

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

1624 U Street, Inc.
t/a Chi Cha Lounge
1624 U Street, NW
Retailer CT - ANC-2B
License No. 26519
Case #13-PRO-00132

Protest
Hearing
(Status)

(Renewal Application)

January 29, 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
NICK ALBERTI, Member
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

(9:56 a.m.)

CHAIRPERSON MILLER: And now I will then call Case No. 13-PRO-00132, Chi Cha Lounge located at 1624 U Street, N.W., License No. 26519, in ANC-2B.

Good morning.

MR. NAJI: How are you?

CHAIRPERSON MILLER: When you are ready, would you identify yourselves for the record, please?

MR. NAJI: Aziza Naji, General Manager of Chi Cha Lounge.

CHAIRPERSON MILLER: Are you the owner of Chi Cha Lounge?

MR. NAJI: No, I'm the general manager.

CHAIRPERSON MILLER: General manager. Okay.

MS. WANG: My name is Guangsha Wang. I'm the sole member of the Middle Kingdom Realty, LLC, as the owner.

1 CHAIRPERSON MILLER: Okay. All
2 right. So you have a Protest Hearing set for
3 March 19, 2014 at 4:30 p.m., but you are in
4 negotiations? Are you negotiating a
5 settlement agreement?

6 MS. WANG: No.

7 CHAIRPERSON MILLER: No. Okay.
8 Well, if you don't negotiate one, we will go
9 forward with a hearing on that date. Did you
10 get that, March 19th?

11 MS. WANG: No.

12 CHAIRPERSON MILLER: Okay. You
13 might want to write that down.

14 MS. WANG: Okay. I'm sorry?

15 CHAIRPERSON MILLER: I'm sorry,
16 you might want to write that down.

17 MEMBER ALBERTI: This is not the
18 owner. You know, she is not aware of the next
19 meeting. Okay. I think we ought to put it on
20 the record that we have concerns because if --

21 CHAIRPERSON MILLER: Okay.

22 MEMBER ALBERTI: -- she doesn't

1 tell the owner --

2 MS. WANG: Okay. Go ahead.

3 CHAIRPERSON MILLER: Okay. You
4 are representing the owner in this case?

5 MR. NAJI: Yes.

6 CHAIRPERSON MILLER: Do you have
7 any authorization on record?

8 MR. NAJI: I think he send it
9 already because I was just waiting for the
10 lawyer, but I don't know what happened, so we
11 have all the forms and the stuff typed up like
12 we already had it.

13 CHAIRPERSON MILLER: Okay. I have
14 to just tell you some general instructions.

15 MR. NAJI: Okay.

16 CHAIRPERSON MILLER: And you will
17 convey them to the owner or the lawyer? You
18 have a lawyer?

19 MR. NAJI: Yeah, we do.

20 CHAIRPERSON MILLER: Is the lawyer
21 on the way here this morning?

22 MR. NAJI: I think so, yeah.

1 CHAIRPERSON MILLER: Okay. Maybe
2 we should pass this case then also.

3 MR. NAJI: Okay.

4 CHAIRPERSON MILLER: And come back
5 when your lawyer is here.

6 MR. NAJI: Okay.

7 CHAIRPERSON MILLER: Okay.

8 MR. NAJI: Thank you.

9 CHAIRPERSON MILLER: Let's do
10 that. Okay. So we will recall your case.
11 Maybe you can signal us when --

12 MR. NAJI: Okay. Sure.

13 CHAIRPERSON MILLER: -- he gets
14 here. Okay.

15 (Whereupon, at 9:59 a.m. a recess
16 until 10:28 a.m.)

17 CHAIRPERSON MILLER: Okay. We
18 have one more case regarding a Protest
19 (Status) Hearing. Okay. No attorney?

20 MR. NAJI: I don't know what
21 happened. Like we have the paper signed from
22 the --

1 CHAIRPERSON MILLER: Wait. Let me
2 call. This case is the Chi Cha Lounge, Case
3 No. 13-PRO-00132.

4 Okay. So the attorney isn't here,
5 but you are here representing the Chi Cha
6 Lounge?

7 MR. NAJI: Yeah.

8 CHAIRPERSON MILLER: Okay. Well,
9 why don't you put your names on the record
10 again right now?

11 MS. WANG: My name is Guangsha
12 Wang.

13 CHAIRPERSON MILLER: Um-hum.

14 MS. WANG: I'm the owner, the sole
15 member of the LLC.

16 CHAIRPERSON MILLER: Okay.

17 MR. NAJI: Aziza Najj, General
18 Manager of Chi Cha Lounge.

19 CHAIRPERSON MILLER: Okay. All
20 right. You know, I think it would have been
21 preferable to talk to your attorney, but it's
22 not critical. So I think, at this point, it's

