

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

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IN THE MATTER OF: :

Case #12-PRO-00001 :

Pirosi, LLC :

t/a Cafe Sorriso :Protest

2311 Calvert Street, N.W. :Hearing

License #88262 :(Status)

Retailer CR :

ANC 3C :

New Application :

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FEBRUARY 22, 2012

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., 4th Floor, Washington, D.C. 20009, Chairperson Miller, presiding.

PRESENT

- RUTHANNE MILLER, Chairperson
- NICK ALBERTI, Member
- DONALD BROOKS, Member
- CALVIN NOPHLIN, Member
- MICHAEL SILVERSTEIN, Member
- JEANNETTE MOBLEY, Member

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

9:38 a.m.

CHAIR MILLER: Good morning,
ladies and gentlemen. I'd like to welcome you
to the regularly scheduled meeting of the
District of Columbia Alcoholic Beverage
Control Board. Today is February 22nd, 2012.

My name is Ruthanne Miller and I'm
the Chairperson. Joining me today to my far
right is Mr. Calvin Nophlin. To his immediate
left is Mr. Donald Brooks. To my immediate
right is Mr. Nick Alberti. To my far left is
Ms. Jeannette Mobley and to my immediate left
is Mr. Mike Silverstein.

The Board has six members in
attendance for the conduct of business today
with three constituting a quorum.

Copies of today's hearing calendar
and agenda are available at the receptionist's
desk.

Please be aware that these
proceedings are being recorded by a court

1 reporter. Accordingly, we must ask you to
2 refrain from any disruptive noises or actions
3 in the hearing room.

4 If you have any electronic
5 devices, pagers, cell phones or such, please
6 make certain that they're turned off to avoid
7 any interruption of the proceedings.

8 Please note that there's a piece
9 of paper on each table. When you come forward
10 as your name is called and as your case is
11 called rather, please take a seat at the table
12 and sign in. This is to insure that the
13 correct spelling of your name is there for the
14 record.

15 The record will be closed at the
16 conclusion of each case except for any
17 materials specifically requested by the Board
18 or if the parties elect to submit proposed
19 findings of fact and conclusion of law within
20 30 calendar days after the conclusion of the
21 hearing as permitted by 23 DCMR Section
22 1717.2.

1 After the record is closed, no
2 other information will be accepted by the
3 Board.

4 Copies of transcripts are
5 available by contacting ABRA's Records Manager
6 Bill Hager and it is the sole responsibility
7 of the parties to make this request.

8 The Open Meetings Act requires
9 that the public hearing on each case be open
10 to the public. The Board may, consistent with
11 Section 405(b) of the Open Meetings Act enter
12 a closed meeting during or after the public
13 meeting on a case to consult with an attorney
14 to obtain legal advice, discuss settlement
15 agreements or deliberate upon a decision in an
16 adjudication proceeding.

17 This morning, we're going to be
18 starting off with protest status hearing and
19 show cause status hearing cases.

20 Okay. I'm going to call -- the
21 first case is a protest status hearing. The
22 Case Number 12-PRO-00001 of Caf, Sorriso at

1 2311 Calvert Street, N.W. in ANC 3C.

2 This hearing is cancelled. My
3 understanding is that the Board received a
4 voluntary agreement last night and the Board
5 will be taking that voluntary agreement into
6 consideration.

7 (Whereupon, at 9:41 a.m., the
8 hearing was adjourned.)

