

Capital Reporting Company
In the Matter of: Lace Hospitality, LLC t/a Lace 08-08-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
 :
Lace Hospitality, LLC :
t/a Lace :
2214 Rhode Island Avenue, NE :
Retailer CT : Show Cause
License No. 76369 : Hearing
ANC 5a : (Status)
Case No. 12-251-00064 :
Substantial Change :
(Operating after hours) :
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August 8, 2012

The Alcoholic Beverage Control

Board met in the Alcoholic Beverage Control Hearing
Room, Reeves Building, 2000 14th Street, N.W.,
Washington, D.C., Ruthanne Miller, Chairperson,
presiding.

PRESENT

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD BROOKS, Member

HERMAN JONES, Member

CALVIN NOPHLIN, Member

MIKE SILVERSTEIN, Member

ALSO PRESENT

FERNANDO RIVERO, OAG

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

2 9:48 a.m.

3 CHAIRPERSON MILLER: The next case on our
4 morning calendar is Case Number 12-251-00064, Lace,
5 located at 2014 Rhode Island Avenue NE, License Number
6 76369. And it's located in ANC 5A. Good morning.

7 MR. RIVERO: Good morning, Board members.
8 Fernando Rivero for the District of Columbia, standing
9 in for Senior Assistant Attorney General, Maureen
10 Daniel.

11 CHAIRPERSON MILLER: Okay.

12 MS. MCALLISTER: Good morning.

13 CHAIRPERSON MILLER: Good morning. Could you
14 introduce yourself, for the record, please?

15 MS. MCALLISTER: Yes, I'm Linda McAllister,
16 and I'm owner of Lace Hospitality.

17 CHAIRPERSON MILLER: Okay. And Ms.
18 McAllister, you're the owner?

19 MS. MCALLISTER: That's correct.

20 CHAIRPERSON MILLER: Did you sign in yet, on
21 that paper?

22 MS. MCALLISTER: No, I did not.

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1 CHAIRPERSON MILLER: Okay, I'll wait a minute
2 for you to do that. Okay, so this is a show cause
3 status hearing. And I just need to ask you a few
4 preliminary questions.

5 Did you receive notice of this hearing?

6 MS. MCALLISTER: Well, that's a bit of the
7 confusing part. I had an ABRA person come in and he
8 gave me a document, I think, or he gave it to my
9 manager actually, then my manager handed it to me. But
10 looking at what the attorney has, in terms of the
11 person I should contact, it looked like a different
12 document than the one he showed me a few moments ago.
13 So I'm not the -- my answer is, I'm not quite certain.

14 MR. RIVERO: Since I have some question about
15 whether she actually received the notice, I would just
16 request that notice be received -- provided again and
17 that we could have new dates set for this case.

18 CHAIRPERSON MILLER: Okay, is that what you
19 would -- is that what you would like to do, or would
20 you like to look at the notice now, and we can come
21 back to you later in the morning?

22 MS. MCALLISTER: Well, unfortunately, just as

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1 the other person indicated, I mean, I've got to keep my
2 business going. So, you know, I'm not in position to
3 come back tomorrow.

4 CHAIRPERSON MILLER: Okay, that's what I'm
5 asking you, if you want to take a look at the notice
6 now, and we'll come back to your case rather than
7 you're coming back another day if you want. If you
8 think you can, you know, read it, see if you can
9 understand it, see what you -- if you want to go
10 forward with this -- with the status today.

11 MS. MCALLISTER: May I -- will I have an
12 opportunity to have a -- get a copy of it and take it
13 with me --

14 MR. SILVERSTEIN: Sure.

15 MS. MCALLISTER: -- so I can --

16 CHAIRPERSON MILLER: Right.

17 MS. MCALLISTER: -- really look it over?

18 CHAIRPERSON MILLER: Yes.

19 MS. MCALLISTER: Sure. Sure.

20 MR. RIVERO: So we would request a pass on
21 this case while ABRA staff serve the notice. We can
22 come back to this case after we've seen the others.

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1 CHAIRPERSON MILLER: That's what I'd like to
2 do. And you can indicate to our staff when you're
3 ready, you know, when you've read it and when you're
4 ready to come back and then we'll see how we fit your
5 case in this morning.

6 MS. MCALLISTER: Madam.

7 CHAIRPERSON MILLER: Okay?

8 (Chairperson and staff confer.)

9 MS. MCALLISTER: You know, I think at this
10 juncture-- because I don't wanna feel rushed in doing
11 this, may I just have another date if that's all right?
12 I have it --

13 CHAIRPERSON MILLER: Okay, my legal staff
14 just gave me a service form that shows that you
15 received -- that you received the notice. Did you --
16 is there a question as to -- you're not sure what
17 notice we're dealing with this morning? Is that the
18 question?

