

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

IN THE MATTER OF: :

:

Dos Ventures, LLC, :

t/a Saint Yves :

1220 Connecticut Ave NW : Show Cause

Retailer CT - ANC 2B : Hearing (Status)

License No. 99876 :

Case #18-CMP-00438 :

:

(No ABC Manager on Duty, :

Failed to Post License :

Conspicuously in the :

Establishment) :

Wednesday,
February 6, 2019

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:

EGIE DIOMI, Licensee

CHRISTOPHER SOUSA, OAG

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

2 9:49 a.m.

3 CHAIRPERSON ANDERSON: All right. The
4 next case on our calendar is Case No. 18-CMP-
5 00438, Saint Yves, License No. 99876.

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

8 MR. SOUSA: Christopher Sousa for the
9 District of Columbia.

10 CHAIRPERSON ANDERSON: Good morning
11 again, Mr. Sousa.

12 MR. DIOMI: Egie Diomi for Dos
13 Ventures doing business as Saint Yves.

14 CHAIRPERSON ANDERSON: All right. Mr.
15 Diomi, now, I know I have seen you before, but
16 did you -- do you have -- and I don't recall if
17 this was done before, have you provided the
18 Agency with a letter stating that you are
19 authorized to represent this establishment at
20 this hearing today, sir?

21 MR. DIOMI: Actually not yet, but I do
22 have the letter.

1 CHAIRPERSON ANDERSON: What? I mean,
2 you have it with you?

3 MR. DIOMI: Yes.

4 CHAIRPERSON ANDERSON: Well, can you
5 show it to Mr. Sousa? And then we will get a
6 copy, sir.

7 MR. DIOMI: Sure.

8 MR. SOUSA: I'm okay.

9 CHAIRPERSON ANDERSON: Okay. So we
10 will get a copy, sir. All right. Are there any
11 preliminary matters in this case?

12 MR. SOUSA: It's my understanding that
13 an Offer in Compromise has been reached between
14 the parties.

15 CHAIRPERSON ANDERSON: And what is the
16 Offer in Compromise, sir?

17 MR. SOUSA: The Offer in Compromise as
18 to Charge 1, no ABC manager, is a warning.

19 As to Charge 2, the license not
20 conspicuously posted, that charge is being
21 dismissed.

22 CHAIRPERSON ANDERSON: I'm sorry, so

1 what is the --

2 MEMBER SILVERSTEIN: A warning.

3 MR. SOUSA: A warning for Charge 1 and
4 a dismissal for Charge 2.

5 CHAIRPERSON ANDERSON: Oh, okay,
6 sorry. All right. All right.

7 So, Mr. Diomi, it's my understanding
8 that there is an Offer in Compromise and the
9 Offer in Compromise is that for Charge 1 a
10 warning will be issued and Charge 2 that there
11 will be a dismissal.

12 Is this your understanding, sir, of
13 the Offer in Compromise?

14 MR. DIOMI: Yes, sir.

15 CHAIRPERSON ANDERSON: Are you aware
16 that by accepting an Offer in Compromise, that
17 you are giving up your right to a hearing?

18 MR. DIOMI: Yes, I am.

19 CHAIRPERSON ANDERSON: Are you also
20 aware that by accepting an Offer in Compromise,
21 that you are giving up your right to appeal this
22 matter?

1 MR. DIOMI: Yes, I do.

2 CHAIRPERSON ANDERSON: All right.

3 With that said, I then make a motion that the
4 Offer in Compromise of a warning for Charge 1 and
5 a dismissal for Charge 2 be accepted.

6 Is there a second?

7 MEMBER SILVERSTEIN: Second.

8 CHAIRPERSON ANDERSON: Mr. Silverstein
9 has seconded the motion.

10 MEMBER WAHABZADAH: Aye.

11 CHAIRPERSON ANDERSON: Those opposed?

12 MEMBER ALBERTI: Opposed.

13 CHAIRPERSON ANDERSON: The matter
14 passes --

15 MEMBER SILVERSTEIN: Abstain.

16 CHAIRPERSON ANDERSON: -- all right.
17 Let's start over again.

18 Mr. Silver -- all right. Let me start
19 -- I'll start again. All right. Mr.
20 Silverstein, you can't second the -- well, you
21 can't really --

22 MEMBER SILVERSTEIN: Opposed.

1 CHAIRPERSON ANDERSON: All right.

2 MEMBER ALBERTI: You can't.

3 MEMBER SILVERSTEIN: Okay.

4 CHAIRPERSON ANDERSON: All right. All
5 right. All right. The Offer in Compromise is
6 that for Charge 1 there is a warning, for Charge
7 2 there is a dismissal.

