

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:
District Kitchen, LLC,
t/a New District Kitchen
2606 Connecticut Avenue
NW
Retailer CR - ANC 3C
License No. 87574
Case #19-CIT-00303
(Failed to File Quarterly:
Statements)

Wednesday
January 15, 2020

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
RAFI ALIYA CROCKETT, Member
JAMES SHORT, JR., Member

ALSO PRESENT:

MIGUEL PIZARROSO, Licensee
JOHN LUI, DC OAG

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

2 9:44 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar, the show case hearing status
5 calendar, is Case Number 19-CIT-00303, New
6 District Kitchen, License Number 87574.

7 Would the parties please approach
8 and identify themselves for the record, please?

9 MR. LUI: Good morning, Mr.
10 Chairperson and Board Members. My name is John
11 Lui on behalf of the Government.

12 CHAIRPERSON ANDERSON: Good morning,
13 Mr. Lui. And who are you, sir?

14 MR. PIZARROSO: Miguel Pizarroso.

15 CHAIRPERSON ANDERSON: I cannot hear
16 you, sir.

17 MR. PIZARROSO: Miguel Pizarroso.

18 CHAIRPERSON ANDERSON: And what's
19 your relationship to New District Kitchen, sir?

20 MR. PIZARROSO: Partner.

21 CHAIRPERSON ANDERSON: Are you on the
22 license?

23 MR. PIZARROSO: No.

24 CHAIRPERSON ANDERSON: Is there --
25 are there preliminary matters in this case?

1 MR. LUI: Yes, there are.

2 CHAIRPERSON ANDERSON: Have you
3 provided this agency with authorization to say
4 that you can represent the establishment?

5 MR. PIZARROSO: I am, I mean, I'm one
6 of the business partners.

7 CHAIRPERSON ANDERSON: Are you on the
8 license, sir?

9 MR. PIZARROSO: No, I'm not.

10 CHAIRPERSON ANDERSON: Well, if
11 you're -- are you able to provide the agency by
12 close of business today with a letter
13 authorizing you to enter into any type of
14 agreements with the Government?

15 MR. PIZARROSO: Yes.

16 CHAIRPERSON ANDERSON: Mr. Lui, are
17 there preliminary matters in this case?

18 MR. LUI: Yes.

19 CHAIRPERSON ANDERSON: What is the
20 preliminary matter, sir?

21 MR. LUI: There is an offer in
22 compromise to present to the Board.

23 CHAIRPERSON ANDERSON: And what is
24 that, sir?

25 MR. LUI: For Charge 1, the failure

1 to file a quarterly statement, this is a -- the
2 offer in compromise is a \$350 fine.

3 CHAIRPERSON ANDERSON: Hold up.

4 MR. LUI: Okay.

5 CHAIRPERSON ANDERSON: I can't hear
6 you, sir.

7 MR. LUI: The offer in compromise is
8 a \$350 fine, made payable within 30 days or its
9 license shall be suspended indefinitely until
10 this fine is paid.

11 And also, to submit pending
12 quarterly statements, if they have not been
13 submitted yet.

14 CHAIRPERSON ANDERSON: I'm sorry,
15 what's your name again, sir?

16 MR. PIZARROSO: Miguel Pizarroso.

17 CHAIRPERSON ANDERSON: Mr. --

18 MR. PIZARROSO: Pizarroso.

19 CHAIRPERSON ANDERSON: -- Pizarroso,
20 it's my understanding that there is an offer in
21 compromise and the offer in compromise is that
22 there is a fine of \$350, payable within 30 days,
23 and that if there are any outstanding quarterly
24 statements, it must be filed.

25 Is this your understanding, sir, of

1 the offer in compromise?

2 MR. PIZARROSO: Yes.

3 CHAIRPERSON ANDERSON: Are you aware
4 that by accepting the offer in compromise that
5 you're giving up your right to a hearing?

6 MR. PIZARROSO: Yes.

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. PIZARROSO: Yes.