1 almost an hour later, what I'm going to do is
2 tell you again, and there is going to be a
3 transcript of this hearing, your Protest
4 Hearing is scheduled for March 19.

5 MR. NAJI: Okay.

6 CHAIRPERSON MILLER: You need
7 paper, huh?

8 MR. NAJI: Yes, please, sorry.

9 CHAIRPERSON MILLER: All right.
10 Okay. So the Protest Hearing is scheduled for
11 March 19, 2014 at 4:30 p.m.

12 The purpose of the Protest Hearing
13 is to determine the appropriateness of the
14 establishment in the section of the District
15 where the establishment is located. And that
16 is set forth in our rules at 23-1607.

17 The Board is only going to hear at
18 that hearing issues that are relevant to that
19 issue, the appropriateness question. And you
20 should have received in the mail a mailing
21 from Adjudication Assistant Tesha Anderson a
22 letter explaining the protest process. So

1 your attorney should have that letter, a copy
2 of the Protest Information Form and a copy of
3 an exhibit form.

4 If you don't have these documents,
5 please, see Ms. Anderson at the conclusion of
6 this hearing.

7 It is most important that you know
8 you should, be receiving or in that package,
9 have a Protest Information Form and an exhibit
10 form. And you are required to submit those
11 two forms and accompanying documents to Ms.
12 Anderson on behalf of the Board and to all the
13 opposing parties in the case seven days ahead
14 of the hearing.

15 If we don't receive a copy of your
16 Protest Information Form, your application or
17 your protest may be subject to dismissal. If
18 we don't receive a copy of the exhibit form
19 and the exhibits themselves, your exhibits may
20 be excluded from the record if we find that
21 the opposing party has been prejudiced or no
22 good cause for the failure to submit them has

1 been shown.

2 Likewise, a witness needs to be
3 identified on the PIF or the Protest
4 Information Form. If they are not identified,
5 they may also be subject to exclusion.

6 So those forms are very important,
7 so pay attention to them as they help keep the
8 hearing very focused and you both will be
9 informed of, you know, the case each one of
10 you is going to be making, so you will be more
11 prepared.

12 If you have any questions, you can
13 contact Ms. Anderson at (202) 442-6492.

14 MS. WANG: Can you repeat that
15 phone number?

16 CHAIRPERSON MILLER: Oh, yeah, I'm
17 sorry, and I don't know what you are hearing
18 out there. 442-6492 is for Ms. Anderson.
19 Okay. All right.

20 MS. WANG: Thank you.

21 CHAIRPERSON MILLER: Thank you
22 very much.

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(Whereupon, the Protest (Status)
Hearing in the above-entitled matter was
concluded at 10:32 a.m.)