19 MS. MCALLISTER: No, as I stated -- as I
20 stated, I had someone come in, and I understand -- I
21 believe they spoke with my manager, I believe, and my
22 manager gave me a document, and I read it. But again,

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1 from what I saw that the attorney has, it says I should
2 contact this individual, another attorney, regarding
3 the resolution of the case. And I don't recall seeing
4 that. Did I sign it? Was it --

5 CHAIRPERSON MILLER: Why don't we show this
6 to you?

7 (Chairperson and staff confer.)

8 MS. MCALLISTER: I mean, if I received it --
9 I'm not suggesting I didn't receive it if it did, I
10 just don't recall receiving it. Very well. Well,
11 okay. (inaudible) --

12 UNIDENTIFIED FEMALE: Do you want to see
13 another--

14 CHAIRPERSON MILLER: Please.

15 MS. MCALLISTER: Okay, sure. We can move
16 forward then. Okay.

17 CHAIRPERSON MILLER: Okay?

18 MS. MCALLISTER: Yes.

19 CHAIRPERSON MILLER: So we're just dealing
20 with this document that's entitled Notice of Status and
21 Show Cause Hearing.

22 MS. MCALLISTER: Very well.

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1 CHAIRPERSON MILLER: Okay, so you did receive
2 this notice?

3 MS. MCALLISTER: Yes. I did.

4 CHAIRPERSON MILLER: And have you read it?

5 MS. MCALLISTER: Yes.

6 CHAIRPERSON MILLER: Okay, and do you
7 understand it?

8 MS. MCALLISTER: Well, I certainly understand
9 what the allegations are, so yes.

10 CHAIRPERSON MILLER: Okay. And the last
11 question is do you wave our reading this notice into
12 the record?

13 MS. MCALLISTER: Sure.

14 CHAIRPERSON MILLER: Okay. Okay, so are
15 there any preliminary matters in this case?

16 MR. RIVERO: There are, in fact, no
17 preliminary matters in this case. We have not had an
18 ability to come to terms and present an offer in
19 compromise to the Board today. So the government is
20 amenable to coming back for a show cause hearing on the
21 next date that's listed on the notice. Should there be
22 a resolution of this case, short of a show cause

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1 hearing, I believe the licensee can -- can discuss that
2 with the assigned attorney and present that resolution
3 at the next date on the -- that's stated on the notice.
4 Short of, of course, having a resolution here today, at
5 some point later if I'm able.

6 CHAIRPERSON MILLER: Okay. Ms. McAllister,
7 do you have any comments?

8 MS. MCALLISTER: Yes I do.

9 CHAIRPERSON MILLER: Okay.

10 MS. MCALLISTER: So when I spoke with the
11 attorney, he indicated that there was a possible fine,
12 etcetera, and the -- the amount. And is that indicated
13 here? I don't -- I don't see it. I guess I don't
14 understand the total implications.

15 MR. RIVERO: Court's indulgence, please.

16 CHAIRPERSON MILLER: All right. Go ahead.

17 MR. RIVERO: Thank you.

18 (Parties confer.)

19 MR. RIVERO: We have no preliminary matters,
20 at this time. The Licensee would like to change the
21 show cause hearing date. She will work with the
22 assigned attorney to ensure that a mutually agreeable

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1 date is to be found and then we'll deal with ABRA staff
2 to get that done. So there's no reason -- no need to
3 reschedule this right now.

4 CHAIRPERSON MILLER: Okay. All right, are
5 you agreeable to that?

6 MS. MCALLISTER: Sure.

7 CHAIRPERSON MILLER: Okay, so as I understand
8 it, the date that has been set on the notice, is
9 October 31, at 10:00, but that's the time that you
10 can't make, and therefore, according to Mr. Rivero, you
11 all will work with our legal staff to see if --

12 MS. MCALLISTER: Sure.

13 CHAIRPERSON MILLER: -- there's another date
14 for the show cause hearing. Okay.

15 MR. RIVERO: Right.

16 CHAIRPERSON MILLER: Thank you.

17 (WHEREUPON, at 9:57 a.m., the hearing was
18 concluded.)

