

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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IN THE MATTER OF: :

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B&O Liquors, Inc. :

t/a Chat's Liquor :

503 8th Street SE :

License #ABRA-000200 :

Retailer A - Renewal :

Case #12-PRO-00053 :

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MONDAY, June 4, 2012

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The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, 2000 14th Street, N.W., Suite 400S Washington, D.C., Ms. La Verne Fletcher, Agent, presiding.

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

11:02 a.m.

AGENT FLETCHER: Would the parties present in the matter of Chat's Liquor please come forward? The parties in the matter of Chat's Liquors. Thank you. This is Case Number 12-PRO-00053, B&O Liquors, Inc, trading as Chat's Liquor, 503 8th Street SE, License Number ABRA-000200. This a Retailer Class A, Renewal Application. The protest issues are adverse impact on peace, order, and quiet.

My name is La Verne Fletcher, and I will be conducting the Roll Call Hearing as the Board's Agent pursuant to D.C. Official Code 1601.2.

Introductions, beginning with the Applicant, please? Can you hear me okay?

MS. WILLIAMS: I can't hear you.

AGENT FLETCHER: Is it the microphone?

MS. WILLIAMS: It's so noisy in here.

1                   AGENT FLETCHER:  Is it the  
2 microphone, or is it --

3                   MS. WILLIAMS:  I guess.

4                   MR. WILLIAMS:  There's no volume  
5 out of this one.

6                   AGENT FLETCHER:  Yes.  Because  
7 sometimes it goes in and out.  So I will talk  
8 louder.

9                   MS. WILLIAMS:  Okay.

10                  AGENT FLETCHER:  And I will stand  
11 up if I have to.

12                  MS. WILLIAMS:  Thank you.

13                  AGENT FLETCHER:  Yes.  Sometimes  
14 the microphones go in and out.  Thank you for  
15 letting me know.

16                  MS. WILLIAMS:  Yes.

17                  AGENT FLETCHER:  Okay.  So did I  
18 say what the protest issues are?  They are  
19 adverse impact on peace, order and quiet, if  
20 I did not.  And I believe I was about to ask  
21 for the introductions of the Applicant.  Your  
22 name, please?

1 MS. WILLIAMS: Yes. Ophelia B.  
2 Williams, and that is spelled O-P as in Peter,  
3 H-E-L-I-A, middle initial B, as in baby,  
4 Williams.

5 AGENT FLETCHER: Could you spell  
6 Williams?

7 MS. WILLIAMS: W-I-L-L-I-A-M-S.

8 AGENT FLETCHER: And Ms. Williams,  
9 what is your role with the organization?

10 MS. WILLIAMS: I am the President  
11 of B&O Liquors, Inc.

12 AGENT FLETCHER: Thank you. And  
13 your name, sir?

14 MR. WILLIAMS: Burnett Williams,  
15 III. That's spelled B-U-R-N-E-T-T Williams,  
16 W-I-L-L-I-A-M-S.

17 AGENT FLETCHER: And your role,  
18 Mr. Williams?

19 MR. WILLIAMS: I'm General Manager  
20 of B&O Liquors.

21 AGENT FLETCHER: Thank you. Hi.  
22 And you are?

1 MR. HARBON: Hi. And I'm Lawrence  
2 -- that's with a W, Harbon, H-A-R-B-I-N, and  
3 I'm an attorney, admitted to practice in D.C.,  
4 representing B&O Liquor.

5 AGENT FLETCHER: Okay.

6 MR. HARBON: I have not yet  
7 entered my appearance, but I will do so.

8 AGENT FLETCHER: Okay. Thank you,  
9 very much. So Mr. Harbon, if you would write  
10 your daytime number and e-mail address on that  
11 sheet on the table, that would be great. And  
12 I will make note that you will be submitting  
13 your entry of appearance. If you could do  
14 that within the next -- by the end of the  
15 week, that would be great.

