

ALSO PRESENT:

FERNANDO RIVERO, OAG

MATT DEVENDORF, Licensee's Attorney

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

2 9:47 a.m.

3 CHAIRPERSON ANDERSON: The next case
4 on our calendar is Case No. 19-CC-00019, Wine and
5 Butter, License No. 105990.

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

8 MR. RIVERO: Good morning, Board
9 Members. Fernando Rivero for the District of
10 Columbia.

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

13 MR. DEVENDORF: Good morning. Matt
14 Devendorf on behalf of Wine and Butter.

15 CHAIRPERSON ANDERSON: Good morning,
16 Mr. Devendorf.

17 Mr. Rivero, are there any preliminary
18 matters in this case?

19 MR. RIVERO: Yes. The parties have an
20 Offer in Compromise to present to the Board, at
21 this time. And that offer consists of a fine of
22 \$2,000 payable within 30 days. A suspension of

1 the license for five days with four days stayed,
2 one day served. The day will be served on May 6,
3 2019, which is a date on which the licensee is
4 regularly open. That is the offer.

5 CHAIRPERSON ANDERSON: Was there
6 another -- I thought there were two charges in
7 this case.

8 MR. DEVENDORF: Only one charge, but
9 -- yeah, I believe this Offer in Compromise was
10 for both charges. Wait a second.

11 MR. RIVERO: Yes, so Charge 2 is
12 dismissed.

13 CHAIRPERSON ANDERSON: All right.

14 MR. RIVERO: That's how we treat that.

15 CHAIRPERSON ANDERSON: Right. I know,
16 but that's what I'm saying, it needs to be --

17 MR. RIVERO: Exposed.

18 CHAIRPERSON ANDERSON: -- since it was
19 -- yeah.

20 MR. RIVERO: So Charge 2 would be
21 dismissed.

22 CHAIRPERSON ANDERSON: Okay. Fine.

1 All right. All right. It's my understanding
2 that there is an Offer in Compromise and the
3 Offer in Compromise is that for Charge 1 there is
4 a fine of \$2,000 payable within 30 days. That
5 also there is a five day suspension, four days
6 will be stayed for one year, and one day will be
7 served and the day that will be served is May 6,
8 2019. And that Charge 2 will be dismissed.

9 Is this your understanding of the
10 Offer in Compromise?

11 MR. DEVENDORF: Yes, it is.

12 CHAIRPERSON ANDERSON: Is your client
13 aware that by accepting an Offer in Compromise,
14 that they are giving up their right to a hearing?

15 MR. DEVENDORF: Yes.

16 CHAIRPERSON ANDERSON: And is your
17 client also aware that by accepting an Offer in
18 Compromise, that they are giving up their right
19 to appeal this matter?

20 MR. DEVENDORF: Yes.

21 CHAIRPERSON ANDERSON: With that said,
22 I then make a motion that the Offer in Compromise

1 of a fine of \$2,000 payable in 30 days be
2 accepted; that there is also a five day
3 suspension. Four days will be stayed for one
4 year, one day will be served and the day that
5 will be served is May 6, 2019. And that Charge 2
6 will be dismissed. Is there a second?

7 MEMBER SHORT: Second.

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

10 All those in favor say aye.

11 ALL: Aye.

12 CHAIRPERSON ANDERSON: Those opposed?
13 The matter passes 5-0-0.

14 Thank you. The Board will issue a
15 Board Order in this matter.

16 (Whereupon, the Show Cause (Status)
17 Hearing was concluded at 9:50 a.m.)
18
19
20
21
22

