

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:

Red & Black, LLC
t/a Vendetta
1210 H Street, N.E.
License #ABRA-072734
Retailer CT - Termination of
Settlement Agreement
Case #14-PRO-00022

MONDAY,
JUNE 9, 2010

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The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Ms. LaVerne Fletcher, Agent, presiding.

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

(10:03 a.m.)

MS. FLETCHER: Would the parties
in the matter of Vendetta please come forward,
the parties in the matter of Vendetta.

This is Case No. 14-PRO-00022, Red
& Black, LLC, trading as Vendetta, 1210 H
Street, N.E., License No. ABRA-072734.

This is a Retailer CT, Termination
of Settlement Agreement. The protest issues
are adverse impact on peace, order and quiet.

My name is LaVerne Fletcher and I
am conducting the Roll Call Hearing as the
Board Agent, pursuant to D.C. Official Code
1601.2.

Is the Applicant present? Is the
Applicant present? Present on behalf of
ANC6A.

MR. WILLIAMS: Yes. This is Jay
Williams on the Applicant. Oh, yes. Sorry.

Good morning. This is Jay
Williams on behalf of ANC6A.

1 MS. FLETCHER: Thank you, Mr.
2 Williams. Any communication with the
3 licensee?

4 MR. WILLIAMS: Not in the last
5 couple of days. We have been in communication
6 on other matters, but -- probably last week,
7 but I haven't heard from them regarding
8 today's date.

9 MS. FLETCHER: Well, I am willing
10 to wait an additional ten minutes if you are.

11 MR. WILLIAMS: That is fine. I
12 can do that.

13 MS. FLETCHER: Then I will recall
14 the case after the next one.

15 MR. WILLIAMS: Sounds good.

16 MS. FLETCHER: Okay. Thank you,
17 Mr. Williams.

18 The case in this matter is closed
19 for now.

20 (Whereupon, the above-entitled
21 matter went off the record at 10:05 a.m. and
22 resumed at 10:35 p.m.)

1 MS. FLETCHER: I am recalling the
2 case of Vendetta. The time is 10:35. The
3 Applicant has not yet arrived. The
4 termination of settlement --

5 MR. WILLIAMS: Ms. Fletcher.

6 MS. FLETCHER: Yes.

7 MR. WILLIAMS: I am sorry. I
8 don't mean to interject. I have been in
9 contact with Mr. Englert on behalf of
10 Vendetta.

11 MS. FLETCHER: Yes.

12 MR. WILLIAMS: He had
13 miscommunication issues and something he had
14 with one of his partners. I am willing to
15 stipulate to his presence here and set the
16 dates. But I don't have any objection to, you
17 know, not dismissing it -- not dismissing the
18 termination request and setting the dates
19 anyway, and he -- and, of course, Mr. Englert
20 would agree with that.

21 MS. FLETCHER: Well, what I will
22 do, Mr. Williams, that is Joe Englert?

1 MR. WILLIAMS: Yes, ma'am.

2 MS. FLETCHER: E-n-g-l-e-r-t?

3 MR. WILLIAMS: That is correct.

4 MS. FLETCHER: So, what I will do
5 in light of that, I will go ahead. I am going
6 to -- I am going to dismiss the application,
7 but I am going to go ahead and give you the
8 dates.

9 MR. WILLIAMS: Okay.

10 MS. FLETCHER: And if the Board
11 reinstates the application, we will have the
12 dates already.

13 MR. WILLIAMS: You will just keep
14 the dates?

15 MS. FLETCHER: Yes.

16 MR. WILLIAMS: Okay.

17 MS. FLETCHER: So, the date for
18 the status hearing is July the 9th at 9:30
19 a.m..

20 MR. WILLIAMS: Okay.

21 MS. FLETCHER: And the date for
22 the protest hearing is September the 10th at

1 1:30 p.m.

2 Do you want me to go ahead and
3 suggest some dates for mediation?

4 MR. WILLIAMS: Yes. Let's go
5 ahead and do that, and we will --

6 MS. FLETCHER: And we will see
7 what happens.

8 MR. WILLIAMS: -- base it off of
9 my calendar.

10 MS. FLETCHER: Then, let's see,
11 protest hearing is July 30, so the next
12 available date for mediation is -- let me see
13 here one second.

