

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

2 9:43 a.m.

3 CHAIRPERSON ANDERSON: All right.

4 Good morning, everyone. I would like to welcome
5 you to the regularly scheduled meeting of the
6 District of Columbia Alcoholic Beverage Control
7 Board. Please know that today's hearings will be
8 conducted in accordance with D.C. Official Code
9 Section 2-574 of the Open Meetings Act.

10 Today is November 28, 2018. I would
11 like to introduce Members of the Board with us
12 today. I was about to say to my far right is Mr.
13 Donald Isaac, Sr. However, Mr. Isaac has been
14 promoted by the Mayor and so, therefore, he has
15 moved on to greener pastures, so Mr. Isaac is no
16 longer with us.

17 I'll just say since he is not here, we
18 thank him for his service and he will continue
19 doing greater things for the city.

20 All right. To my immediate left, then
21 to my far left at this juncture, is Mr. Bobby
22 Cato. To my immediate right is Mr. Nick Alberti.

1 To my far left is Ms. Rema Wahabzadah. To her
2 right is Mr. Mike Silverstein and to my immediate
3 left is Mr. James Short. My name is Donovan
4 Anderson. I'm Chairman of the Board. We do have
5 six Members in attendance for the conduct of
6 business today and we do have a quorum.

7 I would like to mention two things
8 before we get started. First of all, if you have
9 any electronic devices, pagers, cell phones or
10 such, please, make certain that they are turned
11 off to avoid any interruption of the proceedings.

12 Secondly, there is a piece of paper on
13 each table. When you come forward as your case
14 is called, please, take a seat at the table and,
15 please, sign-in. This is to ensure the correct
16 spelling of your name for the record.

17 Additionally, when you introduce
18 yourself for the record, please, spell your name
19 aloud for the court reporter.

20 I would note that the approximate time
21 is 9:46. I apologize for not being here at 9:30.
22 I was trying to take care of some business. When

1 I looked at 9:30, I saw the room was empty and
2 so, therefore, I tried to do some business to
3 make our time more efficient and then it took me
4 more -- longer than I anticipated. So I
5 apologize that we are just taking the Bench at
6 9:46.

7 Anyway, I'll move to our Show Cause
8 Hearing (Status) Calendar. The first case on our
9 Show Cause Hearing (Status) Calendar is Case No.
10 17-CIT-00056, Red Apron Butchery/The Partisan,
11 License No. 90742.

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

14 MS. SCHMIDT: Good morning. Amy
15 Schmidt, Assistant Attorney General, on behalf of
16 the District of Columbia.

17 CHAIRPERSON ANDERSON: Good morning,
18 Ms. Schmidt.

19 MS. BABIN: Stephanie Babin on behalf
20 of Neighborhood Restaurant Group t/a Red Apron.

21 CHAIRPERSON ANDERSON: And what's your
22 role with the organization, Ms. Babin?

1 MS. BABIN: Yes, I'm general counsel
2 and partner.

3 CHAIRPERSON ANDERSON: You are?

4 MS. BABIN: General counsel and
5 partner.

6 CHAIRPERSON ANDERSON: Okay. Now, the
7 reason why I always ask that generally because I
8 only see one name and your name is not there. So
9 are you -- is your capacity here today as general
10 counsel or as partner?

11 MS. BABIN: Let's say general counsel.

12 CHAIRPERSON ANDERSON: Okay.

13 MS. BABIN: Whatever is preferable.
14 Whatever gives me signing authority to accept
15 the --

16 CHAIRPERSON ANDERSON: All right.
17 Just trying to clarify the record. All right.

18 All right. So, Ms. Schmidt, are there
19 -- good morning.

20 MS. SCHMIDT: Good morning.

21 CHAIRPERSON ANDERSON: Yes. Are there
22 any preliminary matters in this case?

1 MS. SCHMIDT: Yes, there is. There is
2 an Offer in Compromise for \$1,250 to be paid
3 within 60 days of today or if it is not paid
4 within 60 days, the license shall be suspended
5 indefinitely until the fine is paid.

6 CHAIRPERSON ANDERSON: All right. Ms.
7 Babin, one of the reasons why I asked the
8 question, ask those questions and then -- because
9 we might have someone who is representing the
10 agency and I don't have any paperwork saying who
11 they are. And so but since you are here as
12 general counsel, then if you are not saying
13 factually, then since you are a Member of the
14 Bar, then I can go ahead and take some type of
15 action, but I just want to make sure that -- I
16 don't want -- especially when there is an Offer
17 in Compromise and someone said that they were
18 here and then the owner shows up and says that
19 person was never authorized to make --

20 MS. BABIN: Absolutely. I understand.

21 CHAIRPERSON ANDERSON: -- those
22 decisions. All right. All right.

1 Okay. So it's my understanding then
2 there is an Offer in Compromise of a fine of
3 \$1,250 and the payment is supposed to be made in
4 60 days.

5 Is this your understanding of the
6 Offer in Compromise?

7 MS. BABIN: Yes, sir.

8 CHAIRPERSON ANDERSON: Are you aware
9 that by accepting an Offer in Compromise, that
10 you are giving up your right to a hearing?

11 MS. BABIN: Yes.

12 CHAIRPERSON ANDERSON: And are you
13 also aware that by accepting an Offer in
14 Compromise, that you are giving up your right to
15 appeal this matter?

16 MS. BABIN: Yes.

17 CHAIRPERSON ANDERSON: With that said,
18 I then make a motion that the Offer in Compromise
19 of a fine of \$1,250 be accepted, payable within
20 60 days be accepted. If the fine is not payable
21 in 60 days, the license will be suspended until
22 the fine has been paid.

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 ALL: Aye.

7 CHAIRPERSON ANDERSON: Those opposed?
8 The matter passes 6-0-0.

9 I'll have you sign-off on some
10 paperwork.

11 MS. BABIN: I think I have one more.

12 CHAIRPERSON ANDERSON: Oh.

13 MS. SCHMIDT: She has two more cases.

14 CHAIRPERSON ANDERSON: Oh, okay. All
15 right. Okay. All right.

16 (Whereupon, the Show Cause (Status)

17 Hearing was concluded at 9:48 a.m.)
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22

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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: Red Apron (056)

Before: DCABRA

Date: 11-28-18

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.



Court Reporter

NEAL R. GROSS

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