  
5 case on our show cause hearing status calendar is  
6 case number 19-CC-00086, Jaleo, license number  
7 19105. Will the parties please approach and  
8 identify themselves for the record, please?

9 MR. FACCI: Good morning, Mr. Chairman  
10 and members of the Board. Jason Facci on behalf  
11 of the District of Columbia.

12 MEMBER ANDERSON: Good morning, Mr.  
13 Facci. Is the licensee here, or have you any had  
14 contact with the licensee?

15 MR. FACCI: Our office has been in  
16 contact with the licensee. It is my  
17 understanding they were going to accept the offer  
18 in compromise presented to them.

19 MEMBER ANDERSON: Well, they are not  
20 here today, so therefore --

21 MS. YOHANNES: Apologies. Is this --

22 MEMBER ANDERSON: This is Jaleo.

23 MS. YOHANNES: Yes, sorry.

24 MEMBER ANDERSON: Is the client here?

25 MS. YOHANNES: Yes. Sidon Yohannes on

1       behalf of the licensee.

2                   MEMBER ANDERSON:   Good morning, Ms.  
3       Yohannes.

4                   MR. JOHNSON:   Peter Johnson, general  
5       manager at Jaleo.

6                   MEMBER ANDERSON:   Your last name, sir?

7                   MR. JOHNSON:   Johnson.

8                   MEMBER ANDERSON:   Johnson.   Good  
9       morning, Mr. Johnson.   You're a general manager?

10                  MR. JOHNSON:   Yes, sir.

11                  MEMBER ANDERSON:   Mr. Facci, are there  
12       any preliminary matters in this case?

13                  MR. FACCI:   Yes, Mr. Chairman.   We do  
14       have an offer in compromise.

15                  MEMBER ANDERSON:   And what is that,  
16       please?

17                  MR. FACCI:   With respect to charge 1,  
18       a warning.   And with respect to charge 2, that  
19       charge is dismissed.

20                  MEMBER ANDERSON:   Mr. Yohannes, it's  
21       my understanding that there's an offer in  
22       compromise, and the offer in compromise is that  
23       for charge 1 that there is a warning and that  
24       charge 2 would be dismissed.

25                  Is this your understanding of the

1 offer in compromise?

2 MS. YOHANNES: Yes, it is.

3 MEMBER ANDERSON: Is your client aware  
4 that by accepting the offer in compromise that  
5 they're giving up their right to a hearing?

6 MS. YOHANNES: Yes.

7 MEMBER ANDERSON: And is your client  
8 also aware that by accepting the offer in  
9 compromise they give up their right to appeal  
10 this matter?

11 MS. YOHANNES: Yes.

12 MEMBER ANDERSON: With that said, I  
13 make a motion that the offer in compromise for  
14 charge 1, a warning be issued, that for charge 2,  
15 it will be dismissed. Is there a second?

16 MEMBER SHORT: Second.

17 MEMBER ANDERSON: Mr. Short has  
18 seconded the motion. All those in favor, say  
19 aye.

20 (Chorus of ayes)

21 MEMBER ANDERSON: Those opposed? The  
22 matter passes 6-0-0. Mr. Johnson, I am glad that  
23 you're here this morning. And I'm very  
24 concerned, sir.

25 From time to time, the Agency sends in

1 minors into establishments to see whether or not  
2 establishments are checking IDs and not serving  
3 alcohol to underage young people.

4 The Agency, sir, sent in a 15-year-old  
5 to your establishment who provided your  
6 establishment with proper ID that stated that she  
7 was born in 2004.

8 This case was in 2019, and so I think  
9 between 2004 and 2019 in my calculation, I said  
10 that's 15. She looks 15 years old, sir. So how  
11 can your establishment serve alcohol?

12 And I assume that because the charge  
13 2 was dismissed it appeared that your  
14 establishment checked her ID, and her ID said she  
15 was 15 years old.

