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

(9:37 a.m.)

CHAIRPERSON MILLER: Good morning everyone, I'd like welcome you to the regularly scheduled meeting of the District of Columbia Alcohol Beverage Control Board. Today is May 15th, 2013.

My name is Ruthanne Miller, I'm the Chairperson. Joining me today to my far right is Mr. Donald Brooks. To my immediate right is Mr. Nick Alberti. And to my immediate left is Mr. Mike Silverstein.

The Board has four members in attendance for the conduct of business today, with three constituting a quorum. Copies of today's hearing calender and agenda are available at the receptionists desk.

Please be aware that these proceedings are being recorded by a court reporter. Accordingly we must ask you to refrain from any disruptive noises or actions in the hearing room.

1 If you have any electronic
2 devices, pagers, cell phones or such, please
3 make sure they're turned off to avoid any
4 interruption of the proceeding.

5 Please note when I call your case,
6 come forward, take a seat at the table and
7 you'll see that there's a piece of paper there
8 for you to sign in. That's to ensure the
9 correct spelling of your name for the record.

10 The Open Meetings Act requires
11 that the public hearing on each case be open
12 to the public.

13 The Board may, consistent with
14 Section 405(b) of the Opening Meetings Act,
15 enter a closed meeting during or after the
16 public hearing on a case to consult with an
17 attorney, to obtain legal advice, discuss
18 settlement agreements or deliberate upon a
19 decision in an adjudication preceding.

20 Okay, so I'm going to start with
21 the first case on the morning calendar. And
22 that is Case Number 13-PRO-00008, Libertine.

1 Located at 2434 18th Street Northwest.

2 License Number 86298 and ANC 1C.

3 So when you're ready, if you would
4 introduce yourselves for the record.

5 (Off record comments)

6 MR. AUSLANDER: Scott Auslander,
7 Applicant.

8 CHAIRPERSON MILLER: Could you
9 tell me, are the owner or are you --

10 MR. AUSLANDER: I am one of the
11 owners, correct.

12 CHAIRPERSON MILLER: You're one of
13 the owners, okay. Because I have a different
14 name on my record, Mr. --

15 MR. AUSLANDER: Bowmen?

16 CHAIRPERSON MILLER: I have Mr.
17 Knott.

18 MR. AUSLANDER: He's one of,
19 there's three.

20 CHAIRPERSON MILLER: They're
21 three, and what percentage do you own?

22 MR. AUSLANDER: Thirty-three

1 percent.

2 CHAIRPERSON MILLER: Okay, all
3 right.

4 MR. SIMPSON: And William Simpson
5 for Advisory Neighborhood Commission 1C.

6 CHAIRPERSON MILLER: Okay.

7 MR. JAMES: Dennis James for
8 Kalorama Citizens Association.

9 MS. AUBRUN: Benedicte Aubrun for
10 the Reed-Cooke Neighborhood Association.

11 CHAIRPERSON MILLER: What's your
12 name?

13 MS. AUBRUN: Benedicte Aubrun.

14 CHAIRPERSON MILLER: Oh, okay, got
15 you. Okay, thank you. All right, so this is
16 the status for the protest.

17 Are there any matters you need to
18 bring to our attention? Otherwise I'm just
19 going to schedule it.

20 MR. JAMES: Well we attended a
21 mediation. We came to the mediation with a
22 proposed voluntary agreement. The mediation

1 did not result in a settlement at this point,
2 but we're hopeful that we can continue
3 discussions.

4 CHAIRPERSON MILLER: Okay. Okay,
5 all right, so at this point then this hearing
6 will be scheduled for June 12th, 2013 at 1:30
7 p.m.

8 And I just need to say a few words
9 about protest hearing and make sure you have
10 the material you need ahead of time.

11 I want to make sure that you've
12 gotten the letter, explaining the protest
13 process and a copy of the protest information
14 form from Adjudication Assistant, Sarah
15 Fashbaugh. If you don't have those documents,
16 please see her at the conclusion of the
17 hearing.

18 It's very important that you
19 follow the rules and adhere to them before the
20 protest hearing. You're required to complete
21 and submit the protest information form seven
22 days before the day of the hearing.

1 The document needs to be submitted
2 to ABRA and to the opposing parties in this
3 matter. If we do not receive a copy of your
4 application or your protest, whichever side
5 you're on, you may be subject to dismissal.

6 So that's just a really important
7 deadline. We don't like to see that happen
8 that a case is actually dismissed for that
9 technicality, but it's a real one.

10 And the form is really important
11 for the Board in narrowing the protest issues
12 and facilitating a process and keeping the
13 parties informed during the hearing.

14 So if you have any questions today
15 or leading up the hearing, call Ms. Fashbaugh
16 at (202)397-1971. Okay, unless there any
17 questions, that completes the status hearing.

18 MR. AUSLANDER: Thank you.

19 MR. JAMES: Thank you.

20 (Whereupon, the hearing in the
21 above-mentioned matter was adjourned at 9:42
22 a.m.)

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above-mentioned 7:21 ABRA 7:2 Act 3:10,14 actions 2:21 adhere 6:19 adjourned 7:21 adjudication 3:19 6:14 advice 3:17 Advisory 5:5 agenda 2:16 agreement 5:22 agreements 3:18 ahead 6:10 Alberti 1:19 2:11 Alcohol 2:6 Alcoholic 1:2,13,13 ANC 4:2 Applicant 4:7 application 1:9 7:4 Assistant 6:14 Association 5:8,10 attendance 2:14 attended 5:20 attention 5:18 attorney 3:17 Aubrun 5:9,9,13,13 Auslander 4:6,6,10 4:15,18,22 7:18 available 2:17 avoid 3:3 aware 2:18 a.m 2:2 7:22	calendar 3:21 calender 2:16 call 3:5 7:15 case 1:10 3:5,11,16 3:21,22 7:8 cell 3:2 Chairperson 1:14 1:18 2:3,9 4:8,12 4:16,20 5:2,6,11 5:14 6:4 Citizens 5:8 closed 3:15 Columbia 1:1 2:6 come 3:6 comments 4:5 Commission 5:5 complete 6:20 completes 7:17 conclusion 6:16 conduct 2:14 consistent 3:13 constituting 2:15 consult 3:16 continue 6:2 Control 1:2,13,13 2:6 Copies 2:15 copy 6:13 7:3 correct 3:9 4:11 court 2:19 CR 1:8	disruptive 2:21 District 1:1 2:5 document 7:1 documents 6:15 Donald 1:19 2:10 D.C 1:14	James 5:7,7,20 7:19 Joining 2:9 June 6:6	5:10 New 1:9 Nick 1:19 2:11 noises 2:21 Northwest 4:1 note 3:5 Number 3:22 4:2 NW 1:8 N.W 1:14
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