



**ALSO PRESENT:**

**AMY SCHMIDT, OAG**

**SIDON YOHANNES, Applicant's Counsel**

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

2 (9:58 a.m.)

3 CHAIRPERSON ANDERSON: The next case  
4 on our calendar is Case No. 17-CC-00088, Fresh  
5 Fields Whole Foods Market, License Number 60167.

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

8 MS. SCHMIDT: Good morning. Amy  
9 Schmidt, Assistant Attorney General on behalf of  
10 District of Columbia.

11 CHAIRPERSON ANDERSON: Ms. Schmidt.

12 MS. YOHANNES: Sidon Yohannes on  
13 behalf of the licensee.

14 CHAIRPERSON ANDERSON: Good morning  
15 again, Ms. Yohannes.

16 Are there any preliminary matters in  
17 this case?

18 MS. SCHMIDT: Yes, there is. There  
19 was an Offer-in-Compromise to be presented and  
20 that is for Charge I, a \$3000 fine to be paid  
21 within 30 days or the license shall be suspended  
22 indefinitely until the fine is paid.

1                   The license shall be suspended for  
2 five days with all five days stayed for one year  
3 and all employees who serve alcoholic beverages  
4 in the licensed establishment shall complete an  
5 alcohol training program within three months from  
6 the OIC's date and Charge II will be dismissed.

7                   CHAIRPERSON ANDERSON: All right, Ms.  
8 Yohannes. It's my understanding there is an  
9 Offer-in-Compromise. And the Offer-in-Compromise  
10 is that for Charge I there is a fine of \$3000  
11 paid within 30 days.

12                   If the fine is not paid within 30  
13 days, the license will be suspended until the  
14 fine has been paid, that there is a five-day  
15 suspension. All five days will be stayed for one  
16 year, that all employees who sell or serve  
17 alcohol will undergo training within the next 90  
18 days and that Charge II will be dismissed. Is  
19 this your understanding of the Offer-in-  
20 Compromise?

21                   MS. YOHANNES: Yes, it is.

22                   CHAIRPERSON ANDERSON: And is your

1 client aware that by accepting an Offer-in-  
2 Compromise that they're giving up their rights to  
3 a hearing?

4 MS. YOHANNES: Yes.

5 CHAIRPERSON ANDERSON: And does your  
6 client also, is aware that also by accepting this  
7 Offer-in-Compromise that they're giving up their  
8 right to appeal this matter?

9 MS. YOHANNES: Yes.

10 CHAIRPERSON ANDERSON: All right. Any  
11 Board members have any questions of Counsel  
12 regarding this Offer-in-Compromise?

13 (No audible response.)

14 CHAIRPERSON ANDERSON: All right. I  
15 make a motion that the Offer-in-Compromise of a  
16 fine of \$3000 payable in 30 days be accepted,  
17 that there will be a five-day suspension for one  
18 year, all five days will be, a five-day  
19 suspension, all five days will be stayed for one  
20 year, that all employees who sell or serve  
21 alcohol will undergo training within the next 90  
22 days and that Charge II will be dismissed.

1                   Is there a second?

2                   MR. SILVERSTEIN:   Second.

3                   CHAIRPERSON ANDERSON:   Mr. Silverstein  
4                   has seconded the motion.

5                   All those in favor say aye.

6                   (Chorus of aye.)

7                   CHAIRPERSON ANDERSON:   All those  
8                   opposed?   All those abstained?

9                   (Off the record comment.)

10                  CHAIRPERSON ANDERSON:   Okay.   Then the  
11                  matter passed 6-0-0.   The Board will issue a  
12                  Board Order in this matter and so therefore, the  
13                  fine, the training, everything will be effective  
14                  once the Board Order has been issued.   All right?  
15                  Thank you very much.

16                  MS. YOHANNES:   Thank you.

17                  CHAIRPERSON ANDERSON:   All right.

18                  (Whereupon, the above-entitled matter  
19                  went off the record at 10:02 a.m.)  
20  
21  
22

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**9:58** 3:2  
**90** 4:17 5:21



C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Whole Foods Market Group, Inc.  
t/a Fresh Fields Whole Foods Market

Before: Alcoholic Beverage Control Board

Date: 02-07-18

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.

*Neal R Gross*

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Court Reporter

**NEAL R. GROSS**

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