<p>A</p> <p>a.m 2:2 5:15,16 10:3</p> <p>above-entitled 10:2</p> <p>accompanying 8:11</p> <p>Adjudication 7:21</p> <p>agreement 3:5</p> <p>ahead 4:2 8:13</p> <p>ALBERTI 1:17 3:17,22</p> <p>Alcoholic 1:2,11,12</p> <p>ANC-2B 1:7 2:6</p> <p>Anderson 7:21 8:5 8:12 9:13,18</p> <p>application 1:9 8:16</p> <p>appropriateness 7:13,19</p> <p>Assistant 7:21</p> <p>attention 9:7</p> <p>attorney 5:19 6:4 6:21 8:1</p> <p>authorization 4:7</p> <p>aware 3:18</p> <p>Aziza 2:12 6:17</p>	<p>3:1,7,12,15,21 4:3 4:6,13,16,20 5:1,4 5:7,9,13,17 6:1,8 6:13,16,19 7:6,9 9:16,21</p> <p>Chi 1:6 2:4,13,15 6:2,5,18</p> <p>COLUMBIA 1:1</p> <p>come 5:4</p> <p>concerns 3:20</p> <p>concluded 10:3</p> <p>conclusion 8:5</p> <p>contact 9:13</p> <p>Control 1:2,11,12</p> <p>convey 4:17</p> <p>copy 8:1,2,15,18</p> <p>critical 6:22</p> <p>CT 1:7</p>	<p>G</p> <p>general 2:12,16,18 4:14 6:17</p> <p>go 3:8 4:2</p> <p>going 7:1,2,17 9:10</p> <p>good 2:7 8:22</p> <p>Guangsha 2:20 6:11</p> <p>H</p> <p>happened 4:10 5:21</p> <p>hear 7:17</p> <p>hearing 1:6,12 3:2 3:9 5:19 7:3,4,10 7:12,18 8:6,14 9:8 9:17 10:2</p> <p>HECTOR 1:18</p> <p>help 9:7</p> <p>hour 7:1</p> <p>huh 7:7</p>	<p>Let's 5:9</p> <p>letter 7:22 8:1</p> <p>License 1:7 2:5</p> <p>Likewise 9:2</p> <p>LLC 2:22 6:15</p> <p>located 2:5 7:15</p> <p>Lounge 1:6 2:5,13 2:15 6:2,6,18</p> <p>M</p> <p>mail 7:20</p> <p>mailing 7:20</p> <p>making 9:10</p> <p>manager 2:13,17 2:19 6:18</p> <p>March 3:3,10 7:4 7:11</p> <p>matter 1:4 10:2</p> <p>meeting 1:3 3:19</p> <p>member 1:17,17,18 1:18,19 2:21 3:17 3:22 6:15</p> <p>met 1:12</p> <p>Middle 2:21</p> <p>MIKE 1:18</p> <p>Miller 1:13,16 2:3 2:9,14,18 3:1,7,12 3:15,21 4:3,6,13 4:16,20 5:1,4,7,9 5:13,17 6:1,8,13 6:16,19 7:6,9 9:16 9:21</p> <p>morning 2:7 4:21</p>	<p>NICK 1:17</p> <p>number 9:15</p> <p>NW 1:6</p> <p>O</p> <p>Oh 9:16</p> <p>Okay 2:19 3:1,7,12 3:14,19,21 4:2,3 4:13,15 5:1,3,6,7 5:10,12,14,17,19 6:4,8,16,19 7:5,10 9:19</p> <p>opposing 8:13,21</p> <p>ought 3:19</p> <p>owner 2:15,22 3:18 4:1,4,17 6:14</p>
<p>B</p> <p>back 5:4</p> <p>behalf 8:12</p> <p>Beverage 1:2,11,12</p> <p>Board 1:2,12 7:17 8:12</p> <p>BROOKS 1:17</p> <p>Building 1:12</p>	<p>D</p> <p>D.C 1:13</p> <p>date 3:9</p> <p>days 8:13</p> <p>determine 7:13</p> <p>dismissal 8:17</p> <p>District 1:1 7:14</p> <p>documents 8:4,11</p> <p>DONALD 1:17</p>	<p>I</p> <p>identified 9:3,4</p> <p>identify 2:10</p> <p>important 8:7 9:6</p> <p>Information 8:2,9 8:16 9:4</p> <p>informed 9:9</p> <p>instructions 4:14</p> <p>issue 7:19</p> <p>issues 7:18</p>	<p>N</p> <p>N.W 1:13 2:5</p> <p>Naji 2:8,12,12,16 4:5,8,15,19,22 5:3 5:6,8,12,20 6:7,17 6:17 7:5,8</p> <p>name 2:20 6:11</p> <p>names 6:9</p> <p>need 7:6</p> <p>needs 9:2</p> <p>negotiate 3:8</p> <p>negotiating 3:4</p> <p>negotiations 3:4</p>	<p>P</p> <p>P-R-O-C-E-E-D-... 2:1</p> <p>p.m 3:3 7:11</p> <p>package 8:8</p> <p>paper 5:21 7:7</p> <p>parties 8:13</p> <p>party 8:21</p> <p>pass 5:2</p> <p>pay 9:7</p> <p>phone 9:15</p> <p>PIF 9:3</p> <p>please 2:11 7:8 8:5</p> <p>point 6:22</p> <p>preferable 6:21</p> <p>prejudiced 8:21</p> <p>prepared 9:11</p> <p>PRESENT 1:15</p> <p>presiding 1:14</p> <p>process 7:22</p> <p>protest 1:6 3:2 5:18 7:3,10,12,22 8:2,9 8:16,17 9:3 10:1</p> <p>purpose 7:12</p> <p>put 3:19 6:9</p>
<p>C</p> <p>call 2:4 6:2</p> <p>case 1:8 2:4 4:4 5:2 5:10,18 6:2,2 8:13 9:9</p> <p>cause 8:22</p> <p>Cha 1:6 2:4,13,15 6:2,5,18</p> <p>Chairperson 1:13 1:16 2:3,9,14,18</p>	<p>E</p> <p>establishment 7:14 7:15</p> <p>excluded 8:20</p> <p>exclusion 9:5</p> <p>exhibit 8:3,9,18</p> <p>exhibits 8:19,19</p> <p>explaining 7:22</p> <p>F</p> <p>failure 8:22</p> <p>find 8:20</p> <p>focused 9:8</p> <p>form 8:2,3,9,10,16 8:18 9:4</p> <p>forms 4:11 8:11 9:6</p> <p>forth 7:16</p> <p>forward 3:9</p>	<p>J</p> <p>JAMES 1:19</p> <p>January 1:10</p> <p>K</p> <p>keep 9:7</p> <p>Kingdom 2:22</p> <p>know 3:18 4:10 5:20 6:20 8:7 9:9 9:17</p> <p>L</p> <p>lawyer 4:10,17,18 4:20 5:5</p>	<p>Q</p> <p>question 7:19</p> <p>questions 9:12</p>	

