

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

2 9:52 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case on our calendar is Case No. 19-CMP-
5 00071, Le Pain Quotidien, License No. 80772.

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

8 MS. MARKS: Good morning, Lindsay
9 Marks for the District of Columbia.

10 CHAIRPERSON ANDERSON: Good morning,
11 Ms. Marks.

12 MR. MINORA: Matthew Minora from
13 Mallios & O'Brien, ABC Licensed representative.

14 CHAIRPERSON ANDERSON: Good morning,
15 Mr. Minora. And who else do you have with you?

16 MS. CHIM: Rebecca Chim from Le Pain
17 Quotidien.

18 CHAIRPERSON ANDERSON: I did not hear
19 your last name, ma'am.

20 MS. CHIM: Rebecca Chim from Le Pain
21 Quotidien.

22 CHAIRPERSON ANDERSON: Good morning,
23 Ms. Chim. Please make sure everyone signs in,
24 please.

25 Ms. Marks, are there any preliminary

1 matters in this case?

2 MS. MARKS: Yes, Mr. Chairman. The
3 parties have an Offer in Compromise for the Board
4 today.

5 CHAIRPERSON ANDERSON: And what is the
6 Offer in Compromise, please?

7 MS. MARKS: For Charge 1, No ABC
8 Manager on Duty, a fine of \$2,000 to be paid
9 within 30 days or the license shall be suspended
10 indefinitely until the fine is paid.

11 CHAIRPERSON ANDERSON: Thank you. Mr.
12 Minora, it's my understanding that there is an
13 Offer in Compromise and the Offer in Compromise
14 is that there is a fine of \$2,000 payable in 30
15 days. If it's not payable in 30 days, the license
16 will be suspended until the fine has been paid.

17 Is this your client's understanding of
18 the Offer in Compromise?

19 MR. MINORA: Yes, that's correct.

20 CHAIRPERSON ANDERSON: Is your client
21 aware that by accepting an Offer in Compromise,
22 that they are giving up their right to a hearing?

23 MR. MINORA: Correct.

24 CHAIRPERSON ANDERSON: And is your
25 client aware that by accepting an Offer in

1 Compromise, that they are giving up their right
2 to appeal this matter?

3 MR. MINORA: Yes, Mr. Chair.

4 CHAIRPERSON ANDERSON: With this said
5 I then make a motion that the Offer in Compromise
6 of a fine of \$2,000 payable in 30 days be
7 accepted. If the fine is not payable in 30 days,
8 the license will be suspended until the fine has
9 been paid. Is there a second?

10 MEMBER SHORT: Second.

11 CHAIRPERSON ANDERSON: Mr. Short has
12 seconded the motion.

13 All those in favor say aye.

14 ALL: Aye.

15 CHAIRPERSON ANDERSON: Those opposed?
16 The matter passes 5-0-0.

17 Thank you very much for that. And
18 just as an FYI, Mr. Minora, I see that this is
19 the sixth second tier violation that your client
20 has committed with the same charge within the
21 last four years. I am not sure what is going on,
22 but maybe something needs to be done. Thank you.

23 MR. MINORA: Thank you.

24 (Whereupon, the Show Cause (Status)
25 Hearing was concluded at 9:54 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: Le Pain Quotidien

Before: DCABRA

Date: 10-02-19

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.

Neal R Gross

Court Reporter

NEAL R. GROSS

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