12 CHAIRPERSON ANDERSON: With this, I
13 then make a motion that the offer in compromise
14 of a fine of \$350 be accepted, payable in 30
15 days, that all outstanding quarterly statements
16 will be filed. Is there a second?

17 MEMBER SHORT: Second.

18 MEMBER CROCKETT: Second.

19 CHAIRPERSON ANDERSON: Both Mr. Short
20 and Ms. Crockett second the motion. All those
21 in favor, say aye.

22 (Chorus of ayes.)

23 MR. PIZARROSO: Those opposed? The
24 matter passes, 4-0-0.

25 What I'm asking you to do, sir, I

1 need you to send in by email, you can -- Mr.
2 Lui, you can also give him a copy of your
3 information.

4 But by close of business today, you
5 are supposed to provide the agency, on the
6 letterhead, saying that you were empowered to
7 come to the ABC Board today to represent the
8 licensee in this matter.

9 If this matter -- if that's not done
10 today, then this agency will convert this to a
11 show cause.

12 Because one of the reasons why we
13 need that, sir, the owner, since you're not, you
14 said you're not on the license, the owner of the
15 restaurant can say that, I don't know who he is,
16 he's some person who walked off the street and
17 came in here and he was not authorized to do
18 that.

19 So, that's one of the reasons why
20 this offer in compromise is accepted, pending
21 you providing us with that information by close
22 of business.

23 And we'll make sure that we give you
24 our information, where you can -- where one of
25 the licensee, someone who is on the license,

1 will send this in today to the agency. Do you
2 understand, sir?

3 MR. PIZARROSO: Yes.

4 CHAIRPERSON ANDERSON: Thank you.
5 She'll give you something to sign off on, but
6 we'll also give you the information to send,
7 where the information should be sent in by close
8 of business today.

9 (Whereupon, the above-entitled
10 matter went off the record at 9:49 a.m.)

