



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

2 10:21 a.m.

3 AGENT FLETCHER: Would the parties in  
4 the matter of S & R Liquors, please, come  
5 forward? The parties in the matter of S & R  
6 Liquors. This is Case No. 15-PRO-00004, S.R.  
7 Brothers, Inc. t/a S & R Liquors, 1015 18th  
8 Street, N.W., License No. ABRA 097252. This is a  
9 Retailer Class A transferred to a new location.  
10 The protest issues are adverse impact on peace,  
11 order and quiet.

12 My name is LaVerne Fletcher and I'm  
13 conducting the Roll Call Hearing as the Board's  
14 Agent pursuant to D.C. Official Code 1601.2.

15 Introductions beginning with the  
16 applicant, please.

17 MR. DIETZ: I'm Bernard C. Dietz  
18 representing the applicant. And I have with me  
19 Mr. Virender Manocha, who is the President of S &  
20 R Liquors.

21 AGENT FLETCHER: And, Mr. Dietz, would  
22 you spell your name for the record, please?

1 MR. DIETZ: D-I-E-T-Z.

2 AGENT FLETCHER: And Bernard is B --

3 MR. DIETZ: Bernard, B-E-R-N-A-R-D.

4 AGENT FLETCHER: And could you spell  
5 your name for the record, sir?

6 MR. MANOCHA: V-I-R-E-N-D-E-R Manocha,  
7 M-A-N-O-C-H-A.

8 AGENT FLETCHER: M-A-N-O-C-H-A?

9 MR. MANOCHA: Correct.

10 AGENT FLETCHER: Could you spell your  
11 first name one more time?

12 MR. MANOCHA: V-I-R-E-N-D-E-R.

13 AGENT FLETCHER: V --

14 MR. MANOCHA: D as in David.

15 AGENT FLETCHER: Okay. Thank you.

16 And present on behalf of Lerner Enterprises?

17 MR. MEAD: Scott Mead.

18 AGENT FLETCHER: And, Mr. Mead, would  
19 you spell your name for the record, please?

20 MR. MEAD: Sure. It's S-C-O-T-T M-E-  
21 A-D.

22 AGENT FLETCHER: Thank you. And your

1 name, sir?

2 MR. POWELL: My name is Patrick  
3 Powell.

4 AGENT FLETCHER: Spell it.

5 MR. POWELL: P-A-T-R-I-C-K P-O-W-E-L-  
6 L.

7 AGENT FLETCHER: Thank you. And, Mr.  
8 Mead, I see from the record that you are the  
9 managing director?

10 MR. MEAD: That's correct of the --

11 AGENT FLETCHER: Thank you.

12 MR. MEAD: -- neighboring property.

13 AGENT FLETCHER: Yes. Thank you very  
14 much. Lerner Enterprises does have standing as  
15 an abutting property owner. According to the  
16 D.C. Geographic Information System, the  
17 properties do abut. I just wanted to state that  
18 for the record.

19 And so, Mr. Mead, I take it you are  
20 going to be the designated representative or Mr.  
21 Powell are you going to be the designated  
22 representative?

1 MR. MEAD: I'll be the designated  
2 representative.

3 AGENT FLETCHER: Okay. Thank you.  
4 And so we have your email address already. Thank  
5 you.

6 So we need to set a date for  
7 mediation, a Status Hearing and a Protest  
8 Hearing. And I'll give you the date for the  
9 Status and the Protest Hearings first.

10 The Status Hearing is set for February  
11 18, 2015 at 9:30 a.m. And the Protest Hearing is  
12 set for April the 8th at 4:30.

13 MR. DIETZ: Excuse me?

14 AGENT FLETCHER: Yes, Mr. Dietz?

15 MR. DIETZ: If you may recall, the  
16 late afternoon creates an enormous problem for  
17 me. Because if you recall --

18 AGENT FLETCHER: That's for the  
19 Protest Hearing.

20 MR. DIETZ: -- my wife is immobile.  
21 I cannot leave her through the evening.

22 AGENT FLETCHER: Well, Mr. Dietz,

1       could you -- for the purpose of the Roll Call,  
2       I'm going to leave you with that date.  Petition  
3       the Board for the new date.  For the purpose of  
4       Roll Call, I'll have to give you the dates that I  
5       have been given.  I don't schedule the dates for  
6       that calendar.

