

DISTRICT OF COLUMBIA
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 ALCOHOLIC BEVERAGE CONTROL BOARD
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 MEETING

IN THE MATTER OF: :
 :
 Linda & A, Inc., :
 t/a The House :
 3530 Georgia Avenue NW : Show Cause
 Retailer CN - ANC 1A : Hearing (Status)
 License No. 1686 :
 Case #18-CMP-00173 :
 :
 (Permitted Nude Dancers :
 in the Establishment, :
 Permitted Employees to :
 Engage in Sexual Acts at :
 the Establishment) :

Wednesday
 November 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
 RAFI ALIYA CROCKETT, Member
 BOBBY CATO, JR., Member
 JAMES SHORT, Member

ALSO PRESENT:

STEPHEN ORTIZ, PROTESTANT
 DARRELL ALLEN, APPLICANT
 DMAZ LUMUKANDA, COUNSEL FOR PROTESTANT

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

2 9:41 a.m.

3 CHAIRPERSON ANDERSON: We now move to
4 a show cause hearing status calendar. The first
5 case in our show cause hearing status calendar is
6 Case No. 18-CMP-00173, The House, License No.
7 1686. Will the parties please approach and
8 identify themselves for the record, please.

9 MR. ORTIZ: Stephen Ortiz on behalf of
10 the District of Columbia.

11 CHAIRPERSON ANDERSON: Good morning,
12 Mr. Ortiz.

13 MR. LUMUKANDA: Dmaz Lumukanda on
14 behalf of Linda & A Inc., trading as The House.

15 CHAIRPERSON ANDERSON: Good morning
16 Mr. Lumukanda. I see that you're walking today.

17 MR. LUMUKANDA: Yes.

18 CHAIRPERSON ANDERSON: All right.

19 (Simultaneous speaking.)

20 CHAIRPERSON ANDERSON: And did you
21 provide us with a letter of representation?

22 MR. LUMUKANDA: I do have -- the
23 letter of representation was provided to OAG
24 Jessica Krupke.

25 CHAIRPERSON ANDERSON: I don't know if

1 the agency has one. I just want to make sure.

2 MR. LUMUKANDA: I'm not sure if the
3 agency has one, but I have one today. Or I can
4 forward that over immediately.

5 CHAIRPERSON ANDERSON: Sure. So just
6 make sure that we have one, please.

7 MR. LUMUKANDA: Absolutely.

8 CHAIRPERSON ANDERSON: No, he doesn't
9 have it with him. But you'll provide it to us?

10 MR. LUMUKANDA: Okay. Absolutely.

11 CHAIRPERSON ANDERSON: All right. And
12 I know when I first started I could not pronounce
13 your name. But now it's just rolling off my
14 tongue. So that's a good thing on my part. All
15 right. Are there any preliminary matters in this
16 case?

17 MR. ORTIZ: Yes, there are. The
18 establishment and the District have entered into
19 an offer in compromise. As to Charge 1 --

20 CHAIRPERSON ANDERSON: Hold on, Mr.
21 Ortiz. Who do we have here?

22 MR. ALLEN: Darrell Allen. How you
23 guys doing?

24 CHAIRPERSON ANDERSON: And where you
25 from?

1 MR. ALLEN: I'm president of the Linda
2 & A, Inc. I assume that's what you guys are
3 talking about, right?

4 CHAIRPERSON ANDERSON: You sit at the
5 table. I'm just asking you to introduce
6 yourself. That's all, yes. And say your name
7 again.

8 MR. ALLEN: Darrell Allen.

9 CHAIRPERSON ANDERSON: There's a sign-
10 in sheet. Please sign in. I'm sorry. Go ahead.

11 MR. ORTIZ: Yes, as to Charge 1, the
12 offer in compromise is the establishment will pay
13 2,250 dollars within 30 days or its license shall
14 be suspended indefinitely until this fine is
15 paid.

16 As to Charge 2, the establishment
17 shall pay 2,250 dollars within 30 days or its
18 license shall be suspended indefinitely until
19 this fine is paid.

20 CHAIRPERSON ANDERSON: Mr. Lumukanda,
21 it's my understanding that there is an offer in
22 compromise, and the offer in compromise for
23 Charge 1, there is a fine of 2,250 dollars
24 payable in 30 days. For Charge 2, there is also
25 a fine of 2,250 dollars payable in 30 days.

1 Those two fines are payable in 30 days.

2 If the fine is not paid within 30
3 days, your license will be suspended until the
4 fine has been paid. Is this your understanding
5 of the offer in compromise?

6 MR. LUMUKANDA: This is my
7 understanding of the offer in compromise.

8 CHAIRPERSON ANDERSON: With that said,
9 I make a motion that the offer in compromise for
10 Charge 1, a fine of 2,250 dollars payable in 30
11 days be accepted. For Charge 2, there is a fine
12 of 2,250 dollars payable in 30 days be accepted.
13 If the fine is not payable -- if the total fine
14 is not payable in 30 days, the license will be
15 suspended until the fine has been paid. Is there
16 a second?

17 MEMBER SHORT: Second.

18 CHAIRPERSON ANDERSON: Mr. Short has
19 seconded the motion. All those in favor, say
20 aye.

21 (Chorus of aye.)

22 CHAIRPERSON ANDERSON: Those opposed.

23 (No audible response.)

24 CHAIRPERSON ANDERSON: It passes 4-0-
25 0. The Board will be issuing a Board order for

1 this matter. Thank you very much. And just make
2 sure you provide us with a copy of your
3 representation.

4 MR. LUMUKANDA: I'll send it directly
5 to you as well.

6 CHAIRPERSON ANDERSON: Okay. All
7 right. No, we did a Board order. Okay. All
8 right. Thank you. Okay.

9 (Whereupon, the above-entitled matter
10 went off the record at 9:44 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: ABRA Hearing

Before: Alcoholic Beverage Control Board

Date: 11-06-19

Place: Washington, D.C.

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

COURT REPORTERS AND TRANSCRIBERS

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