

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Hak, LLC
t/a Midtown
1219 Connecticut Ave., NW
Retailer CN - ANC-2B
License No. 72087
Case #13-PRO-00176

Protest
Hearing
(Status)

(Renewal Application)

February 19, 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

(9:43 a.m.)

CHAIRPERSON MILLER: The next case is 13-PRO-00176, Midtown located at 1219 Connecticut Avenue, N.W., License No. 72087, in ANC-2B. And this is a renewal application.

MR. MPRAS: Emanuel Mpras for Hak, LLC t/a Midtown.

CHAIRPERSON MILLER: Good morning.

MR. MPRAS: Good morning.

MR. NELSON: Carl Nelson for the Group of 17.

MS. NICHOLS: Abigail Nichols for the ANC-2B. And we have Raquel Sussler. We needed one more person to create standing for the Group of 5.

CHAIRPERSON MILLER: Okay. All right. Are there any issues you need to bring to the Board's attention? Otherwise, I'm going to set this for hearing and read you the instructions.

MR. MPRAS: Yes, ma'am.

1 CHAIRPERSON MILLER: Okay.

2 MR. MPRAS: We would just like to
3 inform the Board that we are close to reaching
4 an agreement in this matter.

5 CHAIRPERSON MILLER: Great. Okay.
6 All right. In the event that you don't reach
7 agreement, the Protest Hearing is April 23,
8 2014 at 1:30 p.m.

9 And I want to bring to your
10 attention the purpose of a Protest Hearing is
11 to determine the appropriateness of the
12 establishment in the section of the District
13 where the establishment is located. And
14 that's based in 23-1607 of our regulations.

15 And I want to make sure that you
16 make sure that you get a copy of the Protest
17 Information Form and a copy of the exhibit
18 form, which you should be getting in the mail
19 from Tesha Anderson or should have gotten. If
20 you don't have those documents, please, see
21 her at the conclusion of the hearing.

22 You are required to complete and

1 submit the Protest Information Form and the
2 exhibit form seven days before the date of the
3 hearing. The two forms and accompanying
4 documents need to be submitted to Ms. Anderson
5 on behalf of the Board and to all the opposing
6 parties in the matter.

7 If we do not receive a copy of
8 your PIF or your protest, whichever side you
9 are representing may be -- your application or
10 your protest may be subject to dismissal if we
11 don't receive your PIF.

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

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

21 So I want you to know that and
22 that these rules are for a very important

1 reason. They make sure everybody is on notice
2 of what to prepare for for the hearing and the
3 Board knows what the issues are going to be in
4 order to regulate the hearing.

5 Okay?

6 MR. MPRAS: Thank you.

7 MR. NELSON: Thank you.

8 CHAIRPERSON MILLER: Thank you.

9 Good luck. Maybe we won't see you. Okay.

10 MR. MPRAS: We are also next.

11 CHAIRPERSON MILLER: You're next,
12 okay. You're still here. Okay.

13 MS. NICHOLS: Thank you for
14 combining these two hearings. We were
15 scheduled to come back next Wednesday and when
16 we realized that --

17 CHAIRPERSON MILLER: Oh, good,
18 that makes sense. Well, that's our staff's
19 work and so I commend them. All right.

20 (Whereupon, the Protest (Status)
21 Hearing in the above-entitled matter was
22 concluded at 9:46 a.m.)