7               MR. DIETZ:  Just so it's on the record  
8       then.

9               AGENT FLETCHER:  Yes.  And so, Mr.  
10       Dietz, when you petition the Board for a new  
11       date, could you copy Mr. Mead, please, as well?  
12       If you could exchange information, he will need  
13       to be aware of that request.

14              MR. DIETZ:  I'll do that following the  
15       mediation.

16              AGENT FLETCHER:  Okay.

17              MR. POWELL:  And, Ms. Fletcher, the  
18       ANC-2B --

19              AGENT FLETCHER:  Yes.

20              MR. POWELL:  I spoke with their chair  
21       this past week and they, through the change in  
22       leadership, managed to not process and receive

1 this application. So I think we are going to try  
2 to work with the ANC-2B's Chair to develop a  
3 settlement agreement prior to -- you know, and  
4 that's kind of -- I'm with the Golden Triangle  
5 and that's my -- I'm assisting -- ANC-2B has been  
6 amenable to that. They would like to help us  
7 develop a settlement agreement, as they were a  
8 party to the original settlement agreement.

9 AGENT FLETCHER: Okay. Thank you very  
10 much. So, Mr. Powell, you are a part of the  
11 Golden Triangle.

12 MR. POWELL: Yes, ma'am.

13 AGENT FLETCHER: Okay. And ANC-2B,  
14 you are going to be working with ANC-2B to try to  
15 find a settlement in this matter?

16 MR. POWELL: A settlement agreement,  
17 yes, ma'am.

18 AGENT FLETCHER: Okay.

19 MR. DIETZ: But it's clear that the  
20 ANC is not a party to this.

21 AGENT FLETCHER: Yes, it's okay to --

22 MR. DIETZ: It can be a witness, but

1 they can't be a party.

2 AGENT FLETCHER: Yes, it's okay though  
3 that you attempt to negotiate a settlement with  
4 the ANC, that would be fine, of course. We know  
5 that you would be a part of that process, but  
6 that is fine with us. The Board gives great  
7 weight to the ANC and so that will be fine.

8 And so if that happens, can you let me  
9 know? If you work through the ANC to come up  
10 with a settlement agreement, can you let me know  
11 and if mediation is not necessary, we will cancel  
12 it, because if you can reach a settlement prior  
13 to mediation, then there won't be any need for a  
14 mediation.

15 And if you send in a settlement  
16 agreement that the ABC Board approves, then we  
17 will cancel the Status Hearing and the Protest  
18 Hearing.

19 So then, Mr. Dietz, you're going to be  
20 petitioning the Board to change the time for the  
21 Protest Hearing?

22 MR. DIETZ: Yes.

1           AGENT FLETCHER: Okay. I'll let them  
2 know that ahead of time. We can go ahead and set  
3 a date for the mediation.

4           So, Mr. Mead and Mr. Powell, do you  
5 want me to set the mediation date out to give you  
6 all time to get with the ANC, to set it closer to  
7 the 18th?

8           MR. MEAD: Out.

9           AGENT FLETCHER: The Status Hearing is  
10 February 18 and we need to set the mediation to  
11 occur prior to February 18. So we can set the  
12 mediation out closer to that date to give you  
13 time to coordinate with the ANC, instead of  
14 sooner.

15           So I'm going to give you -- so we can  
16 do mediation on February 12 or the 17th.

17           MR. MEAD: 2/12 works for me.

18           AGENT FLETCHER: Does that work for  
19 you, Mr. Dietz?

20           MR. DIETZ: Yes.

21           AGENT FLETCHER: 10:00, 11:00?

22           MR. MEAD: Either one.

1           AGENT FLETCHER: Well, Mr. Dietz, you  
2 prefer early, right, for mediation you prefer to  
3 come -- you prefer an earlier time?

4           MR. DIETZ: Yes.

5           AGENT FLETCHER: Okay. Then do we  
6 want to try 9:00?

7           MR. DIETZ: 9:00?

8           AGENT FLETCHER: Would that be better?

9           MR. DIETZ: 9:00 or 11:00 is fine with  
10 me.

11          MR. MEAD: 10:00 should --

12          AGENT FLETCHER: Do you have a  
13 preference?

14          MR. MEAD: Later is better for me.  
15 10:00 or 11:00.

16          AGENT FLETCHER: Okay. Let's make it  
17 11:00 then.

18          MR. DIETZ: 11:00 is a better time for  
19 me. It's just if I miss the 4:30 train --

20          AGENT FLETCHER: Yes?

21          MR. DIETZ: -- I don't get home until  
22 after 10:00 at night.

1                   AGENT FLETCHER: I understand.

2                   MR. DIETZ: And I told you my wife  
3 cannot move out of the bedroom while I'm gone.

4                   AGENT FLETCHER: Exactly. That's  
5 right. I remember that. And so then mediation  
6 is set for Thursday, February 12, and if the  
7 matter is resolved before that, you can let me  
8 know. If not, that's when the mediation will be.