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<p style="text-align: center;">A</p> <p>a.m 2:2 7:10 ABC 6:7 able 3:11 above-entitled 7:9 accepted 5:14 6:20 accepting 5:4,8 agency 3:3,11 6:5,10 7:1 agreements 3:14 Alcoholic 1:2,14,14 ALIYA 1:19 ANC 1:8 Anderson 1:16,18 2:3 2:12,15,18,21,24 3:2 3:7,10,16,19,23 4:3,5 4:14,17,19 5:3,7,12 5:19 7:4 appeal 5:9 approach 2:7 asking 5:25 authorization 3:3 authorized 6:17 authorizing 3:13 Avenue 1:7 aware 5:3,8 aye 5:21 eyes 5:22</p> <hr/> <p style="text-align: center;">B</p> <p>behalf 2:11 Beverage 1:2,14,14 Board 1:2,14 2:10 3:22 6:7 BOBBY 1:19 Building 1:15 business 3:6,12 6:4,22 7:8</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 2:4,5 case 1:9 2:3,4,5,25 3:17 CATO 1:19 cause 1:7 6:11 Chairperson 1:15,18 2:3,10,12,15,18,21,24 3:2,7,10,16,19,23 4:3 4:5,14,17,19 5:3,7,12 5:19 7:4 Charge 3:25 Chorus 5:22 close 3:12 6:4,21 7:7 COLUMBIA 1:1 come 6:7 compromise 3:22 4:2,7 4:21,21 5:1,4,8,13 6:20 Connecticut 1:7</p>	<p>Control 1:2,14,14 convert 6:10 copy 6:2 CR 1:8 Crockett 1:19 5:18,20</p> <hr/> <p style="text-align: center;">D</p> <p>D.C 1:15 days 4:8,22 5:15 DC 1:23 District 1:1,6,6 2:6,19 Donovan 1:16,18</p> <hr/> <p style="text-align: center;">E</p> <p>email 6:1 empowered 6:6 enter 3:13 establishment 3:4</p> <hr/> <p style="text-align: center;">F</p> <p>Failed 1:10 failure 3:25 favor 5:21 file 1:10 4:1 filed 4:24 5:16 fine 4:2,8,10,22 5:14</p> <hr/> <p style="text-align: center;">G</p> <p>give 6:2,23 7:5,6 giving 5:5,9 Government 2:11 3:14</p> <hr/> <p style="text-align: center;">H</p> <p>hear 2:15 4:5 hearing 1:8,14 2:4 5:5 Hold 4:3</p> <hr/> <p style="text-align: center;">I</p> <p>identify 2:8 indefinitely 4:9 information 6:3,21,24 7:6,7</p> <hr/> <p style="text-align: center;">J</p> <p>JAMES 1:20 January 1:12 John 1:23 2:10 JR 1:19,20</p> <hr/> <p style="text-align: center;">K</p> <p>Kitchen 1:6,6 2:6,19</p> <hr/> <p style="text-align: center;">L</p> <p>letter 3:12 letterhead 6:6 license 1:8 2:6,22 3:8 4:9 6:14,25 licensee 1:22 6:8,25</p>	<p>LLC 1:6 Lui 1:23 2:9,11,13 3:1 3:16,18,21,25 4:4,7 6:2</p> <hr/> <p style="text-align: center;">M</p> <p>matter 1:5 3:20 5:10,24 6:8,9 7:10 matters 2:25 3:17 mean 3:5 MEETING 1:3 Member 1:19,19,20 5:17,18 Members 2:10 met 1:14 Miguel 1:22 2:14,17 4:16 morning 2:9,12 motion 5:13,20</p> <hr/> <p style="text-align: center;">N</p> <p>N.W 1:15 name 2:10 4:15 need 6:1,13 New 1:6 2:5,19 Number 2:5,6 NW 1:7</p> <hr/> <p style="text-align: center;">O</p> <p>OAG 1:23 offer 3:21 4:2,7,20,21 5:1,4,8,13 6:20 opposed 5:23 outstanding 4:23 5:15 owner 6:13,14</p> <hr/> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-I-N-G-S 2:1 paid 4:10 parties 2:7 Partner 2:20 partners 3:6 passes 5:24 payable 4:8,22 5:14 pending 4:11 6:20 person 6:16 Pizarroso 1:22 2:14,14 2:17,17,20,23 3:5,9 3:15 4:16,16,18,18,19 5:2,6,11,23 7:3 please 2:7,8 preliminary 2:25 3:17 3:20 present 1:17,21 3:22 presiding 1:16 provide 3:11 6:5 provided 3:3</p>	<p>providing 6:21</p> <hr/> <p style="text-align: center;">Q</p> <p>quarterly 1:10 4:1,12 4:23 5:15</p> <hr/> <p style="text-align: center;">R</p> <p>RAFI 1:19 reasons 6:12,19 record 2:8 7:10 Reeves 1:15 relationship 2:19 represent 3:4 6:7 restaurant 6:15 Retailer 1:8 Room 1:15</p> <hr/> <p style="text-align: center;">S</p> <p>saying 6:6 second 5:16,17,18,20 send 6:1 7:1,6 sent 7:7 She'll 7:5 Short 1:20 5:17,19 show 1:7 2:4 6:11 sign 7:5 sir 2:13,16,19 3:8,20,24 4:6,15,25 5:25 6:13 7:2 sorry 4:14 statement 4:1 statements 1:10 4:12 4:24 5:15 status 1:8 2:4 street 1:15 6:16 submit 4:11 submitted 4:13 Suite 1:15 supposed 6:5 suspended 4:9</p> <hr/> <p style="text-align: center;">T</p> <p>t/a 1:6 Thank 7:4 today 3:12 6:4,7,10 7:1 7:8 type 3:13</p> <hr/> <p style="text-align: center;">U</p> <p>understand 7:2 understanding 4:20,25</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p style="text-align: center;">W</p> <p>W 1:16,18 walked 6:16 Washington 1:15</p>
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Wednesday 1:12
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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: New District Kitchen

Before: DCABRA

Date: 01-15-20

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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