8 Is there a second?

9 MEMBER SILVERSTEIN: I second it.

10 CHAIRPERSON ANDERSON: All right. Mr.
11 Silverstein has seconded the motion.

12 All those in favor say aye.

13 ALL: Aye.

14 CHAIRPERSON ANDERSON: All those
15 opposed?

16 MEMBER ALBERTI: Opposed.

17 CHAIRPERSON ANDERSON: Is there any
18 abstention? Okay. So the matter passes 5-1-0
19 with Mr. Alberti in opposition.

20 (Whereupon, the Show Cause (Status)
21 Hearing was concluded at 9:52 a.m.)
22

<p>A</p> <p>a.m 3:2 7:21</p> <p>ABC 1:9 4:18</p> <p>Abstain 6:15</p> <p>abstention 7:18</p> <p>accepted 6:5</p> <p>accepting 5:16,20</p> <p>Agency 3:18</p> <p>Alberti 1:19 6:12 7:2,16,19</p> <p>Alcoholic 1:2,14,15</p> <p>ANC 1:7</p> <p>Anderson 1:16,19 3:3,10,14 4:1,4,9 4:15,22 5:5,15,19 6:2,8,11,13,16 7:1 7:4,10,14,17</p> <p>appeal 5:21</p> <p>approach 3:6</p> <p>authorized 3:19</p> <p>Ave 1:7</p> <p>aware 5:15,20</p> <p>aye 6:10 7:12,13</p>	<p>Compromise 4:13 4:16,17 5:8,9,13 5:16,20 6:4 7:5</p> <p>concluded 7:21</p> <p>Connecticut 1:7</p> <p>conspicuously 1:10 4:20</p> <p>Control 1:2,14,15</p> <p>copy 4:6,10</p> <p>CT 1:7</p> <p>D</p> <p>D.C 1:16</p> <p>Diomi 2:11 3:12,12 3:15,21 4:3,7 5:7 5:14,18 6:1</p> <p>dismissal 5:4,11 6:5 7:7</p> <p>dismissed 4:21</p> <p>District 1:1 3:9</p> <p>doing 3:13</p> <p>Donovan 1:16,19</p> <p>Dos 1:6 3:12</p> <p>Duty 1:9</p>	<p>JR 1:20</p> <p>K</p> <p>know 3:15</p> <p>L</p> <p>Let's 6:17</p> <p>letter 3:18,22</p> <p>license 1:8,10 3:5 4:19</p> <p>Licensee 2:11</p> <p>LLC 1:6</p> <p>M</p> <p>manager 1:9 4:18</p> <p>matter 1:5 5:22 6:13 7:18</p> <p>matters 4:11</p> <p>mean 4:1</p> <p>MEETING 1:3</p> <p>Member 1:19,20,20 1:21,21 5:2 6:7,10 6:12,15,22 7:2,3,9 7:16</p> <p>met 1:15</p> <p>MIKE 1:20</p> <p>morning 3:10</p> <p>motion 6:3,9 7:11</p> <p>N</p> <p>N.W 1:15</p> <p>NICK 1:19</p> <p>NW 1:7</p> <p>O</p> <p>OAG 2:12</p> <p>Offer 4:13,16,17 5:8 5:9,13,16,20 6:4 7:5</p> <p>Oh 5:5</p> <p>okay 4:8,9 5:5 7:3 7:18</p> <p>opposed 6:11,12 6:22 7:15,16</p> <p>opposition 7:19</p> <p>P</p> <p>P-R-O-C-E-E-D-I... 3:1</p>	<p>parties 3:6 4:14</p> <p>passes 6:14 7:18</p> <p>please 3:6,7</p> <p>Post 1:10</p> <p>posted 4:20</p> <p>preliminary 4:11</p> <p>PRESENT 1:18 2:9</p> <p>presiding 1:16</p> <p>provided 3:17</p> <p>Q</p> <p>R</p> <p>reached 4:13</p> <p>really 6:21</p> <p>recall 3:16</p> <p>record 3:7</p> <p>Reeves 1:15</p> <p>REMA 1:21</p> <p>represent 3:19</p> <p>Retailer 1:7</p> <p>right 3:3,14 4:10 5:6,6,17,21 6:2,16 6:18,19 7:1,4,5,5 7:10</p> <p>Room 1:15</p> <p>S</p> <p>Saint 1:6 3:5,13</p> <p>second 6:6,7,20 7:8 7:9</p> <p>seconded 6:9 7:11</p> <p>seen 3:15</p> <p>SHORT 1:21</p> <p>show 1:7 4:5 7:20</p> <p>Silver 6:18</p> <p>Silverstein 1:20 5:2 6:7,8,15,20,22 7:3 7:9,11</p> <p>sir 3:20 4:6,10,16 5:12,14</p> <p>sorry 4:22 5:6</p> <p>Sousa 2:12 3:8,8 3:11 4:5,8,12,17 5:3</p> <p>start 6:17,18,19</p> <p>stating 3:18</p> <p>Status 1:7 7:20</p> <p>Street 1:15</p>
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<p>I</p> <p>identify 3:7</p> <p>issued 5:10</p>	<p>J</p> <p>JAMES 1:21</p>	<p>P</p> <p>P-R-O-C-E-E-D-I... 3:1</p>	<p>start 6:17,18,19</p> <p>stating 3:18</p> <p>Status 1:7 7:20</p> <p>Street 1:15</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: Saint Yves

Before: DC ABRA

Date: 02-06-19

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

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