16 MR. HARBON: I will do so.

17 AGENT FLETCHER: And my e-mail  
18 address is on that card.

19 MR. HARBON: I see it.

20 AGENT FLETCHER: And you can send  
21 it to me and I will put it in the record.

22 MR. HARBON: Okay.

1                   AGENT FLETCHER:  And on behalf of  
2                   ANC-6B?

3                   MS. GREEN:  I'm Carol Green,  
4                   Commissioner and ABC Chair.

5                   AGENT FLETCHER:  Thank you, Ms.  
6                   Green.  That's Carol with a C?

7                   MS. GREEN:  C-A-R-O-L  G-R-E-E-N.

8                   AGENT FLETCHER:  Thank you.  ANC-  
9                   6B is the only Protestant and does have  
10                  standing as a Protestant.  We need to set a  
11                  date for mediation.  You will receive notice  
12                  of a Status Hearing and a Protest Hearing  
13                  beyond today.  I don't have those dates  
14                  available today, but the scheduler will send  
15                  you those dates.

16                  MR. HARBON:  May I make one  
17                  comment or suggestion?

18                  AGENT FLETCHER:  Yes.

19                  MR. HARBON:  It's possible that we  
20                  can resolve this, but there seems to be some  
21                  anomaly in the initial protest submitted by  
22                  the ANC-6B.

1                   AGENT FLETCHER:  Okay.

2                   MR. HARBON:  I was just informed  
3 by Ms. Green that the letter contains a  
4 mistake.  In the letter, it says that the  
5 protest was based on a violation of peace,  
6 order and quiet.

7                   AGENT FLETCHER:  Yes.

8                   MR. HARBON:  And I was just  
9 informed that there has been no violation.  
10 Ms. Green has indicated there has been no  
11 violation at all.

12                   AGENT FLETCHER:  Okay.  What -- my  
13 decision today has to be based on what is in  
14 the protest letter.  If you and the ANC have  
15 had any discussion beyond that, that's between  
16 you.  However, if that means that there are no  
17 issues and so you and the ANC decide not to  
18 pursue the matter and the ANC decides to  
19 withdraw the protest, you can do that.  But,  
20 for the purpose of Roll Call, my determination  
21 has to be made based on the letter that we  
22 received.

1 MR. HARBON: Yes, ma'am.

2 AGENT FLETCHER: So I guess I  
3 should check while Ms. Green is here, is the  
4 ANC withdrawing the protest?

5 MS. GREEN: No, we are not.

6 AGENT FLETCHER: Okay.

7 MS. GREEN: It was the word  
8 violation that should not have been in the  
9 letter -- in the protest.

10 AGENT FLETCHER: Okay.

11 MS. GREEN: In the letter to ABRA.

12 AGENT FLETCHER: That is correct.  
13 If -- were the fact not mentioned -- I  
14 shouldn't say fact -- had the ANC not  
15 mentioned the issues of peace, order, and  
16 quiet and had mentioned only violations, that  
17 could be an issue. But that word, just in and  
18 of itself, could have been an issue. But it  
19 isn't.

20 MR. HARBON: Well, I understand.  
21 But just from Ms. Green's representation, the  
22 word violation should be taken out of the

1 protest letter.

2 AGENT FLETCHER: No. It doesn't  
3 matter. You can take it out or not. It  
4 doesn't matter. For our purposes, you can  
5 leave it in or take it out.

6 MR. HARBON: Sure.

7 AGENT FLETCHER: So we don't  
8 require that the protest letter be amended.  
9 The issues are peace, order, and quiet and so  
10 the letter can stand.

11 We need to set a date for a  
12 mediation. The next available date is Friday,  
13 July 20. Friday July 20, at 9:00, 10:00, or  
14 11:00 is available, if that's good for  
15 everyone.

