

IN THE MATTER OF: :
 :
Starlight, Inc., :
t/a Kogod Liquors :
441 New Jersey Avenue NW : Show Cause
Retailer A - ANC 6C : Hearing (Status)
License No. 24868 :
Case #19-CC-00011 :
 :
(Sale to Minor Violation, :
Failed to Take Steps :
Necessary to Ascertain :
Legal Drinking Age) :

Wednesday
June, 26, 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
MIKE SILVERSTEIN, Member

JAMES SHORT, Member

REMA WAHABZADAH, Member

ALSO PRESENT:

JAE KIM, APPLICANT

FERNANDO RIVERO, DC OAG

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

2 10:00 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case on our calendar is Case Number 19-CC-
5 00011, Kogod Liquors, License Number 24868.

6 Would the parties please approach and
7 identify themselves for the record, please.

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

11 CHAIRPERSON ANDERSON: Good morning,
12 Mr. Rivero, again.

13 MS. KIM: Good morning, I'm Jae Kim.
14 I'm appearing on behalf of Kogod Liquors.

15 CHAIRPERSON ANDERSON: Okay, you're who
16 again?

17 MS. KIM: Jae Kim.

18 CHAIRPERSON ANDERSON: Are you an
19 attorney? What's your relationship with them?

20 MS. KIM: I am a family member of the
21 owner.

22 CHAIRPERSON ANDERSON: Do you have a

1 letter of representation saying that you're
2 authorized to represent the agent, the
3 establishment, at this case this morning, ma'am?
4 Have you ever provided us with such, any
5 authorization letter?

6 MS. KIM: I'm sorry, but I wasn't
7 aware.

8 CHAIRPERSON ANDERSON: Is there an OIC
9 in this case?

10 MR. RIVERO: There is.

11 The Board's indulgence.

12 CHAIRPERSON ANDERSON: Sure. All
13 right.

14 (Pause.)

15 MR. RIVERO: I understand that the
16 licensee submitted a letter of authorization this
17 morning. If that's the case, I don't have a
18 problem proceeding, conditioned on the receipt of
19 that letter.

20 CHAIRPERSON ANDERSON: Sure.

21 MR. RIVERO: Otherwise we will just be
22 back to the same posture again.

1 CHAIRPERSON ANDERSON: Are you able,
2 ma'am, are you able to provide this agency with a
3 letter by close of business today authorizing you
4 to represent the agency establishment today in
5 this proceeding?

6 MS. KIM: Absolutely.

7 CHAIRPERSON ANDERSON: All right. Can
8 you send that information to the office to Ms.
9 April Randall. She'll give you her card. And by
10 close of business today you need to provide a
11 letter on letterhead from the ownership stating
12 that you are authorized to represent them in this
13 matter today.

14 MS. KIM: Okay.

15 CHAIRPERSON ANDERSON: All right. So,
16 Mr. Rivero, what is the offer in compromise
17 that's on the table?

18 MR. RIVERO: For Charge 1, the offer in
19 compromise is a payment of a \$3,000 fine within
20 30 days. If the payment is not received the
21 offer -- the license will be suspended until
22 payment is received.

1 And also there is a 5-day suspension
2 attached to Charge 1 that is stayed for one year.

3 For Charge 2, the payment of a \$1,500
4 fine within 30 days. And if the payment is not
5 made the license will be suspended until payment
6 is received.

7 A total fine of \$4,500 within 30 days.

8 CHAIRPERSON ANDERSON: All right. Ms.
9 Kim, there is a, it's my understanding there is
10 an offer in compromise. And the offer in
11 compromise is that for Charge 1 there is a fine
12 of \$3,000 payable in 30 days.

13 Attached to the -- attached to Charge
14 1 there is a 5-day suspension. And all 5 days
15 will be stayed for one year, meaning that if the
16 establishment goes one year without having
17 another sale to minor, those days will disappear.
18 If not, those days will kick in.

19 For Charge 2 there is a fine of \$1,500. And
20 again, the fine will be payable within 30 days.
21 If the fines are not paid within 30 days, the
22 license will be suspended until the fine has been

1 paid.

2 Is this your understanding of the
3 offer in compromise?

4 MS. KIM: I understand.

5 CHAIRPERSON ANDERSON: Is the ownership
6 of the establishment aware that by accepting an
7 offer in compromise that they give up their right
8 to a hearing?

9 MS. KIM: Yes, they do.

10 CHAIRPERSON ANDERSON: Are they also
11 aware that by accepting an offer in compromise
12 that they give up their right to appeal this
13 matter?

14 MS. KIM: Yes.

15 CHAIRPERSON ANDERSON: With this said,
16 I then make a motion that the offer in compromise
17 of a fine of \$3,000 payable in 30 days for Charge
18 1, with a 5-day suspension all stayed for one
19 year be accepted; for Charge 2 is a fine of
20 \$1,500 payable in 30 days. And if the fine is
21 not paid in 30 days the license will be
22 suspended.