9                   MR. DIETZ: Okay.

10                  AGENT FLETCHER: And the mediation  
11 takes place here. I'm the Board's mediator. My  
12 card is on the table. Do you have any questions?

13                  Okay. Well, thank you for coming.  
14 The Roll Call Hearing is concluded.

15                  MR. MEAD: Thank you.

16                  MR. DIETZ: May I just very briefly  
17 address two other matters?

18                  AGENT FLETCHER: On the record?

19                  MR. DIETZ: Either on or off the  
20 record.

21                  AGENT FLETCHER: Okay. We will leave  
22 the record open. Yes?

1 MR. DIETZ: Okay. On the Protest for  
2 J & K Market on 15th Street --

3 AGENT FLETCHER: Oh, that is a  
4 separate case?

5 MR. DIETZ: Yes. We reached an  
6 agreement.

7 AGENT FLETCHER: Well, then, Mr.  
8 Dietz, just give me one second.

9 We will close the record on this one.

10 MR. MEAD: Thank you.

11 (Whereupon, the Roll Call Hearing in  
12 the above-entitled matter was concluded at 10:31  
13 a.m.)

14  
15  
16  
17  
18  
19  
20  
21  
22

<b>A</b>	<b>card</b> 11:12 <b>case</b> 1:11 2:6 12:4 <b>chair</b> 6:20 7:2 <b>change</b> 6:21 8:20 <b>Class</b> 2:9 <b>clear</b> 7:19 <b>close</b> 12:9 <b>closer</b> 9:6,12 <b>Code</b> 2:14 <b>COLUMBIA</b> 1:1 <b>come</b> 2:4 8:9 10:3 <b>coming</b> 11:13 <b>concluded</b> 11:14 12:12 <b>conducting</b> 2:13 <b>Control</b> 1:3,16,16 <b>coordinate</b> 9:13 <b>copy</b> 6:11 <b>correct</b> 3:9 4:10 <b>course</b> 8:4 <b>creates</b> 5:16	<b>Fletcher</b> 1:18 2:3,12,21 3:2,4,8,10,13,15,18 3:22 4:4,7,11,13 5:3 5:14,18,22 6:9,16,17 6:19 7:9,13,18,21 8:2 9:1,9,18,21 10:1,5,8 10:12,16,20 11:1,4,10 11:18,21 12:3,7 <b>following</b> 6:14 <b>forward</b> 2:5	<b>Liquors</b> 1:9 2:4,6,7,20 <b>location</b> 1:12 2:9
<b>A-D</b> 3:21 <b>a.m</b> 2:2 5:11 12:13 <b>ABC</b> 8:16 <b>above-entitled</b> 12:12 <b>ABRA</b> 2:8 <b>abut</b> 4:17 <b>abutting</b> 4:15 <b>address</b> 5:4 11:17 <b>adverse</b> 2:10 <b>afternoon</b> 5:16 <b>Agent</b> 1:18 2:3,14,21 3:2,4,8,10,13,15,18 3:22 4:4,7,11,13 5:3 5:14,18,22 6:9,16,19 7:9,13,18,21 8:2 9:1,9 9:18,21 10:1,5,8,12 10:16,20 11:1,4,10,18 11:21 12:3,7 <b>agreement</b> 7:3,7,8,16 8:10,16 12:6 <b>ahead</b> 9:2,2 <b>Alcoholic</b> 1:3,16,16 <b>amenable</b> 7:6 <b>ANC</b> 7:20 8:4,7,9 9:6,13 <b>ANC-2B</b> 1:10 6:18 7:5 7:13,14 <b>ANC-2B's</b> 7:2 <b>applicant</b> 2:16,18 <b>application</b> 7:1 <b>approves</b> 8:16 <b>April</b> 5:12 <b>assisting</b> 7:5 <b>attempt</b> 8:3 <b>aware</b> 6:13	<b>Code</b> 2:14 <b>COLUMBIA</b> 1:1 <b>come</b> 2:4 8:9 10:3 <b>coming</b> 11:13 <b>concluded</b> 11:14 12:12 <b>conducting</b> 2:13 <b>Control</b> 1:3,16,16 <b>coordinate</b> 9:13 <b>copy</b> 6:11 <b>correct</b> 3:9 4:10 <b>course</b> 8:4 <b>creates</b> 5:16	<b>Geographic</b> 4:16 <b>give</b> 5:8 6:4 9:5,12,15 12:8 <b>given</b> 6:5 <b>gives</b> 8:6 <b>go</b> 9:2 <b>going</b> 4:20,21 6:2 7:1 7:14 8:19 9:15 <b>Golden</b> 7:4,11 <b>great</b> 8:6	<b>M</b> <b>M-A-N-O-C-H-A</b> 3:7,8 <b>M-E</b> 3:20 <b>ma'am</b> 7:12,17 <b>managed</b> 6:22 <b>managing</b> 4:9 <b>Manocha</b> 2:19 3:6,6,9 3:12,14 <b>Market</b> 12:2 <b>matter</b> 1:7 2:4,5 7:15 11:7 12:12 <b>matters</b> 11:17 <b>Mead</b> 3:17,17,18,20 4:8 4:10,12,19 5:1 6:11 9:4,8,17,22 10:11,14 11:15 12:10 <b>mediation</b> 5:7 6:15 8:11 8:13,14 9:3,5,10,12 9:16 10:2 11:5,8,10 <b>mediator</b> 11:11 <b>met</b> 1:16 <b>move</b> 11:3
<b>B</b>	<b>D</b> <b>D</b> 3:14 <b>D-I-E-T-Z</b> 3:1 <b>D.C</b> 1:17 2:14 4:16 <b>date</b> 5:6,8 6:2,3,11 9:3 9:5,12 <b>dates</b> 6:4,5 <b>David</b> 3:14 <b>designated</b> 4:20,21 5:1 <b>develop</b> 7:2,7 <b>Dietz</b> 2:17,17,21 3:1,3 5:13,14,15,20,22 6:7 6:10,14 7:19,22 8:19 8:22 9:19,20 10:1,4,7 10:9,18,21 11:2,9,16 11:19 12:1,5,8 <b>director</b> 4:9 <b>DISTRICT</b> 1:1	<b>H</b> <b>happens</b> 8:8 <b>Hearing</b> 1:5,16 2:13 5:7 5:8,10,11,19 8:17,18 8:21 9:9 11:14 12:11 <b>Hearings</b> 5:9 <b>help</b> 7:6 <b>home</b> 10:21	<b>N</b> <b>N.W</b> 1:17 2:8 <b>name</b> 2:12,22 3:5,11,19 4:1,2 <b>necessary</b> 8:11 <b>need</b> 5:6 6:12 8:13 9:10 <b>negotiate</b> 8:3 <b>neighboring</b> 4:12 <b>new</b> 1:12 2:9 6:3,10 <b>night</b> 10:22 <b>NW</b> 1:9
<b>B</b> 3:2 <b>B-E-R-N-A-R-D</b> 3:3 <b>bedroom</b> 11:3 <b>beginning</b> 2:15 <b>behalf</b> 3:16 <b>Bernard</b> 2:17 3:2,3 <b>better</b> 10:8,14,18 <b>Beverage</b> 1:3,16,16 <b>Board</b> 1:3,16 6:3,10 8:6 8:16,20 <b>Board's</b> 2:13 11:11 <b>briefly</b> 11:16 <b>Brothers</b> 1:8 2:7 <b>Building</b> 1:17	<b>E</b> <b>earlier</b> 10:3 <b>early</b> 10:2 <b>Either</b> 9:22 11:19 <b>email</b> 5:4 <b>enormous</b> 5:16 <b>Enterprises</b> 3:16 4:14 <b>evening</b> 5:21 <b>Exactly</b> 11:4 <b>exchange</b> 6:12 <b>Excuse</b> 5:13	<b>I</b> <b>immobile</b> 5:20 <b>impact</b> 2:10 <b>information</b> 4:16 6:12 <b>Introductions</b> 2:15 <b>issues</b> 2:10	<b>O</b> <b>occur</b> 9:11 <b>Official</b> 2:14 <b>Oh</b> 12:3 <b>okay</b> 3:15 5:3 6:16 7:9 7:13,18,21 8:2 9:1 10:5,16 11:9,13,21 12:1 <b>open</b> 11:22 <b>order</b> 2:11 <b>original</b> 7:8 <b>owner</b> 4:15
<b>C</b>	<b>F</b> <b>February</b> 5:10 9:10,11 9:16 11:6 <b>find</b> 7:15 <b>fine</b> 8:4,6,7 10:9 <b>first</b> 3:11 5:9	<b>J</b> <b>J</b> 12:2 <b>January</b> 1:14	<b>P</b> <b>P-A-T-R-I-C-K</b> 4:5 <b>P-O-W-E-L</b> 4:5 <b>P-R-O-C-E-E-D-I-N-G-S</b> 2:1 <b>part</b> 7:10 8:5 <b>parties</b> 2:3,5
<b>C</b> 2:17 <b>calendar</b> 6:6 <b>Call</b> 1:5 2:13 6:1,4 11:14 12:11 <b>cancel</b> 8:11,17	<b>L</b> <b>L</b> 4:6 <b>late</b> 5:16 <b>LaVerne</b> 1:17 2:12 <b>leadership</b> 6:22 <b>leave</b> 5:21 6:2 11:21 <b>Lerner</b> 3:16 4:14 <b>Let's</b> 10:16 <b>License</b> 1:10,12 2:8	<b>K</b> <b>K</b> 12:2 <b>kind</b> 7:4 <b>know</b> 7:3 8:4,9,10 9:2 11:8	

