

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF: :  
: :  
Black's 14th Street NW, :  
LLC, :  
t/a Pearl Dive Oyster :  
Palace/Black Jack :  
1612 14th Street, N.W. : Show Cause  
Retailer CR - ANC 2F : Hearing (Status)  
License No. 85382 :  
Case #17-CMP-00567 :  
: :  
(Noise Violation) :  
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Wednesday  
February 14, 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  
NICK ALBERTI, Member  
BOBBY CATO, JR., Member  
MIKE SILVERSTEIN, Member  
JAMES SHORT, Member  
REMA WAHABZADAH, Member

ALSO PRESENT:

WALTER ADAMS, OAG  
ANDREW KLINE, Attorney for the Licensee

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

2 11:00 a.m.

3 CHAIRPERSON ANDERSON: All right. The  
4 next case on our calendar, and I'm moving -- we  
5 are moving a case -- well, I guess on the  
6 published calendar, the next case on our calendar  
7 is there is a Show Cause Hearing. Well, I guess  
8 it's no longer a Show Cause Hearing, Case No. 17-  
9 CMP-00567, Pearl Dive Oyster Palace/Black Jack,  
10 License No. 85382.

11 Would the parties, please, approach  
12 and identify themselves for the record, please?

13 MR. ADAMS: Good morning, Mr.  
14 Chairman. Walter Adams representing the District  
15 of Columbia.

16 CHAIRPERSON ANDERSON: Mr. Adams.

17 MR. KLINE: Good morning. Andrew  
18 Kline on behalf of the Licensee. And for the  
19 record, I'm pleased to be here and happy to see  
20 all of you.

21 CHAIRPERSON ANDERSON: Mr. Kline, you  
22 are an attorney and so we know that the attorneys

1 will always be here, because there are always  
2 issues for attorneys to be here. The issue  
3 though with licensees, that's a different story.

4 MR. KLINE: I understand.

5 CHAIRPERSON ANDERSON: All right.

6 MR. KLINE: Just a little levity.

7 MEMBER ALBERTI: I thought only  
8 because it was Valentine's Day.

9 CHAIRPERSON ANDERSON: All right. Mr.  
10 Adams, are there any preliminary matters in this  
11 case?

12 MR. ADAMS: There is a preliminary  
13 matter, Mr. Chairman. The parties have discussed  
14 this case and are willing to make an Offer in  
15 Compromise for the -- for in this case, let me  
16 see, for the single charge here, the -- we are  
17 willing to settle this case for an \$850 fine to  
18 be paid within a 30-day period. If the  
19 establishment fails to pay within a 30-day  
20 period, the license will be suspended until such  
21 fine is paid.

22 CHAIRPERSON ANDERSON: Mr. Kline, it's

1 my understanding that there is an Offer in  
2 Compromise and the Offer in Compromise is that  
3 there is a fine of \$850 payable within 30 days.  
4 If the fine is not payable in 30 days, the  
5 license will be suspended until the fine has been  
6 paid.

7 Is this your understanding, sir, of  
8 the Offer in Compromise?

9 MR. KLINE: Yes, it is.

10 CHAIRPERSON ANDERSON: And is your  
11 client aware that by accepting an Offer in  
12 Compromise, that they are giving up their right  
13 to a hearing?

14 MR. KLINE: Yes.

15 CHAIRPERSON ANDERSON: And that they  
16 are also giving up their right to appeal this  
17 matter, if -- that they are also giving up their  
18 right to appeal this matter?

19 MR. KLINE: Yes.

20 CHAIRPERSON ANDERSON: With this said,  
21 I then make a motion that the Offer in Compromise  
22 of a fine of \$850 payable within 30 days. If the

1 fine is not payable in 30 days, the license will  
2 be suspended until the fine has been paid. Is  
3 there a second?

4 MEMBER SHORT: Second.

5 CHAIRPERSON ANDERSON: Mr. Short has  
6 seconded the motion.

7 All those in favor say aye.

8 ALL: Aye.

9 CHAIRPERSON ANDERSON: All those  
10 opposed? The matter passes 6-0-0. I thank the  
11 parties for the matter and we will have you sign-  
12 off.

13 MR. KLINE: Not only is it Valentine's  
14 Day, but pitchers and catchers report today.

15 CHAIRPERSON ANDERSON: I'm sorry, I  
16 didn't hear what you said.

17 MR. KLINE: Both pitchers and catchers  
18 report today.

19 CHAIRPERSON ANDERSON: Oh.

20 MEMBER SILVERSTEIN: The sweetest  
21 words.

22 CHAIRPERSON ANDERSON: So does that

1 say you are not going to be here next week, Mr.  
2 Kline?

3 MR. KLINE: I'll probably have -- I  
4 will not be here next week. I'll be on vacation.

5 CHAIRPERSON ANDERSON: Well, my  
6 birthday is next week, so we will -- and so the  
7 Agency is taking Wednesday off, because I don't  
8 work on my birthday.

9 MR. KLINE: Oh, good for you.

10 CHAIRPERSON ANDERSON: Okay.

11 MR. KLINE: Happy birthday.

12 CHAIRPERSON ANDERSON: Thank you. But  
13 we are not working next week, Wednesday, because  
14 Monday is a holiday and we do not -- when Monday  
15 is a holiday, there is no hearing on Wednesday.

16 MR. KLINE: We will go with that, but  
17 happy birthday.

18 CHAIRPERSON ANDERSON: Thank you. All  
19 right. All right. Here you are. Thanks. All  
20 right.

21 (Whereupon, the Show Cause (Status)  
22 Hearing was concluded at 11:03 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: Black's 14th Street, NW, LLC

Before: DC ABRA

Date: 02-14-18

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.

  
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Court Reporter

**NEAL R. GROSS**

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