

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Mimi & D, LLC, t/a Vita
Restaurant and Lounge/
Penthouse Nine
1318 9th Street NW
Retailer CT ANC 2F
License No. 86037
Renewal Application

Protest
Hearing
(Status)

Case No. 13-PRO-00154

Wednesday
February 5, 2014

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

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
HECTOR RODRIGUEZ, Member
MICHAEL SILVERSTEIN, Member
JAMES SHORT, Member
HERMAN JONES, Member

ALSO PRESENT:

George Danilovics, Representative

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

(10:05 a.m.)

CHAIRPERSON MILLER: Okay, and the next case is a Protest Status Hearing, Case Number 13-PRO-154, Penthouse Nine, located 1318 9th Street NW, License Number 86037, in ANC 2F. When you're ready, introduce yourself for the record.

MS. BEYENE: Abeba Beyene, the owner of Vita Lounge.

CHAIRPERSON MILLER: Good morning. Okay.

MR. DANILOVICS: And George Danilovics representing the group of seven.

MR. SALTER: Dave Salter, Naylor Court.

CHAIRPERSON MILLER: I'm sorry, what?

MR. SALTER: David Salter.

CHAIRPERSON MILLER: David Salter, are you in the group of seven?

MR. SALTER: Yes.

1 CHAIRPERSON MILLER: Okay.

2 MS. MALONE: Elizabeth Malone, in
3 the group of seven.

4 CHAIRPERSON MILLER: Okay.

5 MR. MALONE: James Malone, also
6 group of seven.

7 CHAIRPERSON MILLER: Okay, I think
8 I have in these notes that four were present
9 at roll call and one more must appear. So who
10 is new here?

11 MR. DANILOVICS: All of three.

12 CHAIRPERSON MILLER: All of you
13 are new here?

14 MR. DANILOVICS: Just those three.

15 CHAIRPERSON MILLER: Just those,
16 all right. Okay. Okay. And what's your
17 name, sir?

18 MR. DANILOVICS: George
19 Danilovics.

20 CHAIRPERSON MILLER: Okay. I also
21 had in my notes here that there's a Martin
22 Smith.

1 MR. DANILOVICS: I got a letter
2 from Martin that I can represent the
3 ***10:07:12.

4 CHAIRPERSON MILLER: Okay, good.
5 All right, so then your party is granted
6 standing. And if you don't have any
7 questions, I will go ahead and give you the
8 protest date and the same instructions. Okay,
9 not hearing any right now, your protest date
10 is April 2nd, 2014, at 1:30 p.m.

11 The purpose of a protest hearing
12 is the appropriateness of the establishment in
13 the section of the District where the
14 establishment is located. That's what the
15 hearing will be limited to. It's based in 23-
16 1607.

17 And you should have received in
18 the mail a Protest Information Form, also
19 known as a PIF, and an Exhibit Form. If you
20 don't have these documents, please see Ms.
21 Anderson. They're very important. They
22 basically control the process for the hearing.

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You're required to complete and submit the Protest Information Form and the Exhibit Form seven days before the date of the hearing.

They need to be submitted to Ms. Anderson on behalf of the Board and to all opposing parties in the matter. If we don't receive a copy of your PIF, your application, or your protest may be subject to dismissal.

If we don't receive a copy of the Exhibit Form and the exhibits themselves, your exhibits may be excluded from the record upon a finding that the opposing party has been prejudiced, or no good cause for the failure to submit has been shown.

Likewise, witnesses, other than a party, may be subject to exclusion, if not identified on a PIF. Accordingly, these forms are very important, don't let the deadline slip. They're pretty strictly enforced.

And it's important to all of you

1 to share that information and then you have a
2 much more focused hearing. So if you have any
3 questions, after this hearing you can contact
4 Ms. Anderson at 202-442-6492. Okay, thank
5 you.

6 MR. DANILOVICS: Yes.

7 MS. BEYENE: Thank you.

8 (Whereupon, at 10:09 a.m., the
9 protest hearing status hearing was adjourned.)

