

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
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MEETING

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IN THE MATTER OF: :  
: :  
Acott Ventures, LLC :  
t/a Shadow Room : Protest  
2131 K Street, NW : Hearing  
Retailer CN - ANC-2A : (Status)  
License No. 75871 :  
Case #13-PRO-00149 :  
: :  
(Renewal Application) :  
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January 22, 2014  
The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

- RUTHANNE MILLER, Chairperson
- DONALD BROOKS, Member
- MIKE SILVERSTEIN, Member
  
- HECTOR RODRIGUEZ, Member
- JAMES SHORT, Member

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

(10:44 a.m.)

CHAIRPERSON MILLER: Our next case is Case No. 13-PRO-00149, Shadow Room located at 2131 K Street, N.W., License No. 75871, in ANC-2A, a renewal application.

MR. LEFANDE: Good morning. Matthew Lefande, a member of the District of Columbia Bar for and on behalf of Acott Ventures, LLC, the owner and operator of the establishment Shadow Room. And with me today is Stephen Acott, representative of the limited liability company.

MS. ACOTT: Good morning.

CHAIRPERSON MILLER: Good morning. And all be sure to sign-in. And Good morning.

MR. HARMON: Hi, I'm Florence Harmon. I'm the Commissioner, ANC Commissioner for this Single Member District where Shadow Room is located.

MR. LABAS: And I'm Chris Labas. I'm here on behalf of five or more

1 protestants.

2 CHAIRPERSON MILLER: Okay. And I  
3 understand there is no question with standing.  
4 Everyone who has had to appear has appeared  
5 previously.

6 MR. LEFANDE: Right.

7 CHAIRPERSON MILLER: Okay. Are  
8 there any preliminary issues you all want to  
9 bring to our attention?

10 MR. LEFANDE: The licensee has  
11 nothing.

12 CHAIRPERSON MILLER: Okay. Then  
13 what I'm going to do is -- if you have no  
14 questions, I will give you your hearing date  
15 and also read you some of the same  
16 instructions I read the previous parties in  
17 the case before us.

18 Okay. So your Protest Hearing  
19 date is March 12, 2014 at 1:30 p.m.

20 MR. LEFANDE: I'm sorry, what time  
21 did you say?

22 CHAIRPERSON MILLER: I said 1:30.

1 MR. LEFANDE: Oh, for some reason  
2 I had it as 1:00.

3 MR. HARMON: I had it as 1:00 as  
4 well.

5 CHAIRPERSON MILLER: You have a  
6 different time?

7 MR. LEFANDE: Yes. I had it as  
8 1:00 as well.

9 MS. ACOTT: The notice said 1:30.

10 MR. LEFANDE: Oh, 1:30, okay.

11 CHAIRPERSON MILLER: 1:30, okay.

12 MR. HARMON: Thank you. That's  
13 fine.

14 CHAIRPERSON MILLER: Okay. So I  
15 need to give you your instructions again on  
16 the record. I want to make sure that you make  
17 sure you get a copy of that PIF that I was  
18 referring to before, the Protest Information  
19 Form, that mechanism makes sure that the  
20 hearing is as focused as it can be and the  
21 parties have notice of each other's issues.

22 So you should have received that

1 with a copy of an exhibit form. If you don't  
2 have the documents, please, see Ms. Anderson  
3 at the conclusion of the hearing.

4 You are required to submit the  
5 Protest Information Form and the exhibit form  
6 seven days before the date of the hearing to  
7 Ms. Anderson on behalf of the Board and to all  
8 opposing parties in the case. If you don't  
9 receive a copy of your PIF, your application  
10 or your protest -- if we don't receive a copy  
11 of your PIF, your application or your protest  
12 may be subject to dismissal.

13 If we do not receive a copy of the  
14 exhibit form and the exhibits themselves, your  
15 exhibits may be excluded from the record upon  
16 a finding that the opposing party has been  
17 prejudiced or no good cause for the failure to  
18 submit has been shown.

19 Likewise, witnesses other than a  
20 party may also be subject to exclusion if not  
21 identified on the PIF.

22 So those forms are very important

1 and they will help result in a more focused  
2 hearing and keeping the parties on point in  
3 the proceedings and providing notice to each  
4 side to enable each of you to prepare better  
5 for the hearing.

6 So if you have any questions  
7 leading up to hearing, please, do not hesitate  
8 to contact Ms. Anderson at (202) 442-6492 or  
9 Ms. Jenkins. Okay?

10 All right. Thank you very much.

11 MS. ACOTT: Thank you.

12 MR. LEFANDE: Thank you.

13 (Whereupon, the Protest (Status)  
14 Hearing in the above-entitled matter was  
15 concluded at 10:48 a.m.)