party 7:8,20 8:1	see 4:8	X
Patrick 4:2	send 8:15	Y
peace 2:10	separate 12:4	Z
petition 6:2,10	set 5:6,10,12 9:2,5,6,10 9:11 11:6	0
petitioning 8:20	settlement 7:3,7,8,15 7:16 8:3,10,12,15	097252 1:10 2:8
place 11:11	sir 3:5 4:1	1
please 2:4,16,22 3:19 6:11	sooner 9:14	10:00 9:21 10:11,15,22
Powell 4:2,3,5,21 6:17 6:20 7:10,12,16 9:4	spell 2:22 3:4,10,19 4:4	10:21 2:2
prefer 10:2,2,3	spoke 6:20	10:31 12:12
preference 10:13	standing 4:14	1015 1:9 2:7
present 3:16	state 4:17	11:00 9:21 10:9,15,17 10:18
President 2:19	Status 5:7,9,10 8:17 9:9	12 9:16 11:6
presiding 1:18	Street 1:9,17 2:8 12:2	14th 1:17
prior 7:3 8:12 9:11	Suite 1:17	15-PRO-00004 1:11 2:6
problem 5:16	Sure 3:20	15th 12:2
process 6:22 8:5	System 4:16	1601.2 2:14
properties 4:17		17th 9:16
property 4:12,15	<b>T</b>	18 5:11 9:10,11
protest 2:10 5:7,9,11,19 8:17,21 12:1	t/a 1:9 2:7	18th 1:9 2:7 9:7
purpose 6:1,3	table 11:12	2
pursuant 2:14	take 4:19	2/12 9:17
	takes 11:11	20 1:14
	thank 3:15,22 4:7,11,13 5:3,4 7:9 11:13,15 12:10	2000 1:17
<b>Q</b>	think 7:1	2009 1:17
questions 11:12	Thursday 11:6	2015 1:14 5:11
quiet 2:11	time 3:11 8:20 9:2,6,13 10:3,18	3
	told 11:2	4
<b>R</b>	train 10:19	4:30 5:12 10:19
R 1:9 2:4,5,7,20	Transfer 1:12	400S 1:17
reach 8:12	transferred 2:9	5
reached 12:5	Triangle 7:4,11	6
recall 5:15,17	try 7:1,14 10:6	7
receive 6:22	two 11:17	8
record 2:22 3:5,19 4:8 4:18 6:7 11:18,20,22 12:9	<b>U</b>	8th 5:12
Reeves 1:17	understand 11:1	9
remember 11:5	<b>V</b>	
representative 4:20,22 5:2	V 3:13	
representing 2:18	V-I-R-E-N-D-E-R 3:6,12	
request 6:13	Virender 2:19	
resolved 11:7	<b>W</b>	
Retailer 1:10 2:9	want 9:5 10:6	
right 10:2 11:5	wanted 4:17	
Roll 1:5 2:13 6:1,4 11:14 12:11	Washington 1:17	
Room 1:17	week 6:21	
<b>S</b>	weight 8:7	
S 1:9 2:4,5,7,19	wife 5:20 11:2	
S-C-O-T-T 3:20	witness 7:22	
S.R 1:8 2:6	work 7:2 8:9 9:18	
schedule 6:5	working 7:14	
Scott 3:17	works 9:17	
second 12:8		