16 MR. HARBON: July 20th is fine.  
17 Sure.

18 AGENT FLETCHER: That's a Friday,  
19 July 20.

20 MS. WILLIAMS: At 11:00?

21 AGENT FLETCHER: At 11:00 would be  
22 good for me. Is that good?

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MR. HARBON: Sure.

AGENT FLETCHER: Okay. So mediation is set for Friday, July 20, 2012, at 11:00 for Chat's Liquor. And the mediation will be held here. You can just check in with the receptionist.

MR. HARBON: Thank you.

MS. WILLIAMS: Thank you.

AGENT FLETCHER: Okay. The Roll Call Hearing is concluded. Thank you.

(Whereupon, the Roll Call Hearing was concluded at 11:08 a.m.)

<p style="text-align: center;"><b>A</b></p> <p><b>ABC</b> 6:4  <b>ABRA</b> 8:11  <b>ABRA-000200</b>  1:12 2:9  <b>address</b> 5:10,18  <b>admitted</b> 5:3  <b>adverse</b> 2:11 3:19  <b>Agent</b> 1:22 2:3,14  2:19 3:1,6,10,13  3:17 4:5,8,12,17  4:21 5:5,8,17,20  6:1,5,8,18 7:1,7  7:12 8:2,6,10,12  9:2,7,18,21 10:2,9  <b>Alcoholic</b> 1:3,18,19  <b>amended</b> 9:8  <b>ANC</b> 6:8 7:14,17  7:18 8:4,14  <b>ANC-6B</b> 6:2,22  <b>anomaly</b> 6:21  <b>appearance</b> 5:7,13  <b>Applicant</b> 2:17  3:21  <b>Application</b> 2:10  <b>attorney</b> 5:3  <b>available</b> 6:14 9:12  9:14  <b>a.m</b> 2:2 10:12</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>B</b> 4:1,3  <b>baby</b> 4:3  <b>based</b> 7:5,13,21  <b>beginning</b> 2:16  <b>behalf</b> 6:1  <b>believe</b> 3:20  <b>Beverage</b> 1:3,18,19  <b>beyond</b> 6:13 7:15  <b>Board</b> 1:3,19  <b>Board's</b> 2:14  <b>Burnett</b> 4:14  <b>B&amp;O</b> 1:10 2:7 4:11  4:20 5:4  <b>B-U-R-N-E-T-T</b>  4:15</p>	<p style="text-align: center;"><b>C</b></p> <p><b>C</b> 6:6  <b>Call</b> 1:5 2:13 7:20  10:10,11  <b>card</b> 5:18  <b>Carol</b> 6:3,6  <b>Case</b> 1:13 2:6  <b>Chair</b> 6:4  <b>Chat's</b> 1:10 2:4,6,8  10:4  <b>check</b> 8:3 10:5  <b>Class</b> 2:9  <b>Code</b> 2:15  <b>COLUMBIA</b> 1:1  <b>come</b> 2:5  <b>comment</b> 6:17  <b>Commissioner</b> 6:4  <b>concluded</b> 10:10,12  <b>conducting</b> 2:13  <b>contains</b> 7:3  <b>Control</b> 1:3,18,19  <b>correct</b> 8:12  <b>C-A-R-O-L</b> 6:7</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>date</b> 6:11 9:11,12  <b>dates</b> 6:13,15  <b>daytime</b> 5:10  <b>decide</b> 7:17  <b>decides</b> 7:18  <b>decision</b> 7:13  <b>determination</b> 7:20  <b>discussion</b> 7:15  <b>DISTRICT</b> 1:1  <b>D.C</b> 1:21 2:14 5:3</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>entered</b> 5:7  <b>entry</b> 5:13  <b>e-mail</b> 5:10,17</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>fact</b> 8:13,14  <b>fine</b> 9:16  <b>Fletcher</b> 1:22 2:3  2:12,19 3:1,6,10  3:13,17 4:5,8,12</p>	<p>4:17,21 5:5,8,17  5:20 6:1,5,8,18  7:1,7,12 8:2,6,10  8:12 9:2,7,18,21  10:2,9  <b>forward</b> 