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<p>1</p> <p>10:00 9:9</p> <p>12-251-00064 1:9 2:4</p> <p>14th 1:15</p> <hr/> <p>2</p> <p>2000 1:15</p> <p>2012 1:12</p> <p>2014 2:5</p> <p>2214 1:7</p> <hr/> <p>3</p> <p>31 9:9</p> <hr/> <p>5</p> <p>5a 1:8 2:6</p> <hr/> <p>7</p> <p>76369 1:8 2:6</p> <hr/> <p>8</p> <p>8 1:12</p> <hr/> <p>9</p> <p>9:48 2:2</p> <p>9:57 9:17</p> <hr/> <p>A</p> <p>a.m 2:2 9:17</p> <p>ability 7:18</p> <p>able 8:5</p> <p>ABRA 3:7 4:21 9:1</p> <p>according 9:10</p> <p>actually 3:9,15</p> <p>ago 3:12</p>	<p>agreeable 8:22 9:5</p> <p>ahead 8:16</p> <p>ALBERTI 1:18</p> <p>Alcoholic 1:2,13,14</p> <p>allegations 7:9</p> <p>amenable 7:20</p> <p>amount 8:12</p> <p>ANC 1:8 2:6</p> <p>answer 3:13</p> <p>assigned 8:2,22</p> <p>Assistant 2:9</p> <p>attorney 2:9 3:10 6:1,2 8:2,11,22</p> <p>August 1:12</p> <p>Avenue 1:7 2:5</p> <hr/> <p>B</p> <p>believe 5:21 8:1</p> <p>Beverage 1:2,13,14</p> <p>bit 3:6</p> <p>Board 1:2,14 2:7 7:19</p> <p>BROOKS 1:19</p> <p>Building 1:15</p> <p>business 4:2</p> <hr/> <p>C</p> <p>calendar 2:4</p> <p>CALVIN 1:20</p> <p>case 1:9 2:3,4 3:17 4:6,21,22 5:5 6:3 7:15,17,22</p> <p>cause 1:7 3:2 6:21 7:20,22 8:21</p>	<p>9:14</p> <p>certain 3:13</p> <p>certainly 7:8</p> <p>Chairperson 1:15,18 2:3,11,13,17,20 3:1,18 4:4,16,18 5:1,7,8,13 6:5,7,14,17,19 7:1,4,6,10,14 8:6,9,16 9:4,7,13,16</p> <p>change 1:9 8:20</p> <p>Columbia 1:1 2:8</p> <p>coming 4:7 7:20</p> <p>comments 8:7</p> <p>compromise 7:19</p> <p>concluded 9:18</p> <p>confer 5:8 6:7 8:18</p> <p>confusing 3:7</p> <p>contact 3:11 6:2</p> <p>Control 1:2,13,14</p> <p>copy 4:12</p> <p>correct 2:19</p> <p>course 8:4</p> <p>Court's 8:15</p> <p>CT 1:7</p> <hr/> <p>D</p> <p>D.C 1:15</p> <p>Daniel 2:10</p> <p>date 5:11 7:21 8:3,21 9:1,8,13</p> <p>dates 3:17</p> <p>day 4:7</p> <p>deal 9:1</p>	<p>dealing 5:17 6:19</p> <p>different 3:11</p> <p>discuss 8:1</p> <p>District 1:1 2:8</p> <p>document 3:8,12 5:22 6:20</p> <p>DONALD 1:19</p> <p>done 9:2</p> <hr/> <p>E</p> <p>ensure 8:22</p> <p>entitled 6:20</p> <p>etcetera 8:12</p> <hr/> <p>F</p> <p>fact 7:16</p> <p>feel 5:10</p> <p>FEMALE 6:12</p> <p>Fernando 1:21 2:8</p> <p>fine 8:11</p> <p>fit 5:4</p> <p>form 5:14</p> <p>forward 4:10 6:16</p> <hr/> <p>G</p> <p>General 2:9</p> <p>government 7:19</p> <p>guess 8:13</p> <hr/> <p>H</p> <p>handed 3:9</p> <p>having 8:4</p> <p>hearing 1:8,14 3:3,5 6:21 7:20 8:1,21 9:14,17</p> <p>HERMAN 1:19</p>
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<p>Hospitality 1:6 2:16</p> <p>hours 1:10</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>I'd 5:1</p> <p>I'll 3:1</p> <p>I'm 2:15,16 3:13 4:2,4 6:9 8:5</p> <p>implications 8:14</p> <p>inaudible 6:11</p> <p>indicate 5:2</p> <p>indicated 4:1 8:11,12</p> <p>individual 6:2</p> <p>indulgence 8:15</p> <p>introduce 2:14</p> <p>Island 1:7 2:5</p> <p>it's 2:6</p> <p>I've 4:1</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>JONES 1:19</p> <p>junction 5:10</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>Lace 1:6 2:4,16</p> <p>last 7:10</p> <p>later 3:21 8:5</p> <p>legal 5:13 9:11</p> <p>License 1:8 2:5</p> <p>licensee 8:1,20</p> <p>Linda 2:15</p> <p>listed 7:21</p> <p>LLC 1:6</p>	<p>located 2:5,6</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>Madam 5:6</p> <p>manager 3:9 5:21,22</p> <p>MATTER 1:5</p> <p>matters 