

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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IN THE MATTER OF: :

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A Taste International, LLC :

t/a Xclusive Restaurant :

707 H Street NE :

License #ABRA-088205 :

Class CT New Application :

Case #11-PRO-00091 :

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MONDAY, January 9, 2012

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The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, 2000 14th Street, N.W., Suite 400S Washington, D.C., Ms. La Verne Fletcher, Agent, presiding.

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

10:07 a.m.

AGENT FLETCHER: Would the parties in the matter of Xclusive Restaurant and Lounge please come forward? This is Case Number 11-PRO-00091, A Taste International, LLC., trading as Xclusive Restaurant and Lounge, 707 H Street, NE, License Number ABRA-088205, Retailer Class CT, new application. The protest issues are adverse impact on peace, order, and quiet, residential parking and vehicular and pedestrian safety.

My name is La Verne Fletcher, and I will be conducting the Roll Call Hearing as the Board's Agent pursuant to D.C. Official Code 1601.2. Introductions, beginning with the Applicant, please?

MR. NWAEZE: Yes. Christopher Nwaeze, the Applicant for Xclusive Restaurant.

AGENT FLETCHER: And would you please spell your full name for the court reporter?

1 MR. NWAEZE: Christopher Nwaeze,
2 N-W-A --

3 AGENT FLETCHER: Could you please
4 spell Christopher, as well?

5 MR. NWAEZE: C-H-R-I-S-T-O-P-H-E-R.

6 AGENT FLETCHER: Thank you.

7 MR. NWAEZE: N-W-A-E-Z-E.

8 AGENT FLETCHER: Thank you, very
9 much. And, for the Protestants?

10 MR. RICHARDSON: Sure, I'll go
11 first. Tony Richardon, representing 6C, ANC-
12 6C.

13 AGENT FLETCHER: Thank you, Mr.
14 Richardson. That's T-O-N-Y?

15 MR. RICHARDSON: That's correct,
16 common spelling.

17 AGENT FLETCHER: Thank you. And
18 for the Protestants?

19 MS. ARDALAN: Sure. My name is
20 Georgina Ardalan, spelled G-E-O-R-G-I-N-A,
21 last name Ardalan, A-R-D-A-L-A-N.

22 AGENT FLETCHER: And Ms. Ardalan,

1 will you be seated at the table? You are a
2 designated representative, yes?

3 MS. ARDALAN: Yes, I am.

4 AGENT FLETCHER: Okay. Thank you.

5 MS. ARDALAN: Sure.

6 AGENT FLETCHER: Thank you.

7 MR. STARACE: Kevin, K-E-V-I-N,
8 last name S-T-A-R-A-C-E.

9 AGENT FLETCHER: S-T-A-R?

10 MR. STARACE: A-C-E.

11 AGENT FLETCHER: A-C-E?

12 MR. STARACE: Yes.

13 AGENT FLETCHER: Thank you, very
14 much. And your name, sir?

15 MR. ACKEMANN: I'm Alex Ackemann,
16 that's A-L-E-X, last name A-C-K-E-M-A-N-N.

17 AGENT FLETCHER: Okay, Mr.
18 Ackemann, and you've both signed the protest
19 letter?

20 MR. ACKEMANN: Correct.

21 AGENT FLETCHER: Okay. Thank you,
22 very much.

1 MR. ACKEMANN: Yes.

2 MR. JOHNSON: And Seth Johnson,
3 S-E-T-H Johnson, also one of the designated
4 representatives.

5 AGENT FLETCHER: And Mr. Johnson,
6 if you would also be seated at the table of
7 designated representatives. Mr. Starace and
8 Mr. Ackemann, you may be seated right behind
9 Ms. Ardalan and Mr. Johnson.

10 MR. STARACE: Okay.

11 AGENT FLETCHER: Is there anyone
12 present on behalf -- Mr. Richardson, you are
13 the only person present on behalf of ANC-6C?

14 MR. RICHARDSON: That is correct.

15 AGENT FLETCHER: Okay. And you
16 are their designated representative?

17 MR. RICHARDSON: I am.

18 AGENT FLETCHER: ANC-6C does have
19 standing as a protestant. In terms of the
20 group that you're representing, Mr. Johnson
21 and Ms. Ardalan, there are four individuals
22 from your group present today, which means

1 that one more individual who is not present
2 will need to appear for the upcoming status
3 hearing. I will give you that date
4 momentarily.

5 MR. JOHNSON: Do these two guys
6 have to come again?

7 AGENT FLETCHER: No.

8 MR. JOHNSON: Okay. So it's one
9 more person?

10 AGENT FLETCHER: Yes. Just the
11 one additional person. Okay. And Mr.
12 Ackemann and Mr. Starace, I do see your names
13 -- your signatures on the protest letter. I
14 have verified that for the record. So there
15 are two protestants in this matter, ANC-6C and
16 a group of 13 has conditional standing,
17 conditioned upon the appearance of that one
18 additional person at the status hearing.

19 MS. ARDALAN: Ms. Fletcher, I
20 would just like to say, for the record, we
21 also have an online petition, which I
22 understand is not recognized in ABRA, but I

1 would just want to say, for the record that,
2 over a five day period, we got over 60
3 signatures, also protesting Xclusive.

4 AGENT FLETCHER: Yes, you did.

5 And that document is in the record.

6 MS. ARDALAN: Great. Thank you.

7 AGENT FLETCHER: Yes. So we will
8 need to set a date for a mediation, a status
9 hearing, and a protest hearing. I will give
10 you the dates for the status hearing and the
11 protest hearing first. The status hearing in
12 this matter is set for February 1 at 9:30 a.m.
13 That hearing will be before the ABC Board.
14 It's February 1 at 9:30 a.m. The protest
15 hearing is set for March 28, at 1:30 p.m. We
16 will need to set a date for mediation to occur
17 prior to the February 1 status hearing.