1 Is there a second?

2 MEMBER SHORT: Second.

3 CHAIRPERSON ANDERSON: Mr. Short has
4 seconded the motion.

5 All those in favor, say aye.

6 (Chorus of ayes.)

7 CHAIRPERSON ANDERSON: Those opposed?

8 (No response.)

9 CHAIRPERSON ANDERSON: The matter is
10 passed 5-0-0.

11 The Board will issue a Board Order.
12 However, this OIC will only be effective if you
13 provide us the written authorization today. If
14 not, this matter will, will revert to a show
15 cause hearing for another date to be decided.

16 And Ms. Randall will provide you her
17 card for you to provide that information. Okay?

18 MS. KIM: Yes. Thank you.

19 CHAIRPERSON ANDERSON: All right.

20 Thank you very much.

21 (Whereupon, at 10:04 a.m., the above-
22 entitled matter was concluded.)

<p>A</p> <p>a.m 3:2 8:21 able 5:1,2 above- 8:21 Absolutely 5:6 accepted 7:19 accepting 7:6,11 Age 1:11 agency 5:2,4 agent 4:2 Alcoholic 1:2,14,15 ANC 1:7 Anderson 1:16,19 3:3 3:11,15,18,22 4:8,12 4:20 5:1,7,15 6:8 7:5 7:10,15 8:3,7,9,19 appeal 7:12 appearing 3:14 APPLICANT 2:11 approach 3:6 April 5:9 Ascertain 1:10 attached 6:2,13,13 attorney 3:19 authorization 4:5,16 8:13 authorized 4:2 5:12 authorizing 5:3 Avenue 1:7 aware 4:7 7:6,11 aye 8:5 eyes 8:6</p>	<p>Columbia 1:1 3:10 compromise 5:16,19 6:10,11 7:3,7,11,16 concluded 8:22 conditioned 4:18 Control 1:2,14,15</p> <p>D</p> <p>D.C 1:16 date 8:15 days 5:20 6:4,7,12,14 6:17,18,20,21 7:17,20 7:21 DC 2:12 decided 8:15 disappear 6:17 District 1:1 3:9 Donovan 1:16,19 Drinking 1:11</p> <p>E</p> <p>effective 8:12 entitled 8:22 establishment 4:3 5:4 6:16 7:6</p> <p>F</p> <p>Failed 1:10 family 3:20 favor 8:5 Fernando 2:12 3:9 fine 5:19 6:4,7,11,19,20 6:22 7:17,19,20 fines 6:21</p>	<p>7:4,9,14 8:18 Kogod 1:6 3:5,14</p> <p>L</p> <p>Legal 1:11 letter 4:1,5,16,19 5:3,11 letterhead 5:11 license 1:8 3:5 5:21 6:5 6:22 7:21 licensee 4:16 Liquors 1:6 3:5,14</p> <p>M</p> <p>ma'am 4:3 5:2 matter 1:5 5:13 7:13 8:9 8:14,22 meaning 6:15 MEETING 1:3 member 1:19,20,21,22 3:20 8:2 Members 3:9 met 1:15 MIKE 1:20 minor 1:9 6:17 morning 3:8,11,13 4:3 4:17 motion 7:16 8:4</p> <p>N</p> <p>N.W 1:15 Necessary 1:10 need 5:10 New 1:7 Number 3:4,5 NW 1:7</p>	<p>please 3:6,7 posture 4:22 PRESENT 1:18 2:9 presiding 1:16 problem 4:18 proceeding 4:18 5:5 provide 5:2,10 8:13,16 8:17 provided 4:4</p> <p>Q</p> <p>R</p> <p>Randall 5:9 8:16 receipt 4:18 received 5:20,22 6:6 record 3:7 Reeves 1:15 relationship 3:19 REMA 1:22 represent 4:2 5:4,12 representation 4:1 response 8:8 Retailer 1:7 revert 8:14 Rivero 2:12 3:8,9,12 4:10,15,21 5:16,18 Room 1:15</p> <p>S</p> <p>sale 1:9 6:17 saying 4:1 second 8:1,2 seconded 8:4 send 5:8 She'll 5:9 Short 1:21 8:2,3 show 1:7 8:14 SILVERSTEIN 1:20 sorry 4:6 Starlight 1:6 stating 5:11 Status 1:7 stayed 6:2,15 7:18 Steps 1:10 Street 1:15 submitted 4:16 Suite 1:16 suspended 5:21 6:5,22 7:22 suspension 6:1,14 7:18</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: Kogod Liquors

Before: DCABRA

Date: 06-26-19

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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