

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF: :
: :
Shaw Howard Deli, LLC, :
t/a Shaw Howard Deli :
1911 7th Street NW : Show Cause
Retailer B - ANC 1B : Hearing (Status)
License No. 95169 :
Case #18-CC-00076 :
: :
(Sale to Minor Violation, :
Failed to Take Steps :
Necessary to Ascertain :
Legal Drinking Age, No :
ABC Manager on Duty) :

Wednesday,
December 5, 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
BOBBY CATO, JR., Member

MIKE SILVERSTEIN, Member

JAMES SHORT, Member

ALSO PRESENT:

LOUISE PHILLIPS, DC OAG

ROBERT CLAYTON, Licensee's Counsel

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

2 9:38 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case No. 18-CC-00076, Shaw
5 Howard Deli, License No. 95169.

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

8 MS. PHILLIPS: Louise Phillips,
9 Assistant Attorney General, for the District of
10 Columbia.

11 CHAIRPERSON ANDERSON: Good morning,
12 Ms. Phillips.

13 MR. CLAYTON: Robert Clayton for the
14 respondent.

15 CHAIRPERSON ANDERSON: I'm sorry, sir,
16 your name?

17 MR. CLAYTON: Robert Clayton, C-L-A-Y-
18 T-O-N.

19 CHAIRPERSON ANDERSON: Good morning,
20 Mr. Clayton.

21 Ms. Phillips, are there any
22 preliminary matters in this case?

1 MS. PHILLIPS: Yes, Mr. Chair, there
2 are. The parties have agreed upon an Offer in
3 Compromise. There are three charges. Charge 1
4 is a warning. Charge 2 is a warning. And Charge
5 3 is \$2,000 to be paid in 90 days.

6 CHAIRPERSON ANDERSON: Mr. Clayton,
7 it's my understanding that there is an Offer in
8 Compromise in this case and the Offer in
9 Compromise is that for Charge 1 there is a
10 warning. Charge 2 there is a warning. For
11 Charge 3 there is a \$2,000 fine payable in 90
12 days.

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

15 MR. CLAYTON: Yes, it is.

16 CHAIRPERSON ANDERSON: Is your client
17 aware -- I'm sorry, you're an attorney, sir?

18 MR. CLAYTON: Yes, sir.

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

1 MR. CLAYTON: Yes, they are.

2 CHAIRPERSON ANDERSON: And are they
3 also aware that by accepting an Offer in
4 Compromise, that they are giving up their right
5 to appeal it?

6 MR. CLAYTON: Yes, they are.

7 CHAIRPERSON ANDERSON: All right.
8 With that said, I then make a motion that the
9 Offer in Compromise of a fine of -- I'm sorry,
10 that the Offer in Compromise be accepted. For
11 Charge 1 there is a warning. For Charge 2 there
12 is a warning. For Charge 3 there is a \$2,000
13 fine payable in 90 days. If the fine is not
14 payable in 90 days, the license will be suspended
15 until the fine has been paid.

16 Is there a second?

17 MEMBER SHORT: Second.

18 CHAIRPERSON ANDERSON: Mr. Short has
19 seconded the motion.

20 All those in favor say aye.

21 ALL: Aye.

22 CHAIRPERSON ANDERSON: Those opposed?

1 The matter passes 4-0-0.

2 The Board will issue a Board Order in
3 this matter. Thank you very much.

4 MR. CLAYTON: Thank you.

5 (Whereupon, the Show Cause (Status)

6 Hearing was concluded at 9:40 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: Shaw Howard Deli

Before: DC ABRA

Date: 12-05-18

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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