<p style="text-align: center;">A</p> <p>a.m 2:2 5:22 Abigail 2:13 above-entitled 5:21 accompanying 4:3 agreement 3:4,7 ALBERTI 1:17 Alcoholic 1:2,11,12 ANC-2B 1:7 2:6,14 Anderson 3:19 4:4 application 1:9 2:6 4:9 appropriateness 3:11 April 3:7 attention 2:19 3:10 Ave 1:6 Avenue 2:5</p> <hr/> <p style="text-align: center;">B</p> <p>back 5:15 based 3:14 behalf 4:5 Beverage 1:2,11,12 Board 1:2,12 3:3 4:5 5:3 Board's 2:19 bring 2:18 3:9 BROOKS 1:17 Building 1:12</p> <hr/> <p style="text-align: center;">C</p> <p>Carl 2:11 case 1:8 2:3 cause 4:16 Chairperson 1:13 1:16 2:3,9,17 3:1 3:5 5:8,11,17 close 3:3 CN 1:7 COLUMBIA 1:1 combining 5:14 come 5:15 commend 5:19 complete 3:22 concluded 5:22</p>	<p>conclusion 3:21 Connecticut 1:6 2:5 Control 1:2,11,12 copy 3:16,17 4:7,13 create 2:15</p> <hr/> <p style="text-align: center;">D</p> <p>D.C 1:13 date 4:2 days 4:2 determine 3:11 dismissal 4:10 District 1:1 3:12 documents 3:20 4:4 DONALD 1:17</p> <hr/> <p style="text-align: center;">E</p> <p>Emanuel 2:7 establishment 3:12 3:13 event 3:6 everybody 5:1 excluded 4:14 exclusion 4:19 exhibit 3:17 4:2,13 exhibits 4:13,14</p> <hr/> <p style="text-align: center;">F</p> <p>failure 4:17 February 1:10 finding 4:15 form 3:17,18 4:1,2 4:13 forms 4:3</p> <hr/> <p style="text-align: center;">G</p> <p>getting 3:18 going 2:20 5:3 good 2:9,10 4:16 5:9,17 gotten 3:19 Great 3:5 Group 2:12,16</p> <hr/> <p style="text-align: center;">H</p> <p>Hak 1:5 2:7</p>	<p>hearing 1:6,12 2:20 3:7,10,21 4:3 5:2 5:4,21 hearings 5:14 HECTOR 1:18</p> <hr/> <p style="text-align: center;">I</p> <p>identified 4:20 important 4:22 inform 3:3 Information 3:17 4:1 instructions 2:21 issues 2:18 5:3</p> <hr/> <p style="text-align: center;">J</p> <p>JAMES 1:19</p> <hr/> <p style="text-align: center;">K</p> <p>know 4:21 knows 5:3</p> <hr/> <p style="text-align: center;">L</p> <p>License 1:7 2:5 Likewise 4:12,18 LLC 1:5 2:8 located 2:4 3:13 luck 5:9</p> <hr/> <p style="text-align: center;">M</p> <p>ma'am 2:22 mail 3:18 matter 1:4 3:4 4:6 5:21 MEETING 1:3 Member 1:17,17,18 1:18,19 met 1:12 Midtown 1:6 2:4,8 MIKE 1:18 Miller 1:13,16 2:3 2:9,17 3:1,5 5:8 5:11,17 morning 2:9,10 Mpras 2:7,7,10,22 3:2 5:6,10</p>	<p style="text-align: center;">N</p> <p>N.W 1:13 2:5 need 2:18 4:4 needed 2:15 Nelson 2:11,11 5:7 Nichols 2:13,13 5:13 NICK 1:17 notice 5:1 NW 1:6</p> <hr/> <p style="text-align: center;">O</p> <p>Oh 5:17 okay 2:17 3:1,5 5:5 5:9,12,12 opposing 4:5,15 order 5:4</p> <hr/> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-... 2:1 p.m 3:8 parties 4:6 party 4:16,19 person 2:15 PIF 4:8,11,20 please 3:20 prejudiced 4:16 prepare 5:2 PRESENT 1:15 presiding 1:14 protest 1:6 3:7,10 3:16 4:1,8,10 5:20 purpose 3:10</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p style="text-align: center;">R</p> <p>Raquel 2:14 reach 3:6 reaching 3:3 read 2:20 realized 5:16 reason 5:1 receive 4:7,11,12 record 4:15 Reeves 1:12</p>	<p>regulate 5:4 regulations 3:14 renewal 1:9 2:6 representing 4:9 required 3:22 Retailer 1:7 right 2:18 3:6 5:19 RODRIGUEZ 1:18 Room 1:12 rules 4:22 Ruthanne 1:13,16</p> <hr/> <p style="text-align: center;">S</p> <p>scheduled 5:15 section 3:12 see 3:20 5:9 sense 5:18 set 2:20 seven 4:2 SHORT 1:19 shown 4:17 side 4:8 SILVERSTEIN 1:18 staff's 5:18 standing 2:15 Status 1:7 5:20 Street 1:13 subject 4:10,19 submit 4:1,17 submitted 4:4 Suite 1:13 sure 3:15,16 5:1 Sussler 2:14</p> <hr/> <p style="text-align: center;">T</p> <p>t/a 1:6 2:8 Tesha 3:19 Thank 5:6,7,8,13 two 4:3 5:14</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p style="text-align: center;">W</p> <p>want 3:9,15 4:21</p>
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