16 Can you explain that to me, sir? How  
17 can this occur?

18 MR. JOHNSON: I apologize. I mean  
19 we're doing trainings, so it would never happen  
20 again.

21 MEMBER ANDERSON: But she looks 15.  
22 What can a training -- I mean, how can you -- I  
23 mean, it's basic math.

24 MR. JOHNSON: Yes, sir.

25 MEMBER ANDERSON: She was born in

1 2004. It's 2019. Four from 19 is 15. You check  
2 her ID. Her ID looks different. It says she  
3 looks 15.

4 Her ID says she's 15, and you still  
5 sell to her, sir. And one of the reasons why  
6 you're here today is because -- I'm glad you're  
7 here because we take this seriously, especially a  
8 15-year-old.

9 That's a given because if she was 18,  
10 19, you know, maybe, 18, 19, 20, she could look  
11 21. But she's 15. And that's a given. When  
12 someone like that comes into your establishment,  
13 then you should take it as you know what, what is  
14 the ABC Board, what's ABRA doing?

15 Clearly, she's a 15-year-old. Get out  
16 of here. We're not going to -- but this young  
17 woman who looks 15 years old, everywhere she goes  
18 she's sold.

19 I don't know what happens in your  
20 establishment when we do not send someone in, but  
21 I hope that this was just an aberration, sir. I  
22 hope I don't see your establishment in front of  
23 me again for sale to minors.

24 All right. Anyone on the Board have  
25 any other comments they want to make? Have a

1 good day, sir. Thank you.

2 MS. YOHANNES: Thank you.

3 MEMBER ANDERSON: Our next case is  
4 case number 19 -- I'm sorry. Are we -- were we  
5 doing -- for case number 19-CC-00086, the Board  
6 will be issuing a Board order in that case.

7 (Whereupon, the above-entitled matter  
8 went off the record at 9:51 a.m.)

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A		issuing 7:6	P
<p>a.m 2:2 7:8  <b>ABC</b> 6:14  <b>aberration</b> 6:21  <b>above-entitled</b> 7:7  <b>ABRA</b> 6:14  <b>accept</b> 2:17  <b>accepting</b> 4:4,8  <b>Age</b> 1:11  <b>Agency</b> 4:25 5:4  <b>alcohol</b> 5:3,11  <b>Alcoholic</b> 1:2,14,15  <b>ALIYA</b> 1:20  <b>ANC</b> 1:7  <b>Anderson</b> 1:16,19 2:3  2:12,19,22,24 3:2,6,8  3:11,15,20 4:3,7,12  4:17,21 5:21,25 7:3  <b>Apologies</b> 2:21  <b>apologize</b> 5:18  <b>appeal</b> 4:9  <b>appeared</b> 5:13  <b>Applicant</b> 1:23,24  <b>approach</b> 2:7  <b>Ascertain</b> 1:10  <b>assume</b> 5:12  <b>aware</b> 4:3,8  <b>aye</b> 4:19  <b>eyes</b> 4:20</p>	<p><b>comes</b> 6:12  <b>comments</b> 6:25  <b>compromise</b> 2:18 3:14  3:22,22 4:1,4,9,13  <b>concerned</b> 4:24  <b>contact</b> 2:14,16  <b>Control</b> 1:2,14,15  <b>Counsel</b> 1:23,24  <b>CR</b> 1:7  <b>CROCKETT</b> 1:20</p>	<p><b>J</b>  <b>Jaleo</b> 1:6 2:6,22 3:5  <b>JAMES</b> 1:21  <b>Jason</b> 1:24 2:10  <b>JENI</b> 1:19  <b>Johnson</b> 1:24 3:4,4,7,7  3:8,9,10 4:22 5:18,24  <b>JR</b> 1:20,21</p>	<p><b>P-R-O-C-E-E-D-I-N-G-S</b>  2:1  <b>parties</b> 2:7  <b>passes</b> 4:22  <b>people</b> 5:3  <b>Peter</b> 1:24 3:4  <b>please</b> 2:7,8 3:16  <b>preliminary</b> 3:12  <b>PRESENT</b> 1:18,22  <b>presented</b> 2:18  <b>presiding</b> 1:16  <b>proper</b> 5:6  <b>Protestant</b> 1:24  <b>provided</b> 5:5</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: Jaleo

Before: DCABRA

Date: 02-12-20

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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