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<p style="text-align: center;"><b>A</b></p> <p><b>a.m</b> 2:2 6:15  <b>above-entitled</b> 6:14  <b>Acott</b> 1:6 2:9,12,14  4:9 6:11  <b>Alcoholic</b> 1:2,13,13  <b>ANC</b> 2:18  <b>ANC-2A</b> 1:8 2:6  <b>Anderson</b> 5:2,7 6:8  <b>appear</b> 3:4  <b>appeared</b> 3:4  <b>application</b> 1:10  2:6 5:9,11  <b>attention</b> 3:9</p>	<p><b>date</b> 3:14,19 5:6  <b>days</b> 5:6  <b>different</b> 4:6  <b>dismissal</b> 5:12  <b>District</b> 1:1 2:8,19  <b>documents</b> 5:2  <b>DONALD</b> 1:19</p> <p style="text-align: center;"><b>E</b></p> <p><b>enable</b> 6:4  <b>establishment</b> 2:11  <b>excluded</b> 5:15  <b>exclusion</b> 5:20  <b>exhibit</b> 5:1,5,14  <b>exhibits</b> 5:14,15</p>	<p>5:5  <b>instructions</b> 3:16  4:15  <b>issues</b> 3:8 4:21</p> <p style="text-align: center;"><b>J</b></p> <p><b>JAMES</b> 1:22  <b>January</b> 1:12  <b>Jenkins</b> 6:9</p> <p style="text-align: center;"><b>K</b></p> <p><b>K</b> 1:7 2:5  <b>keeping</b> 6:2</p> <p style="text-align: center;"><b>L</b></p> <p><b>Labas</b> 2:21,21  <b>leading</b> 6:7  <b>Lefande</b> 2:7,8 3:6  3:10,20 4:1,7,10  6:12  <b>liability</b> 2:13  <b>License</b> 1:8 2:5  <b>licensee</b> 3:10  <b>Likewise</b> 5:19  <b>limited</b> 2:13  <b>LLC</b> 1:6 2:10  <b>located</b> 2:4,20</p>	<p><b>NW</b> 1:7</p> <p style="text-align: center;"><b>O</b></p> <p><b>Oh</b> 4:1,10  <b>okay</b> 3:2,7,12,18  4:10,11,14 6:9  <b>operator</b> 2:10  <b>opposing</b> 5:8,16  <b>other's</b> 4:21  <b>owner</b> 2:10</p> <p style="text-align: center;"><b>P</b></p> <p><b>P-R-O-C-E-E-D...</b>  2:1  <b>p.m</b> 3:19  <b>parties</b> 3:16 4:21  5:8 6:2  <b>party</b> 5:16,20  <b>PIF</b> 4:17 5:9,11,21  <b>please</b> 5:2 6:7  <b>point</b> 6:2  <b>prejudiced</b> 5:17  <b>preliminary</b> 3:8  <b>prepare</b> 6:4  <b>PRESENT</b> 1:17  <b>presiding</b> 1:15  <b>previous</b> 3:16  <b>previously</b> 3:5  <b>proceedings</b> 6:3  <b>protest</b> 1:6 3:18  4:18 5:5,10,11  6:13  <b>protestants</b> 3:1  <b>providing</b> 6:3</p>	<p><b>representative</b> 2:12  <b>required</b> 5:4  <b>result</b> 6:1  <b>Retailer</b> 1:8  <b>right</b> 3:6 6:10  <b>RODRIGUEZ</b> 1:21  <b>Room</b> 1:6,14 2:4,11  2:20  <b>Ruthanne</b> 1:15,18</p> <p style="text-align: center;"><b>S</b></p> <p><b>see</b> 5:2  <b>seven</b> 5:6  <b>Shadow</b> 1:6 2:4,11  2:20  <b>SHORT</b> 1:22  <b>shown</b> 5:18  <b>side</b> 6:4  <b>sign-in</b> 2:16  <b>SILVERSTEIN</b>  1:19  <b>Single</b> 2:19  <b>sorry</b> 3:20  <b>standing</b> 3:3  <b>Status</b> 1:8 6:13  <b>Stephen</b> 2:12  <b>Street</b> 1:7,14 2:5  <b>subject</b> 5:12,20  <b>submit</b> 5:4,18  <b>Suite</b> 1:14  <b>sure</b> 2:16 4:16,17  4:19</p>
