

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF: :  
: :  
Best Wings, Inc. :  
t/a Blue Gin :  
1206 Wisconsin Avenue, NW : Protest  
Retailer Class CT : Hearing  
License No. 17458 : (Status)  
Case No. 11-PRO-00089 :  
ANC 2E :  
Substantial Change (Summer :  
Garden) :  
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FEBRUARY 15, 2012

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th

Street, N.W., Washington, D.C., Ruthanne Miller, Chairperson, presiding.

PRESENT

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD BROOKS, Member

JEANNETTE MOBLEY, Member

CALVIN NOPHLIN, Member

MIKE SILVERSTEIN, Member

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

9:43 a.m.

CHAIRPERSON MILLER: The next case on the agenda is another protest status hearing. It's case No. 11-PRO-00089, Blue Gin, License No. 17458 located in ANC 2E.

MR. KLINE: Good morning.

CHAIRPERSON MILLER: Good morning. Would you introduce yourself for the record, please?

MR. KLINE: Yes, Andrew Kline on behalf of the Licensee.

MR. COHN: Paul Cohn on behalf of the Licensee.

CHAIRPERSON MILLER: Okay.

MS. CRUSE: Karen Cruse representing the Citizens Association of Georgetown and the ANC 2E.

CHAIRPERSON MILLER: And, Mr. Cohn, are you the owner or what?

MR. COHN: I'm the -- what am I? I'm the executive vice-president of the

1 corporation.

2 CHAIRPERSON MILLER: Okay.

3 MR. COHN: And I am on the  
4 license.

5 CHAIRPERSON MILLER: Okay. Good.  
6 All right. And where does this case stand  
7 with respect to a voluntary agreement?

8 MR. KLINE: Yes, we're continuing  
9 to talk. We had to reschedule a mediation.  
10 I don't think we have a new date yet, but as  
11 soon as we're finished here, I'm going to  
12 prevail on Ms. Cruse and see if we can go in  
13 the other room and find Ms. Fletcher and get  
14 a date on the calendar rather quickly.

15 CHAIRPERSON MILLER: Okay. Do you  
16 have anything to add to that?

17 MS. CRUSE: No, that's the  
18 situation right now.

19 CHAIRPERSON MILLER: Okay. So at  
20 that point though I don't think that that is  
21 -- the protest hearing date is scheduled for  
22 April the 4th at 1:30 p.m. I just read the

1 instructions for a protest hearing. Would you  
2 like me to read them again? Were you  
3 listening or --

4 MS. CRUSE: Yes. I'm -- no, I'm  
5 fine.

6 CHAIRPERSON MILLER: You're fine?

7 MR. KLINE: Ms. Cruse is very  
8 experienced in these matters.

9 CHAIRPERSON MILLER: Okay. For  
10 the record I am told I need to read it again,  
11 so I will give you the main points of  
12 instructions for going to a protest hearing.

13 You should have received a mailing  
14 from the adjudication assistant, Sarah  
15 Fashbaugh, a letter explaining the protest  
16 process and a copy of the Protest Information  
17 Form. And if you don't have those documents,  
18 please see Ms. Fashbaugh at the conclusion of  
19 this hearing.

20 It's important that you review the  
21 rules closely and adhere to them before and  
22 during the protest hearing. You're required

1 to complete and submit the Protest Information  
2 Form seven days before the date of the hearing  
3 and the document needs to be submitted to ABRA  
4 and to the opposing parties in the matter. If  
5 we do not receive a copy of your PIF, your  
6 application or your protest, whichever side  
7 you're on, may be subject to dismissal. And  
8 this form is very important. It assists the  
9 Board in narrowing the protest issues,  
10 facilitating the process and keeping the  
11 parties on point during the hearing.

12 If you have any questions today or  
13 anytime leading up to the hearing, please  
14 don't hesitate to contact Ms. Fashbaugh at  
15 (202) 397-3971.