14 We can do the 19th at 11:30.

15 MR. WILLIAMS: June 19th?

16 MS. FLETCHER: June 19th.

17 MR. WILLIAMS: Yes. That should
18 work for me.

19 MS. FLETCHER: Is that good?

20 MR. WILLIAMS: Yes. Let's go with
21 that.

22 MS. FLETCHER: Well, mediation is

1 set for June 19th at 11:30.

2 MR. WILLIAMS: And just to
3 confirm, you said status hearing was July 9th
4 at 9:30 a.m.

5 MS. FLETCHER: Let me -- yes.

6 MR. WILLIAMS: Okay.

7 MS. FLETCHER: July 9th at 9:30
8 for the status. And so, Mr. Williams, I have
9 just put a question mark beside everything and
10 submitted -- because I know Mr. Englert has to
11 have time to petition the Board for
12 reinstatement.

13 MR. WILLIAMS: Yes. Right.

14 MS. FLETCHER: And so I have made
15 a note that all of this is contingent upon
16 whether or not the Board grants him standing.

17 MR. WILLIAMS: Okay.

18 MS. FLETCHER: But at least the
19 dates are already set.

20 MR. WILLIAMS: Okay. That is --
21 that is fine.

22 MS. FLETCHER: Okay. Well, thank

1 you, Mr. Williams, for coming down.

2 MR. WILLIAMS: Thank you. Nice to
3 see you again.

4 MS. FLETCHER: Maybe I will see
5 you soon.

6 MR. WILLIAMS: I am sure you will.
7 I should get an office in here.

8 MS. FLETCHER: Yes, you should.

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10 (Whereupon, the above-entitled
11 matter went off the record at 10:38 a.m.)