<p style="text-align: center;"><b>B</b></p> <p><b>Bar</b> 2:9  <b>behalf</b> 2:9,22 5:7  <b>better</b> 6:4  <b>Beverage</b> 1:2,13,13  <b>Board</b> 1:2,13 5:7  <b>bring</b> 3:9  <b>BROOKS</b> 1:19  <b>Building</b> 1:14</p>	<p style="text-align: center;"><b>F</b></p> <p><b>failure</b> 5:17  <b>finding</b> 5:16  <b>fine</b> 4:13  <b>five</b> 2:22  <b>Florence</b> 2:17  <b>focused</b> 4:20 6:1  <b>form</b> 4:19 5:1,5,5  5:14  <b>forms</b> 5:22</p>	<p style="text-align: center;"><b>M</b></p> <p><b>March</b> 3:19  <b>matter</b> 1:5 6:14  <b>Matthew</b> 2:8  <b>mechanism</b> 4:19  <b>MEETING</b> 1:3  <b>member</b> 1:19,19,21  1:22 2:8,19  <b>met</b> 1:13  <b>MIKE</b> 1:19  <b>Miller</b> 1:15,18 2:3  2:15 3:2,7,12,22  4:5,11,14  <b>morning</b> 2:7,14,15  2:16</p>	<p style="text-align: center;"><b>P</b></p> <p><b>P-R-O-C-E-E-D...</b>  2:1  <b>p.m</b> 3:19  <b>parties</b> 3:16 4:21  5:8 6:2  <b>party</b> 5:16,20  <b>PIF</b> 4:17 5:9,11,21  <b>please</b> 5:2 6:7  <b>point</b> 6:2  <b>prejudiced</b> 5:17  <b>preliminary</b> 3:8  <b>prepare</b> 6:4  <b>PRESENT</b> 1:17  <b>presiding</b> 1:15  <b>previous</b> 3:16  <b>previously</b> 3:5  <b>proceedings</b> 6:3  <b>protest</b> 1:6 3:18  4:18 5:5,10,11  6:13  <b>protestants</b> 3:1  <b>providing</b> 6:3</p>	<p style="text-align: center;"><b>T</b></p> <p><b>t/a</b> 1:6  <b>p</b> 1:4,10  <b>Thank</b> 4:12 6:10,11  6:12  <b>time</b> 3:20 4:6  <b>today</b> 2:11</p>
<p style="text-align: center;"><b>C</b></p> <p><b>case</b> 1:9 2:3,4 3:17  5:8  <b>cause</b> 5:17  <b>Chairperson</b> 1:15  1:18 2:3,15 3:2,7  3:12,22 4:5,11,14  <b>Chris</b> 2:21  <b>CN</b> 1:8  <b>Columbia</b> 1:1 2:9  <b>Commissioner</b> 2:18  2:19  <b>company</b> 2:13  <b>concluded</b> 6:15  <b>conclusion</b> 5:3  <b>contact</b> 6:8  <b>Control</b> 1:2,13,13  <b>copy</b> 4:17 5:1,9,10  5:13</p>	<p style="text-align: center;"><b>G</b></p> <p><b>give</b> 3:14 4:15  <b>going</b> 3:13  <b>good</b> 2:7,14,15,16  5:17</p> <p style="text-align: center;"><b>H</b></p> <p><b>Harmon</b> 2:17,18  4:3,12  <b>hearing</b> 1:7,14 3:14  3:18 4:20 5:3,6  6:2,5,7,14  <b>HECTOR</b> 1:21  <b>help</b> 6:1  <b>hesitate</b> 6:7  <b>Hi</b> 2:17</p>	<p style="text-align: center;"><b>N</b></p> <p><b>N.W</b> 1:14 2:5  <b>need</b> 4:15  <b>notice</b> 4:9,21 6:3</p>	<p style="text-align: center;"><b>Q</b></p> <p><b>question</b> 3:3  <b>questions</b> 3:14 6:6</p> <p style="text-align: center;"><b>R</b></p> <p><b>read</b> 3:15,16  <b>reason</b> 4:1  <b>receive</b> 5:9,10,13  <b>received</b> 4:22  <b>record</b> 4:16 5:15  <b>Reeves</b> 1:14  <b>referring</b> 4:18  <b>renewal</b> 1:10 2:6</p>	<p style="text-align: center;"><b>U</b></p> <p><b>understand</b> 3:3</p> <p style="text-align: center;"><b>V</b></p> <p><b>Ventures</b> 1:6 2:10</p>
<p style="text-align: center;"><b>D</b></p> <p><b>D.C</b> 1:14</p>	<p style="text-align: center;"><b>I</b></p> <p><b>identified</b> 5:21  <b>important</b> 5:22  <b>Information</b> 4:18</p>			<p style="text-align: center;"><b>W</b></p>

want 3:8 4:16  
 Washington 1:14  
 witnesses 5:19

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Z

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 1:30 3:19,22 4:9,10  
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