16 MS. CRUSE: Okay. Thank you very  
17 much.

18 MR. KLINE: Thank you.

19 MS. CRUSE: Have a good day.

20 MR. COHN: Thank you.

21 (Whereupon, the hearing was  
22 concluded at 9:46 a.m.)

<p style="text-align: center;"><b>A</b></p> <p><b>ABRA</b> 5:3  <b>add</b> 3:16  <b>adhere</b> 4:21  <b>adjudication</b> 4:14  <b>agenda</b> 2:4  <b>agreement</b> 3:7  <b>ALBERTI</b> 1:19  <b>Alcoholic</b> 1:2,14,15  <b>ANC</b> 1:10 2:6,18  <b>Andrew</b> 2:11  <b>anytime</b> 5:13  <b>application</b> 5:6  <b>April</b> 3:22  <b>assistant</b> 4:14  <b>assists</b> 5:8  <b>Association</b> 2:17  <b>Avenue</b> 1:8  <b>a.m</b> 2:2 5:22</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>behalf</b> 2:12,13  <b>Best</b> 1:6  <b>Beverage</b> 1:2,14,15  <b>Blue</b> 1:7 2:5  <b>Board</b> 1:2,15 5:9  <b>BROOKS</b> 1:19  <b>Building</b> 1:15</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>calendar</b> 3:14  <b>CALVIN</b> 1:21  <b>case</b> 1:9 2:3,5 3:6  <b>Chairperson</b> 1:17  1:18 2:3,8,15,19  3:2,5,15,19 4:6,9  <b>Change</b> 1:10  <b>Citizens</b> 2:17  <b>Class</b> 1:8  <b>closely</b> 4:21  <b>Cohn</b> 2:13,13,20,21  3:3 5:20  <b>COLUMBIA</b> 1:1  <b>complete</b> 5:1  <b>concluded</b> 5:22  <b>conclusion</b> 4:18  <b>contact</b> 5:14</p>	<p><b>continuing</b> 3:8  <b>Control</b> 1:2,14,15  <b>copy</b> 4:16 5:5  <b>corporation</b> 3:1  <b>Cruse</b> 2:16,16 3:12  3:17 4:4,7 5:16,19  <b>CT</b> 1:8</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>date</b> 3:10,14,21 5:2  <b>day</b> 5:19  <b>days</b> 5:2  <b>dismissal</b> 5:7  <b>DISTRICT</b> 1:1  <b>document</b> 5:3  <b>documents</b> 4:17  <b>DONALD</b> 1:19  <b>D.C</b> 1:16</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>executive</b> 2:22  <b>experienced</b> 4:8  <b>explaining</b> 4:15</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>facilitating</b> 5:10  <b>Fashbaugh</b> 4:15,18  5:14  <b>FEBRUARY</b> 1:13  <b>find</b> 3:13  <b>fine</b> 4:5,6  <b>finished</b> 3:11  <b>Fletcher</b> 3:13  <b>form</b> 4:17 5:2,8</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>Garden</b> 1:11  <b>Georgetown</b> 2:18  <b>Gin</b> 1:7 2:6  <b>give</b> 4:11  <b>go</b> 3:12  <b>going</b> 3:11 4:12  <b>good</b> 2:7,8 3:5 5:19</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>hearing</b> 1:8,15 2:5  3:21 4:1,12,19,22  5:2,11,13,21</p>	<p><b>hesitate</b> 5:14</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p><b>important</b> 4:20 5:8  <b>Information</b> 4:16  5:1  <b>instructions</b> 4:1,12  <b>introduce</b> 2:9  <b>issues</b> 5:9</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>JEANNETTE</b> 1:20</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>Karen</b> 2:16  <b>keeping</b> 5:10  <b>Kline</b> 2:7,11,11 3:8  4:7 5:18</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>leading</b> 5:13  <b>letter</b> 4:15  <b>license</b> 1:9 2:6 3:4  <b>Licensee</b> 2:12,14  <b>listening</b> 4:3  <b>located</b> 2:6</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p><b>mailing</b> 