

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:
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:
Thirteenth Step, LLC, :
t/a Kitty O'Shea's DC :
4624 Wisconsin Ave NW, : Show Cause
Retailer CR - ANC 3E : Hearing (Status)
License No. 90464 :
Case #18-AUD-00033 :
:
(Failed to File Quarterly:
Statement) :

Wednesday
August 8, 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
BOBBY CATO, JR., Member
DONALD ISAAC, SR., Member
MIKE SILVERSTEIN, Member
JAMES SHORT, Member
REMA WAHABZADAH, Member

ALSO PRESENT:
WALTER ADAMS, DC OAG
MATTHEW BUNN, Licensee

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

2 10:01 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case No. 18-AUD-00035, Kitty
5 O'Shea's DC, License No. 90464.

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

8 MR. ADAMS: Good morning, Mr.
9 Chairman. Walter Adams representing the District
10 of Columbia.

11 CHAIRPERSON ANDERSON: Mr. Adams.

12 MR. BUNN: Good morning. I'm Matthew
13 Bunn, the business owner.

14 CHAIRPERSON ANDERSON: Good morning,
15 Mr. Bunn. Bunn?

16 MR. BUNN: Bunn, B-U-N-N.

17 CHAIRPERSON ANDERSON: Yes, good
18 morning, Mr. Bunn. How are you?

19 All right. Mr. Adams, are there any
20 preliminary matters in this case?

21 MR. ADAMS: There are, Mr. Chairman.
22 This case is regarding the failure to pay or

1 sorry, to make a quarterly statement in a timely
2 manner. For this case, we are willing to make an
3 offer, and the parties have discussed it, of a
4 fine to be paid in the amount of \$2,000 to be
5 paid within a period of 30 days. If the licensee
6 fails to make the payment within a 30-day period,
7 that the license will be suspended indefinitely
8 until the fine is paid.

9 And that the pending quarterly
10 statements for this establishment be paid within
11 14 days -- or sorry, be submitted to the Board
12 within 14 days.

13 MR. BUNN: 14 days?

14 MR. ADAMS: Yes.

15 CHAIRPERSON ANDERSON: Mr. Bunn, it's
16 my understanding that there is an Offer in
17 Compromise and the Offer in Compromise is that
18 there is a fine of \$2,000 payable in 30 days.
19 And that the outstanding quarterly payment -- I'm
20 sorry, the outstanding quarterly filing will be
21 made in 14 days.

22 Is this your understanding, sir, of

1 the Offer in Compromise?

2 MR. BUNN: Yes, sir.

3 CHAIRPERSON ANDERSON: Are you aware
4 that by accepting an Offer in Compromise, that
5 you are giving up your right to a hearing?

6 MR. BUNN: Yes, sir.

7 CHAIRPERSON ANDERSON: Are you also
8 aware that by accepting an Offer in Compromise,
9 that you are giving up your right to appeal this
10 matter?

11 MR. BUNN: Yes, sir.

12 CHAIRPERSON ANDERSON: With this said,
13 I then make a motion that the Offer in Compromise
14 of a fine of \$2,000 payable in 30 days be
15 accepted. If the fine is not payable in 30 days,
16 the license will be suspended and that the
17 outstanding quarterly payment -- I'm sorry, the
18 outstanding quarterly filing be made within 14
19 days.

20 Is there a second?

21 MEMBER SHORT: Second.

22 CHAIRPERSON ANDERSON: Mr. Short has

1 seconded the motion.

2 All those in favor say aye.

3 ALL: Aye.

4 CHAIRPERSON ANDERSON: Those opposed?

5 The matter passes 6-0-0.

6 We will have you sign-off on some
7 paperwork.

8 Mr. Bunn, now that this case is over
9 and I just want to ask you a question, because
10 I'm trying to find out what is going on.

11 This say that this is your ninth
12 secondary tier violation and it appears that
13 there is an issue with the filing of the
14 quarterly statement, sir.

15 You know that the Agency has training,
16 so if you -- we do have training. I would ask
17 that you attend the trainings, because this is
18 the ninth one and it's -- we need you to comply
19 with the law to file these filings timely. And
20 so if you need assistance from the Agency to help
21 you, I would strongly suggest that you come for
22 training, so we can provide you with the

1 resources or the tools that you need to make sure
2 that these documents are filed on time, sir.

3 MR. BUNN: All right. Thank you.

4 CHAIRPERSON ANDERSON: Thank you. All
5 right.

6 (Whereupon, the Show Cause (Status)
7 Hearing was concluded at 10:04 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: Kitty O'Shea's

Before: DC ABRA

Date: 08-08-18

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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