A	Devendorf 2:12 3:13,14 3:16 4:8 5:11,15,20 dismissed 4:12,21 5:8 6:6 District 1:1 3:9 Donovan 1:17,19 Drinking 1:11	N	Thank 6:14 thought 4:6 treat 4:14 two 4:6
a.m 3:2 6:17 accepted 6:2 accepting 5:13,17 Age 1:11 ALBERTI 1:20 Alcoholic 1:2,15,15 ANC 1:7 Anderson 1:17,19 3:3 3:11,15 4:5,13,15,18 4:22 5:12,16,21 6:8 6:12 appeal 5:19 approach 3:6 Ascertain 1:10 Attorney 2:12 aware 5:13,17 aye 6:10,11	E	O	U
B	East 1:7 Exposed 4:17	OAG 2:11 offer 3:20,21 4:4,9 5:2,3 5:10,13,17,22 open 4:4 opposed 6:12 Order 6:15	understanding 5:1,9
B 1:7 behalf 3:14 believe 4:9 Beverage 1:2,15,15 Board 1:2,15 3:8,20 6:14,15 BOBBY 1:20 Building 1:16 Butter 1:6 3:5,14	F	P	V
C	Failed 1:10 favor 6:10 Fernando 2:11 3:9 fine 3:21 4:22 5:4 6:1 five 4:1 5:5 6:2 four 4:1 5:5 6:3	P-R-O-C-E-E-D-I-N-G-S 3:1 parties 3:6,19 passes 6:13 payable 3:22 5:4 6:1 please 3:6,7 preliminary 3:17 present 1:18 2:9 3:20 presiding 1:17	Violation 1:9
calendar 3:4 Capitol 1:7 case 1:8 3:3,4,18 4:7 CATO 1:20 Cause 1:7 6:16 Chairperson 1:16,19 3:3,11,15 4:5,13,15 4:18,22 5:12,16,21 6:8,12 charge 4:8,11,20 5:3,8 6:5 charges 4:6,10 client 5:12,17 Columbia 1:1 3:10 Compromise 3:20 4:9 5:2,3,10,13,18,22 concluded 6:17 consists 3:21 Control 1:2,15,15	G	Q	W
D	giving 5:14,18	R	W 1:17,19 WAHABZADAH 1:22 Wait 4:10 Washington 1:16 Wednesday 1:13 Wine 1:6 3:4,14 Wineandbutter 1:6
D.C 1:16 date 4:3 day 4:2,2 5:5,6,7 6:2,4,4 days 3:22 4:1,1 5:4,5 6:1,3	H	record 3:7 Reeves 1:16 regularly 4:4 REMA 1:22 Retailer 1:7 Rivero 2:11 3:8,9,12,17 3:19 4:11,14,17,20 Room 1:16	X
	hearing 1:7,15 5:14 6:17	S	Y
	I	Sale 1:9 saying 4:16 SE 1:7 second 4:10 6:6,7 seconded 6:9 served 4:2,2 5:7,7 6:4,5 Short 1:21 6:7,8 Show 1:7 6:16 SILVERSTEIN 1:21 Status 1:8 6:16 stayed 4:1 5:6 6:3 Steps 1:10 Street 1:7,16 Suite 1:16 suspension 3:22 5:5 6:3	year 5:6 6:4
	J	T	Z
	JAMES 1:21 JR 1:20	t/a 1:6	0
	K		1
	L		1023 1:7 105990 1:8 3:5 14th 1:16 19-CC-00019 1:8 3:4
	Legal 1:11 license 1:8 3:5 4:1 licensee 4:3 Licensee's 2:12 LLC 1:6		2
	M		2 4:11,20 5:8 6:5 2,000 3:22 5:4 6:1 2000 1:16 20009 1:16 2019 1:13 4:3 5:8 6:5
	Matt 2:12 3:13 matter 1:5 5:19 6:13,15 matters 3:18 MEETING 1:3 Member 1:20,20,21,21 1:22 6:7 Members 3:9 met 1:15 MIKE 1:21 Minor 1:9 morning 3:8,11,13,15 motion 5:22 6:9		3
			30 3:22 5:4 6:1
			4
			400S 1:16
			5
			5-0-0 6:13
			6
			6 4:2 5:7 6:5 6B 1:7
			7
			8

9

9:47 3:2
9:50 6:17

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Wine and Butter

Before: DC ABRA

Date: 05-01-19

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.

Neal R Gross

Court Reporter

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701