2:5  <b>Friday</b> 9:12,13,18  10:3</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>General</b> 4:19  <b>go</b> 3:14  <b>goes</b> 3:7  <b>good</b> 9:14,22,22  <b>great</b> 5:11,15  <b>Green</b> 6:3,3,6,7 7:3  7:10 8:3,5,7,11  <b>Green's</b> 8:21  <b>guess</b> 3:3 8:2  <b>G-R-E-E-N</b> 6:7</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>Harbon</b> 5:1,2,6,9  5:16,19,22 6:16  6:19 7:2,8 8:1,20  9:6,16 10:1,7  <b>hear</b> 2:17,18  <b>Hearing</b> 1:5,20  2:13 6:12,12  10:10,11  <b>held</b> 10:5  <b>Hi</b> 4:21 5:1  <b>H-A-R-B-I-N</b> 5:2  <b>H-E-L-I-A</b> 4:3</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p><b>III</b> 4:15  <b>impact</b> 2:11 3:19  <b>indicated</b> 7:10  <b>informed</b> 7:2,9  <b>initial</b> 4:3 6:21  <b>introductions</b> 2:16  3:21  <b>issue</b> 8:17,18  <b>issues</b> 2:10 3:18  7:17 8:15 9:9</p> <hr/> <p style="text-align: center;"><b>J</b></p>	<p><b>July</b> 9:13,13,16,19  10:3  <b>June</b> 1:15</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>know</b> 3:15</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>La</b> 1:21 2:12  <b>Lawrence</b> 5:1  <b>leave</b> 9:5  <b>letter</b> 7:3,4,14,21  8:9,11 9:1,8,10  <b>letting</b> 3:15  <b>License</b> 1:12 2:8  <b>Liquor</b> 1:10 2:4,8  5:4 10:4  <b>Liquors</b> 1:10 2:6,7  4:11,20  <b>louder</b> 3:8</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p><b>Manager</b> 4:19  <b>matter</b> 1:9 2:4,5  7:18 9:3,4  <b>ma'am</b> 8:1  <b>means</b> 7:16  <b>mediation</b> 6:11  9:12 10:3,4  <b>mentioned</b> 8:13,15  8:16  <b>met</b> 1:19  <b>microphone</b> 2:20  3:2  <b>microphones</b> 3:14  <b>middle</b> 4:3  <b>mistake</b> 7:4  <b>MONDAY</b> 1:15</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>name</b> 2:12 3:22  4:13  <b>need</b> 6:10 9:11  <b>noisy</b> 2:21  <b>note</b> 5:12  <b>notice</b> 6:11  <b>number</b> 2:7,9 5:10  <b>N.W</b> 1:20</p>	<p style="text-align: center;"><b>O</b></p> <p><b>Official</b> 2:14  <b>okay</b> 2:17 3:9,17  5:5,8,22 7:1,12  8:6,10 10:2,9  <b>Ophelia</b> 4:1  <b>order</b> 2:11 3:19 7:6  8:15 9:9  <b>organization</b> 4:9  <b>O-P</b> 4:2</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>parties</b> 2:3,5  <b>peace</b> 2:11 3:19 7:5  8:15 9:9  <b>Peter</b> 4:2  <b>please</b> 2:4,17 3:22  <b>possible</b> 6:19  <b>practice</b> 5:3  <b>present</b> 2:4  <b>President</b> 4:10  <b>presiding</b> 1:22  <b>protest</b> 2:10 3:18  6:12,21 7:5,14,19  8:4,9 9:1,8  <b>Protestant</b> 6:9,10  <b>purpose</b> 7:20  <b>purposes</b> 9:4  <b>pursuant</b> 2:14  <b>pursue</b> 7:18  <b>put</b> 5:21  <b>P-R-O-C-E-E-D-...</b>  2:1</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>quiet</b> 2:11 3:19 7:6  8:16 9:9</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>receive</b> 6:11  <b>received</b> 7:22  <b>receptionist</b> 10:6  <b>record</b> 5:21  <b>Renewal</b> 1:12 2:10  <b>representation</b>  8:21  <b>representing</b> 5:4</p>