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<hr/> <p style="text-align: center;">A</p> <hr/> <p>a.m 2:2 6:8 Abeba 2:9 adjourned 6:9 ahead 4:7 ALBERTI 1:17 Alcoholic 1:2,13,13 ANC 1:8 2:7 Anderson 4:21 5:7 6:4 appear 3:9 application 1:9 5:9 appropriateness 4:12 April 4:10</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>based 4:15 basically 4:22 behalf 5:7 Beverage 1:2,13,13 Beyene 2:9,9 6:7 Board 1:2,13 5:7 BROOKS 1:17 Building 1:14</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>call 3:9 case 1:10 2:4,4 cause 5:15 Chairperson 1:14 1:16 2:3,11,17,20 3:1,4,7,12,15,20 4:4 COLUMBIA 1:1 complete 5:2 contact 6:3 control 1:2,13,13 4:22 copy 5:9,11 Court 2:16 CT 1:8</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D 1:6 D.C 1:14</p>	<p>Danilovics 1:21 2:13,14 3:11,14 3:18,19 4:1 6:6 date 4:8,9 5:4 Dave 2:15 David 2:19,20 days 5:4 deadline 5:20 dismissal 5:10 District 1:1 4:13 documents 4:20 DONALD 1:17</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>Elizabeth 3:2 enforced 5:21 establishment 4:12 4:14 excluded 5:13 exclusion 5:18 Exhibit 4:19 5:4,12 exhibits 5:12,13</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>failure 5:15 February 1:12 finding 5:14 focused 6:2 Form 4:18,19 5:3,4 5:12 forms 5:19 four 3:8</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>George 1:21 2:13 3:18 give 4:7 go 4:7 good 2:11 4:4 5:15 granted 4:5 group 2:14,21 3:3,6</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>hearing 1:7,14 2:4 4:9,11,15,22 5:5 6:2,3,9,9 HECTOR 1:18</p>	<p>HERMAN 1:19</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>identified 5:19 important 4:21 5:20,22 information 4:18 5:3 6:1 instructions 4:8 introduce 2:7</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>James 1:19 3:5 JONES 1:19</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>known 4:19</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>letter 4:1 License 1:8 2:6 Likewise 5:17 limited 4:15 LLC 1:6 located 2:5 4:14 Lounge 1:6 2:10</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>mail 4:18 Malone 3:2,2,5,5 Martin 3:21 4:2 matter 1:5 5:8 MEETING 1:3 Member 1:17,17,18 1:18,19,19 met 1:13 MICHAEL 1:18 Miller 1:15,16 2:3 2:11,17,20 3:1,4,7 3:12,15,20 4:4 Mimi 1:6 morning 2:11</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N.W 1:14 name 3:17 Naylor 2:15</p>	<p>need 5:6 new 3:10,13 NICK 1:17 Nine 1:7 2:5 notes 3:8,21 Number 2:5,6 NW 1:7 2:6</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>Okay 2:3,12 3:1,4,7 3:16,16,20 4:4,8 6:4 opposing 5:8,14 owner 2:10</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>P-R-O-C-E-E-D-... 2:1 p.m 4:10 parties 5:8 party 4:5 5:14,18 Penthouse 1:7 2:5 PIF 4:19 5:9,19 please 4:20 prejudiced 5:15 present 1:16,20 3:8 presiding 1:15 pretty 5:21 process 4:22 protest 1:6 2:4 4:8 4:9,11,18 5:3,10 6:9 purpose 4:11</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>questions 4:7 6:3</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>ready 2:7 receive 5:9,11 received 4:17 record 2:8 5:13 Reeves 1:14 Renewal 1:9 represent 4:2 Representative 1:21</p>	<p>representing 2:14 required 5:2 Restaurant 1:6 Retailer 1:8 right 3:16 4:5,9 RODRIGUEZ 1:18 roll 3:9 Room 1:14 Ruthanne 1:15,16</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>Salter 2:15,15,19 2:19,20,22 section 4:13 see 4:20 seven 2:14,21 3:3,6 5:4 share 6:1 SHORT 1:19 shown 5:16 SILVERSTEIN 1:18 sir 3:17 slip 5:21 Smith 3:22 sorry 2:17 standing 4:6 status 1:7 2:4 6:9 Street 1:7,14 2:6 strictly 5:21 subject 5:10,18 submit 5:3,16 submitted 5:6</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>t/a 1:6 thank 6:4,7 think 3:7 three 3:11,14</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>Vita 1:6 2:10</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>Washington 1:14</p>
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Wednesday 1:11
witnesses 5:17

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