4:13  <b>main</b> 4:11  <b>matter</b> 1:5 5:4  <b>matters</b> 4:8  <b>mediation</b> 3:9  <b>MEETING</b> 1:3  <b>Member</b> 1:19,19  1:20,21,22  <b>met</b> 1:15  <b>MIKE</b> 1:22  <b>Miller</b> 1:17,18 2:3  2:8,15,19 3:2,5,15  3:19 4:6,9  <b>MOBLEY</b> 1:20  <b>morning</b> 2:7,8</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>narrowing</b> 5:9  <b>need</b> 4:10  <b>needs</b> 5:3</p>	<p><b>new</b> 3:10  <b>NICK</b> 1:19  <b>NOPHLIN</b> 1:21  <b>NW</b> 1:8  <b>N.W</b> 1:16</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>Okay</b> 2:15 3:2,5,15  3:19 4:9 5:16  <b>opposing</b> 5:4  <b>owner</b> 2:20</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>parties</b> 5:4,11  <b>Paul</b> 2:13  <b>PIF</b> 5:5  <b>please</b> 2:10 4:18  5:13  <b>point</b> 3:20 5:11  <b>points</b> 4:11  <b>PRESENT</b> 1:18  <b>presiding</b> 1:17  <b>prevail</b> 3:12  <b>process</b> 4:16 5:10  <b>protest</b> 1:8 2:4 3:21  4:1,12,15,16,22  5:1,6,9  <b>P-R-O-C-E-E-D-...</b>  2:1  <b>p.m</b> 3:22</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>questions</b> 5:12  <b>quickly</b> 3:14</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>read</b> 3:22 4:2,10  <b>receive</b> 5:5  <b>received</b> 4:13  <b>record</b> 2:9 4:10  <b>Reeves</b> 1:15  <b>representing</b> 2:17  <b>required</b> 4:22  <b>reschedule</b> 3:9  <b>respect</b> 3:7  <b>Retailer</b> 1:8  <b>review</b> 4:20  <b>right</b> 3:6,18</p>	<p><b>room</b> 1:15 3:13  <b>rules</b> 4:21  <b>Ruthanne</b> 1:16,18</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p><b>Sarah</b> 4:14  <b>scheduled</b> 3:21  <b>see</b> 3:12 4:18  <b>seven</b> 5:2  <b>side</b> 5:6  <b>SILVERSTEIN</b>  1:22  <b>situation</b> 3:18  <b>soon</b> 3:11  <b>stand</b> 3:6  <b>status</b> 1:9 2:4  <b>Street</b> 1:16  <b>subject</b> 5:7  <b>submit</b> 5:1  <b>submitted</b> 5:3  <b>Substantial</b> 1:10  <b>Summer</b> 1:10</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p><b>talk</b> 3:9  <b>Thank</b> 5:16,18,20  <b>think</b> 3:10,20  <b>today</b> 5:12  <b>told</b> 4:10  <b>t/a</b> 1:7</p> <hr/> <p style="text-align: center;"><b>V</b></p> <p><b>vice-president</b> 2:22  <b>voluntary</b> 3:7</p> <hr/> <p style="text-align: center;"><b>W</b></p> <p><b>Washington</b> 1:16  <b>we're</b> 3:8,11  <b>whichever</b> 5:6  <b>Wings</b> 1:6  <b>Wisconsin</b> 1:8</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>p</b> 1:5,12</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p><b>1:30</b> 3:22  <b>11-PRO-00089</b> 1:9</p>
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2:5  
**1206** 1:8  
**14th** 1:15  
**15** 1:13  
**17458** 1:9 2:6

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**2E** 1:10 2:6,18  
**2000** 1:15  
**2012** 1:13  
**202** 5:15

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**397-3971** 5:15

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**4**

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**4th** 3:22

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