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<p style="text-align: center;">A</p> <p>a.m 2:2 3:21 5:19 7:4 8:11</p> <p>above-entitled 3:20 8:10</p> <p>ABRA-072734 1:10 2:8</p> <p>additional 3:10</p> <p>adverse 2:11</p> <p>Agent 1:18 2:14</p> <p>agree 4:20</p> <p>Agreement 1:11 2:10</p> <p>ahead 5:5,7 6:2,5</p> <p>Alcoholic 1:3,16,17</p> <p>ANC6A 2:18,22</p> <p>anyway 4:19</p> <p>Applicant 2:16,17 2:20 4:3</p> <p>application 5:6,11</p> <p>arrived 4:3</p> <p>available 6:12</p>	<p>contingent 7:15</p> <p>Control 1:3,16,17</p> <p>correct 5:3</p> <p>couple 3:5</p> <p>course 4:19</p> <p>CT 1:11 2:9</p> <p style="text-align: center;">D</p> <p>D.C 1:18 2:14</p> <p>date 3:8 5:17,21 6:12</p> <p>dates 4:16,18 5:8 5:12,14 6:3 7:19</p> <p>days 3:5</p> <p>dismiss 5:6</p> <p>dismissing 4:17,17</p> <p>DISTRICT 1:1</p> <p style="text-align: center;">E</p> <p>E-n-g-l-e-r-t 5:2</p> <p>Englert 4:9,19,22 7:10</p> <p style="text-align: center;">F</p> <p>fine 3:11 7:21</p> <p>Fletcher 1:18 2:3 2:12 3:1,9,13,16 4:1,5,6,11,21 5:2 5:4,10,15,17,21 6:6,10,16,19,22 7:5,7,14,18,22 8:4 8:8</p> <p>forward 2:4</p> <p style="text-align: center;">G</p> <p>give 5:7</p> <p>go 5:5,7 6:2,4,20</p> <p>going 5:5,6,7</p> <p>good 2:21 3:15 6:19</p> <p>grants 7:16</p> <p style="text-align: center;">H</p> <p>H 1:10 2:7</p> <p>happens 6:7</p> <p>heard 3:7</p> <p>hearing 1:5,17 2:13 5:18,22 6:11 7:3</p>	<p style="text-align: center;">I</p> <p>impact 2:11</p> <p>interject 4:8</p> <p>issues 2:10 4:13</p> <p style="text-align: center;">J</p> <p>Jay 2:19,21</p> <p>Joe 4:22</p> <p>July 5:18 6:11 7:3 7:7</p> <p>June 1:14 6:15,16 7:1</p> <p style="text-align: center;">K</p> <p>keep 5:13</p> <p>know 4:17 7:10</p> <p style="text-align: center;">L</p> <p>LaVerne 1:18 2:12</p> <p>let's 6:4,10,20</p> <p>License 1:10 2:8</p> <p>licensee 3:3</p> <p>light 5:5</p> <p>LLC 1:9 2:7</p> <p style="text-align: center;">M</p> <p>ma'am 5:1</p> <p>mark 7:9</p> <p>matter 1:8 2:4,5 3:18,21 8:11</p> <p>matters 3:6</p> <p>mean 4:8</p> <p>mediation 6:3,12 6:22</p> <p>met 1:17</p> <p>minutes 3:10</p> <p>miscommunicati... 4:13</p> <p>MONDAY 1:14</p> <p>morning 2:21</p> <p style="text-align: center;">N</p> <p>N.E 1:10 2:8</p> <p>N.W 1:18</p> <p>name 2:12</p> <p>Nice 8:2</p> <p>note 7:15</p>	<p style="text-align: center;">O</p> <p>objection 4:16</p> <p>office 8:7</p> <p>Official 2:14</p> <p>Oh 2:20</p> <p>Okay 3:16 5:9,16 5:20 7:6,17,20,22</p> <p>order 2:11</p> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-... 2:1</p> <p>p.m 3:22 6:1</p> <p>parties 2:3,5</p> <p>partners 4:14</p> <p>peace 2:11</p> <p>petition 7:11</p> <p>please 2:4</p> <p>presence 4:15</p> <p>present 2:16,17,17</p> <p>presiding 1:18</p> <p>probably 3:6</p> <p>protest 2:10 5:22 6:11</p> <p>pursuant 2:14</p> <p>put 7:9</p> <p style="text-align: center;">Q</p> <p>question 7:9</p> <p>quiet 2:11</p> <p style="text-align: center;">R</p> <p>recall 3:13</p> <p>recalling 4:1</p> <p>record 3:21 8:11</p> <p>Red 1:9 2:6</p> <p>Reeves 1:17</p> <p>regarding 3:7</p> <p>reinstatement 7:12</p> <p>reinstates 5:11</p> <p>request 4:18</p> <p>resumed 3:22</p> <p>Retailer 1:11 2:9</p> <p>Right 7:13</p> <p>Roll 1:5 2:13</p> <p>Room 1:17</p> <p style="text-align: center;">S</p>	<p>second 6:13</p> <p>see 6:6,10,12 8:3,4</p> <p>September 5:22</p> <p>set 4:15 7:1,19</p> <p>setting 4:18</p> <p>settlement 1:11 2:10 4:4</p> <p>soon 8:5</p> <p>sorry 2:20 4:7</p> <p>Sounds 3:15</p> <p>standing 7:16</p> <p>status 5:18 7:3,8</p> <p>stipulate 4:15</p> <p>Street 1:10,18 2:8</p> <p>submitted 7:10</p> <p>suggest 6:3</p> <p>sure 8:6</p> <p style="text-align: center;">T</p> <p>t/a 1:9</p> <p>ten 3:10</p> <p>termination 1:11 2:9 4:4,18</p> <p>thank 3:1,16 7:22 8:2</p> <p>time 4:2 7:11</p> <p>today's 3:8</p> <p>trading 2:7</p> <p style="text-align: center;">U</p> <p style="text-align: center;">V</p> <p>Vendetta 1:9 2:4,5 2:7 4:2,10</p> <p style="text-align: center;">W</p> <p>wait 3:10</p> <p>want 6:2</p> <p>Washington 1:18</p> <p>week 3:6</p> <p>went 3:21 8:11</p> <p>Williams 2:19,20 2:22 3:2,4,11,15 3:17 4:5,7,12,22 5:1,3,9,13,16,20 6:4,8,15,17,20 7:2 7:6,8,13,17,20 8:1 8:2,6</p>
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