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<p><b>require</b> 9:8  <b>resolve</b> 6:20  <b>Retailer</b> 1:12 2:9  <b>role</b> 4:9,17  <b>Roll</b> 1:5 2:13 7:20              10:9,11  <b>Room</b> 1:20</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p><b>says</b> 7:4  <b>scheduler</b> 6:14  <b>SE</b> 1:11 2:8  <b>see</b> 5:19  <b>send</b> 5:20 6:14  <b>set</b> 6:10 9:11 10:3  <b>sheet</b> 5:11  <b>sir</b> 4:13  <b>spell</b> 4:5  <b>spelled</b> 4:2,15  <b>stand</b> 3:10 9:10  <b>standing</b> 6:10  <b>Status</b> 6:12  <b>Street</b> 1:11,20 2:8  <b>submitted</b> 6:21  <b>submitting</b> 5:12  <b>suggestion</b> 6:17  <b>Suite</b> 1:20  <b>Sure</b> 9:6,17 10:1</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p><b>table</b> 5:11  <b>take</b> 9:3,5  <b>taken</b> 8:22  <b>talk</b> 3:7  <b>Thank</b> 2:6 3:12,14              4:12,21 5:8 6:5,8              10:7,8,10  <b>today</b> 6:13,14 7:13  <b>trading</b> 2:7  <b>t/a</b> 1:10</p> <hr/> <p style="text-align: center;"><b>U</b></p> <p><b>understand</b> 8:20</p> <hr/> <p style="text-align: center;"><b>V</b></p> <p><b>Verne</b> 1:21 2:12  <b>violation</b> 7:5,9,11              8:8,22</p>	<p><b>violations</b> 8:16  <b>volume</b> 3:4</p> <hr/> <p style="text-align: center;"><b>W</b></p> <p><b>W</b> 5:2  <b>Washington</b> 1:21  <b>week</b> 5:15  <b>Williams</b> 2:18,21              3:3,4,9,12,16 4:1              4:2,4,6,7,8,10,14              4:14,15,18,19              9:20 10:8  <b>withdraw</b> 7:19  <b>withdrawing</b> 8:4  <b>word</b> 8:7,17,22  <b>write</b> 5:9  <b>W-I-L-L-I-A-M-S</b>              4:7,16</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>p</b> 1:8,13</p> <hr/> <p style="text-align: center;"><b>#</b></p> <p><b>#12-PRO-00053</b>              1:13</p> <hr/> <p style="text-align: center;"><b>1</b></p> <p><b>10:00</b> 9:13  <b>11:00</b> 9:14,20,21              10:4  <b>11:02</b> 2:2  <b>11:08</b> 10:12  <b>12-PRO-00053</b> 2:7  <b>14th</b> 1:20  <b>1601.2</b> 2:15</p> <hr/> <p style="text-align: center;"><b>2</b></p> <p><b>20</b> 9:13,13,19 10:3  <b>20th</b> 9:16  <b>2000</b> 1:20  <b>2012</b> 1:15 10:3</p> <hr/> <p style="text-align: center;"><b>4</b></p> <p><b>4</b> 1:15  <b>400S</b> 1:21</p> <hr/> <p style="text-align: center;"><b>5</b></p> <p><b>503</b> 1:11 2:8</p>	<hr/> <p style="text-align: center;"><b>6</b></p> <hr/> <p><b>6B</b> 6:9</p> <hr/> <p style="text-align: center;"><b>8</b></p> <hr/> <p><b>8th</b> 1:11 2:8</p> <hr/> <p style="text-align: center;"><b>9</b></p> <hr/> <p><b>9:00</b> 9:13</p>		
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