18 MR. RICHARDSON: I'm sorry. What
19 was the time for the hearing?

20 AGENT FLETCHER: For the protest
21 hearing?

22 MR. RICHARDSON: Yes.

1 AGENT FLETCHER: 1:30 p.m.

2 MR. RICHARDSON: Thank you.

3 MR. NWAEZE: Excuse me. As far as
4 the mediation hearing, I spoke to someone
5 yesterday. I will be out of the country
6 starting tomorrow. I will be back end of the
7 month. So that might make it difficult for
8 set a date for mediation.

9 AGENT FLETCHER: And when do you
10 return?

11 MR. NWAEZE: The 25th of this
12 month.

13 AGENT FLETCHER: We do have some
14 dates beyond the 25th. I will give you some
15 dates that are beyond the 25th. One of those
16 dates is January 25th. January 25th at 9:00
17 a.m., 10:00 a.m., 11:00 a.m., or 1:00 p.m. So
18 that date is available. January 27th is also
19 available at 9:00 a.m. or 1:00 p.m.

20 MR. NWAEZE: The 27th will work
21 for me.

22 AGENT FLETCHER: Would that work

1 for you?

2 MR. RICHARDSON: I won't be in the
3 area.

4 AGENT FLETCHER: Okay. Let me ask
5 you this. How do you pronounce your last name
6 again?

7 MR. NWAEZE: Nwaeze, N-W-A-E-Z-E.

8 AGENT FLETCHER: Mr. Nwaeze, is it
9 possible for you to designate a representative
10 to appear on your behalf for mediation, or no?

11 MR. NWAEZE: Being the fact that
12 I'm leaving tomorrow at 1:00 p.m., I'm making
13 it really difficult to arrange that.

14 AGENT FLETCHER: Okay. All right.
15 Thank you. Let's see. What about January 30,
16 which is a Monday, at 11:00 a.m. or 1:00 p.m.?

17 MR. NWAEZE: That's fine for me.

18 MS. SHUSTER: I can do 11:00 a.m.

19 AGENT FLETCHER: You could do
20 11:00 a.m.? Does that work for you?

21 MR. RICHARDSON: 11:00 a.m. is
22 fine.

1 AGENT FLETCHER: Okay. So Monday,
2 January 30, at 1:00 p.m.?

3 MR. RICHARDSON: 11:00 a.m.

4 AGENT FLETCHER: At 11:00 a.m.?
5 I'm sorry. Thank you.

6 MR. NWAENZE: January 11?

7 MR. RICHARDSON: No. The 30th at
8 11:00 a.m. At 11:00 a.m.

9 MR. NWAENZE: 11:00 a.m.?

10 AGENT FLETCHER: At 11:00 a.m.

11 MR. NWAENZE: Is that right?

12 AGENT FLETCHER: Yes. Mr. Nwaeze,
13 would you please write your telephone number
14 and e-mail address on that sheet on the table,
15 if you haven't already? Thank you, very much.
16 And Mr. Johnson and Ms. Ardalan, have you done
17 the same?

18 MR. JOHNSON: Yes.

19 MS. ARDALAN: Yes.

20 AGENT FLETCHER: Okay. Thank you.
21 So mediation is set for Monday, January 30, at
22 11:00 a.m. Any questions at all? Oh, thank

1 you. Then the roll call hearing is concluded.

2 Thank you.

3 MR. RICHARDSON: Thank you.

4 MS. ARDALAN: Thank you.

5 (Whereupon, the roll call hearing
6 was concluded at 10:17 a.m.)

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ABC 7:13 ABRA 2:8 6:22 ABRA-088205 1:12 Ackemann 4:15,15 4:18,20 5:1,8 6:12 additional 6:11,18 address 10:14 adverse 2:10 Agent 1:22 2:3,15 2:20 3:3,6,8,13,17 3:22 4:4,6,9,11,13 4:17,21 5:5,11,15 5:18 6:7,10 7:4,7 7:20 8:1,9,13,22 9:4,8,14,19 10:1,4 10:10,12,20 Alcoholic 1:3,18,19 Alex 4:15 ANC 3:11 ANC-6C 5:13,18 6:15 appear 6:2 9:10 appearance 6:17 Applicant 2:17,19 application 1:12 2:9 Ardalan 3:19,20,21 3:22 4:3,5 5:9,21 6:19 7:6 10:16,19 11:4 area 9:3 arrange 9:13 available 8:18,19 A-C-E 4:10,11 A-C-K-E-M-A-N... 4:16 A-L-E-X 4:16 A-R-D-A-L-A-N 3:21 a.m 2:2 7:12,14 8:17,17,17,19 9:16,18,20,21 10:3,4,8,8,9,10,22 11:6	back 8:6 beginning 2:16 behalf 5:12,13 9:10 Beverage 1:3,18,19 beyond 8:14,15 Board 1:3,19 7:13 Board's 2:15	F	January 1:15 8:16 8:16,18 9:15 10:2 10:6,21 Johnson 5:2,2,3,5,9 5:20 6:5,8 10:16 10:18	O
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	E	I		
		impact 2:10 individual 6:1 individuals 5:21 International 1:10 2:6 Introductions 2:16 issues 2:10	name 2:13,21 3:19 3:21 4:8,14,16 9:5 names 6:12 NE 1:11 2:8 need 6:2 7:8,16 new 1:12 2:9 number 2:6,8 10:13 Nwaeze 2:18,19 3:1 3:1,5,7 8:3,11,20 9:7,7,8,11,17 10:6 10:9,11,12	Q
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