7:15,17 8:19</p> <p>Maureen 2:9</p> <p>may 4:11 5:11</p> <p>McAllister 2:12,15,18,19,22 3:6,22 4:11,15,17,19 5:6,9,19 6:8,15,18,22 7:3,5,8,13 8:6,8,10 9:6,12</p> <p>mean 4:1 6:8</p> <p>MEETING 1:3</p> <p>Member 1:18,19,20</p> <p>members 2:7</p> <p>met 1:14</p> <p>MIKE 1:20</p> <p>Miller 1:15,18 2:3,11,13,17,20 3:1,18 4:4,16,18 5:1,7,13 6:5,14,17,19 7:1,4,6,10,14 8:6,9,16 9:4,7,13,16</p> <p>minute 3:1</p> <p>moments 3:12</p> <p>morning 2:4,6,7,12,13</p>	<p>3:21 5:5,17</p> <p>move 6:15</p> <p>mutually 8:22</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N.W 1:15</p> <p>NE 1:7 2:5</p> <p>NICK 1:18</p> <p>NOPHLIN 1:20</p> <p>notice 3:5,15,16,20 4:5,21 5:15,17 6:20 7:2,11,21 8:3 9:8</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>OAG 1:21</p> <p>October 9:9</p> <p>offer 7:18</p> <p>Operating 1:10</p> <p>opportunity 4:12</p> <p>others 4:22</p> <p>owner 2:16,18</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>paper 2:21</p> <p>Parties 8:18</p> <p>pass 4:20</p> <p>person 3:7,11 4:1</p> <p>please 2:14 6:14 8:15</p> <p>point 8:5</p> <p>position 4:2</p> <p>possible 8:11</p> <p>preliminary 3:4 7:15,17 8:19</p> <p>present 1:17,21</p>	<p>7:18 8:2</p> <p>presiding 1:16</p> <p>provided 3:16</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>question 3:14 5:16,18 7:11</p> <p>questions 3:4</p> <p>quite 3:13</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>rather 4:6</p> <p>reading 7:11</p> <p>ready 5:3,4</p> <p>really 4:17</p> <p>reason 9:2</p> <p>recall 6:3,10</p> <p>receive 3:5 6:9 7:1</p> <p>received 3:15,16 5:15 6:8</p> <p>receiving 6:10</p> <p>record 2:14 7:12</p> <p>Reeves 1:15</p> <p>regarding 6:2</p> <p>request 3:16 4:20</p> <p>reschedule 9:3</p> <p>resolution 6:3 7:22 8:2,4</p> <p>Retailer 1:7</p> <p>Rhode 1:7 2:5</p> <p>Rivero 1:21 2:7,8 3:14 4:20 7:16 8:15,17,19 9:10,15</p> <p>Room 1:15</p> <p>rushed 5:10</p>
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<p>Ruthanne 1:15,18</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>saw 6:1</p> <p>seeing 6:3</p> <p>seen 4:22</p> <p>Senior 2:9</p> <p>serve 4:21</p> <p>service 5:14</p> <p>short 7:22 8:4</p> <p>showed 3:12</p> <p>shows 5:14</p> <p>sign 2:20 6:4</p> <p>SILVERSTEIN 1:20 4:14</p> <p>someone 5:20</p> <p>spoke 5:21 8:10</p> <p>staff 4:21 5:2,8,13 6:7 9:1,11</p> <p>standing 2:8</p> <p>stated 5:19,20 8:3</p> <p>status 1:8 3:3 4:10 6:20</p> <p>Street 1:15</p> <p>Substantial 1:9</p> <p>suggesting 6:9</p> <p>sure 4:14,19 5:16 6:15 7:13 9:6,12</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>t/a 1:6</p> <p>terms 3:10 7:18</p> <p>Thank 8:17 9:16</p> <p>that's 2:19 3:6 4:4 5:1,11 6:20 7:21 8:3 9:9</p>	<p>therefore 9:10</p> <p>there's 9:2,13</p> <p>today 4:10 7:19 8:4</p> <p>tomorrow 4:3</p> <p>total 8:14</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>understand 4:9 5:20 7:7,8 8:14 9:7</p> <p>unfortunately 3:22</p> <p>UNIDENTIFIED 6:12</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>wait 3:1</p> <p>wanna 5:10</p> <p>Washington 1:15</p> <p>wave 7:11</p> <p>we'll 4:6 5:4 9:1</p> <p>we're 5:17 6:19</p> <p>we've 4:22</p> <p>WHEREUPON 9:17</p> <p>whether 3:15</p> <p>work 8:21 9:11</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>yet 2:20</p> <p>yourself 2:14</p> <p>you've 5:3</p>		
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