<hr/> R <hr/>	stuff 4:11 subject 8:17 9:5 submit 8:10,22 Suite 1:13 Sure 5:12	10:32 10:3 13-PRO-00132 1:8 2:4 6:3 14th 1:12 1624 1:5,6 2:5 19 3:3 7:4,11 19th 3:10		
	<hr/> T <hr/>	<hr/> 2 <hr/>		
ready 2:10 Realty 2:22 recall 5:10 receive 8:15,18 received 7:20 receiving 8:8 recess 5:15 record 2:11 3:20 4:7 6:9 8:20 Reeves 1:12 regarding 5:18 relevant 7:18 Renewal 1:9 repeat 9:14 representing 4:4 6:5 required 8:10 Retailer 1:7 right 3:2 6:10,20 7:9 9:19 RODRIGUEZ 1:18 Room 1:12 rules 7:16 Ruthanne 1:13,16	t/a 1:6 talk 6:21 tell 4:1,14 7:2 Tesha 7:21 Thank 5:8 9:20,21 think 3:19 4:8,22 6:20,22 transcript 7:3 two 8:11 typed 4:11	2000 1:12 20009 1:13 2014 1:10 3:3 7:11 202 9:13 23-1607 7:16 26519 1:7 2:6 29 1:10		
	<hr/> U <hr/>	<hr/> 3 <hr/>		
U 1:5,6 2:5 Um-hum 6:13		<hr/> 4 <hr/>		
	<hr/> V <hr/>	<hr/> 4:30 3:3 7:11		
	<hr/> W <hr/>	400S 1:13		
Wait 6:1 waiting 4:9 Wang 2:20,21 3:6 3:11,14 4:2 6:11 6:12,14 9:14,20 want 3:13,16 Washington 1:13 way 4:21 witness 9:2 write 3:13,16		442-6492 9:13,18		
	<hr/> X <hr/>	<hr/> 5 <hr/>		
	<hr/> Y <hr/>	<hr/> 6 <hr/>		
yeah 4:19,22 6:7 9:16		<hr/> 7 <hr/>		
	<hr/> Z <hr/>	<hr/> 8 <hr/>		
	<hr/> 0 <hr/>	<hr/> 9 <hr/>		
	<hr/> 1 <hr/>	<hr/> 9:56 2:2		
SILVERSTEIN 1:18 sole 2:21 6:14 sorry 3:14,15 7:8 9:17 Status 1:7 5:19 10:1 Street 1:5,6,13 2:5		<hr/> 9:59 5:15		
	<hr/> 10:28 5:16	<hr/> 10:32 10:3		