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<p style="text-align: center;">A</p> <p>ABRA's 4:5 accepted 4:2 Act 4:8,11 actions 3:2 adjourned 5:8 adjudication 4:16 advice 4:14 agenda 2:19 agreement 5:4,5 agreements 4:15 Alberti 1:18 2:12 Alcoholic 1:2,12,13 2:6 ANC 1:9 5:1 Application 1:9 attendance 2:16 attorney 4:13 available 2:19 4:5 avoid 3:6 aware 2:21 a.m 2:2 5:7</p> <hr/> <p style="text-align: center;">B</p> <p>Beverage 1:2,12,13 2:6 Bill 4:6 Board 1:2,13 2:7 2:15 3:17 4:3,10 5:3,4 Brooks 1:19 2:11 Building 1:13 business 2:16</p> <hr/> <p style="text-align: center;">C</p> <p>Caf 4:22 Cafe 1:6 calendar 2:18 3:20 call 4:20 called 3:10,11 Calvert 1:7 5:1 Calvin 1:20 2:10 cancelled 5:2 case 1:5 3:10,16 4:9 4:13,21,22 cases 4:19 cause 4:19</p>	<p>cell 3:5 certain 3:6 CHAIR 2:3 Chairperson 1:14 1:17 2:9 closed 3:15 4:1,12 Columbia 1:1 2:6 come 3:9 conclusion 3:16,19 3:20 conduct 2:16 consideration 5:6 consistent 4:10 constituting 2:17 consult 4:13 contacting 4:5 Control 1:2,12,13 2:7 Copies 2:18 4:4 correct 3:13 court 2:22 CR 1:8</p> <hr/> <p style="text-align: center;">D</p> <p>days 3:20 DCMR 3:21 decision 4:15 deliberate 4:15 desk 2:20 devices 3:5 discuss 4:14 disruptive 3:2 District 1:1 2:6 Donald 1:19 2:11 D.C 1:14</p> <hr/> <p style="text-align: center;">E</p> <p>elect 3:18 electronic 3:4 enter 4:11</p> <hr/> <p style="text-align: center;">F</p> <p>fact 3:19 far 2:9,12 February 1:11 2:7 findings 3:19 first 4:21 Floor 1:14</p>	<p>forward 3:9</p> <hr/> <p style="text-align: center;">G</p> <p>gentlemen 2:4 going 4:17,20 Good 2:3</p> <hr/> <p style="text-align: center;">H</p> <p>Hager 4:6 hearing 1:7,13 2:18 3:3,21 4:9,18,19 4:21 5:2,8</p> <hr/> <p style="text-align: center;">I</p> <p>immediate 2:10,11 2:13 information 4:2 insure 3:12 interruption 3:7</p> <hr/> <p style="text-align: center;">J</p> <p>Jeannette 1:22 2:13 Joining 2:9</p> <hr/> <p style="text-align: center;">L</p> <p>ladies 2:4 law 3:19 left 2:11,12,13 legal 4:14 License 1:8 LLC 1:6</p> <hr/> <p style="text-align: center;">M</p> <p>Manager 4:5 materials 3:17 MATTER 1:4 meeting 1:3 2:5 4:12,13 Meetings 4:8,11 Member 1:18,19 1:20,21,22 members 2:15 met 1:13 MICHAEL 1:21 Mike 2:14 Miller 1:14,17 2:3 2:8</p>	<p>Mobley 1:22 2:13 morning 2:3 4:17</p> <hr/> <p style="text-align: center;">N</p> <p>name 2:8 3:10,13 New 1:9 Nick 1:18 2:12 night 5:4 noises 3:2 Nophlin 1:20 2:10 note 3:8 Number 4:22 N.W 1:7,14 5:1</p> <hr/> <p style="text-align: center;">O</p> <p>obtain 4:14 Okay 4:20 open 4:8,9,11</p> <hr/> <p style="text-align: center;">P</p> <p>paggers 3:5 paper 3:9 parties 3:18 4:7 permitted 3:21 phones 3:5 piece 3:8 Pirosi 1:6 please 2:21 3:5,8 3:11 PRESENT 1:15 presiding 1:14 proceeding 4:16 proceedings 2:22 3:7 proposed 3:18 protest 1:6 4:18,21 public 4:9,10,12 P-R-O-C-E-E-D-... 2:1</p> <hr/> <p style="text-align: center;">Q</p> <p>quorum 2:17</p> <hr/> <p style="text-align: center;">R</p> <p>received 5:3 receptionist's 2:19 record 3:14,15 4:1 recorded 2:22</p>	<p>Records 4:5 Reeves 1:13 refrain 3:2 regularly 2:5 reporter 3:1 request 4:7 requested 3:17 requires 4:8 responsibility 4:6 Retailer 1:8 right 2:10,12 room 1:13 3:3 Ruthanne 1:17 2:8</p> <hr/> <p style="text-align: center;">S</p> <p>scheduled 2:5 seat 3:11 Section 3:21 4:11 settlement 4:14 show 4:19 sign 3:12 Silverstein 1:21 2:14 six 2:15 sole 4:6 Sorriso 1:6 4:22 specifically 3:17 spelling 3:13 starting 4:18 status 1:8 4:18,19 4:21 Street 1:7,14 5:1 submit 3:18</p> <hr/> <p style="text-align: center;">T</p> <p>table 3:9,11 take 3:11 three 2:17 today 2:7,9,16 today's 2:18 transcripts 4:4 turned 3:6 t/a 1:6</p> <hr/> <p style="text-align: center;">U</p> <p>understanding 5:3</p> <hr/> <p style="text-align: center;">V</p>
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<p>voluntary 5:4,5</p> <hr/> <p>W</p> <p>Washington 1:14 welcome 2:4 we're 4:17</p> <hr/> <p>P</p> <p>p 1:4,10</p> <hr/> <p>#</p> <p>#12-PRO-00001 1:5 #88262 1:8</p> <hr/> <p>1</p> <p>12-PRO-00001 4:22 14th 1:13 1717.2 3:22</p> <hr/> <p>2</p> <p>2000 1:13 20009 1:14 2012 1:11 2:7 22 1:11 22nd 2:7 23 3:21 2311 1:7 5:1</p> <hr/> <p>3</p> <p>3C 1:9 5:1 30 3:20</p> <hr/> <p>4</p> <p>4th 1:14 405(b) 4:11</p> <hr/> <p>9</p> <p>9:38 2:2 9:41 5:7</p>				
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