

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

The Blagden Alley Entertainment, LLC t/a The American 1209 10th Street, NW Retailer CR - ANC-2F License No. 92766 Case #14-PRO-00019	Protest Hearing (Status)
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(New Application)

May 14, 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

(9:49 a.m.)

CHAIRPERSON MILLER: Okay. The next case is Case No. 14-PRO-00019, The American located at 1209 10th Street, N.W., License No. 92766, in ANC-2F.

Okay. So whenever you are ready, if you all could introduce yourselves for the record?

MR. PASCAL: Good morning again. Paul L. Pascal of Pascal & Weiss for The American.

CHAIRPERSON MILLER: Okay.

MS. GENTILE: Andi Gentile for The American.

CHAIRPERSON MILLER: And are you the owner or are you counsel?

MS. GENTILE: No. I am an officer.

CHAIRPERSON MILLER: Oh, you're an officer?

MS. GENTILE: Yes.

1 MR. PASCAL: And she is the
2 operating manager.

3 MS. GENTILE: Operating manager.

4 MEMBER RODRIGUEZ: Operating
5 manager.

6 CHAIRPERSON MILLER: Okay. Okay.

7 MS. SHAUER: Barbara Shauer, one
8 of two co-representatives of the Group of 34
9 protestants.

10 CHAIRPERSON MILLER: Okay.

11 MS. BEEBE: Carolyn Beebe. I'm
12 also one of the protestants.

13 CHAIRPERSON MILLER: Okay.

14 MR. MELCHER: Greg Melcher, ANC-
15 2F06.

16 CHAIRPERSON MILLER: All right.
17 Good. Okay. So are there any issues you need
18 to bring to our attention?

19 MR. PASCAL: We had mediation. We
20 did not come to a resolution. As of this
21 morning, another proposed settlement agreement
22 has been advanced by the ANC, which I'll share

1 with the other principal of the business and
2 we hope to resolve something, but, at this
3 point in time, there is no resolution. So the
4 Protest Hearing should be continued.

5 CHAIRPERSON MILLER: So the --

6 MR. PASCAL: As scheduled.

7 CHAIRPERSON MILLER: Right. Okay.
8 So we are going to go forward with it. I'll
9 go forward with giving you the instructions
10 for the Protest Hearing in the event that you
11 do go to hearing.

12 All right. So as you may have
13 heard, I said in a previous case that the
14 appropriateness of the establishment in the
15 section of the District where the
16 establishment is located, is the focus of our
17 Protest Hearings.

18 We require that you file a Protest
19 Information Form, which identifies your issues
20 and your witnesses as well as an Exhibit Form
21 and your exhibits seven days prior to the
22 hearing and that you serve those on opposing

1 parties as well.

2 And in that case, everyone comes
3 prepared for the hearing and on notice as to
4 what to expect and what the issues are.

5 If you don't file a Protest
6 Information Form, your application or your
7 protest may be subject to dismissal, so it's
8 very important that you do that and that you
9 do that on time.

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

16 Likewise, witnesses other than a
17 party may also be subject to exclusion if not
18 identified on the PIF. And when we say
19 identified, we don't mean just like a neighbor
20 is going to testify. We mean give the names
21 of the people who are going to be witnesses.

22 Okay. You should have gotten

1 those forms. If you haven't, contact Ms.
2 Tesha Anderson at 442-6492. If you have any
3 questions prior to your Protest, you can ask
4 her or you can ask our General Counsel, Martha
5 Jenkins.

6 And your Protest Hearing date is
7 July 9, 2014 at 4:30 p.m. Okay. Thank you.
8 Unless you have any questions?

9 MR. PASCAL: No. Thank you very
10 much.

11 CHAIRPERSON MILLER: Okay.

12 MR. PASCAL: Have a nice day.

13 CHAIRPERSON MILLER: Thank you.
14 You, too.

15 (Whereupon, the Protest (Status)
16 Hearing in the above-entitled matter was
17 concluded at 9:54 a.m.)

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