

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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Alero of U Street, Inc. :

t/a Alero Restaurant and :

Lounge :

1301 U Street, NW :

License #ABRA-071881 :

Retailer CR :

License Renewal :

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JUNE 10, 2013

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

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

2 10:45 a.m.

3 MS. FLETCHER: We're back on the
4 record.

5 MR. COBURN: Can I fill you in
6 from our perspective on what we know?

7 MS. FLETCHER: Well, let me just
8 read the case into the record, and then yes.
9 And then I'll tell you why your case was not
10 called today.

11 This is Alero of U Street, Inc.,
12 trading as Alero Restaurant and Lounge, Case
13 #13-PRO-00023, 1301 U Street, N.W., the
14 License #ABRA-071881. This is a Retailer CR
15 License Renewal.

16 Introductions beginning with the
17 Applicant, please.

18 MR. MARTINEZ: My name is Victor
19 Martinez and I'm the owner.

20 MS. FLETCHER: And Mr. Martinez,
21 would you please spell your name for the court
22 reporter?

1 MR. MARTINEZ: Last name?

2 MS. FLETCHER: The whole name.

3 MR. MARTINEZ: Victor -- V-I-C-T-
4 O-R -- Martinez -- M-A-R-T-I-N-E-Z.

5 MS. FLETCHER: Thank you very
6 much.

7 And your name, sir?

8 MR. COBURN: Skip Coburn.

9 MS. FLETCHER: Hi, Mr. Coburn.

10 MR. COBURN: Authorized Agent --
11 C-O-B-U-R-N.

12 MS. FLETCHER: And Mr. Coburn,
13 what were you going to say?

14 MR. COBURN: All I was going to
15 say was that we never received any
16 notification that we weren't supposed to be
17 here.

18 MS. FLETCHER: Has the matter been
19 resolved as far as you know? Have there been
20 any withdrawals or is there a settlement
21 agreement?

22 MR. COBURN: We entered a new

1 settlement agreement with what we were led to
2 believe was one of the protesting parties.

3 MS. FLETCHER: Okay. And which
4 protestant was that, Mr. Coburn?

5 MR. COBURN: ANC.

6 MR. MARTINEZ: We signed
7 voluntarily with the ANC 1B.

8 MS. FLETCHER: Exactly. And then
9 --

10 MR. MARTINEZ: So we signed it.

11 MS. FLETCHER: And the Shore
12 Dupont Citizens Alliance was the second
13 protestant.

14 MR. MARTINEZ: Yes.

15 MS. FLETCHER: And you haven't
16 heard anything from the Shore Dupont Citizens
17 Alliance at all?

18 MR. COBURN: We refused to meet or
19 negotiate with them. Our position was that we
20 were going to negotiate with the ANC only.

21 MS. FLETCHER: And what I believe
22 happened, Mr. Coburn -- I don't have the case

1 with me right now -- but what I believe
2 happened is that the Shore Dupont Citizens
3 Alliance withdrew its protest in light of the
4 settlement agreement that you reached with the
5 ANC. And you can confirm that with Sarah
6 Fashbaugh. But I'm pretty sure that's what
7 happened.

8 I'm aware of the settlement
9 agreement with the ANC. And as far as I know,
10 the SDCA withdrew its protest because of that
11 settlement agreement.

12 And I don't remember when they did
13 it, but apparently they didn't give you notice
14 of it. That's why it's not on the calendar at
15 all.

16 MR. COBURN: I understand. Is
17 that their responsibility to notify the
18 Applicant, or is it ABRA's responsibility to
19 notify the Applicant that something has
20 happened?

21 MS. FLETCHER: Well, the ideal
22 situation would be that they would let you

1 know. There's no regulation with respect to
2 that particular issue.

3 And I don't know right now when
4 they actually let us know. But I recall
5 seeing something in the file with respect to
6 it.

7 MR. COBURN: Okay.

8 MS. FLETCHER: And so, I don't
9 know --

10 MR. COBURN: We're very pleased
11 that the issue has been resolved.

12 MS. FLETCHER: Yes. Well, thank
13 you for coming though.

14 And Mr. Coburn, you know Ms.
15 Fashbaugh, and you have her number. So you
16 can confirm what I've just said. But I'm
17 pretty sure that's why they're not here. And
18 that's the reason I didn't call the case.

19 But thanks for coming.

20 MR. COBURN: And I'm glad we have
21 that all on the record.

22 MS. FLETCHER: Yes. Absolutely.

1 MR. MARTINEZ: All right. Thank
2 you very much.

3 MS. FLETCHER: Okay.

4 MR. COBURN: Thanks again.

5 MS. FLETCHER: Thank you.

6 (Whereupon, at 10:49 a.m., the
7 hearing was concluded.)

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A	C-O-B-U-R-N 3:11	led 4:1	R	today 2:10
ABRA's 5:18	D	License 1:12,13	reached 5:4	trading 2:12
ABRA-071881	DISTRICT 1:1	2:14,15	read 2:8	t/a 1:10
1:12 2:14	Dupont 4:12,16 5:2	light 5:3	reason 6:18	U
Absolutely 6:22	D.C 1:21	Lounge 1:11 2:12	recall 6:4	U 1:10,12 2:11,13
Agent 1:22 3:10	E	M	received 3:15	understand 5:16
agreement 3:21 4:1	entered 3:22	Martinez 2:18,19	record 2:4,8 6:21	V
5:4,9,11	Exactly 4:8	2:20 3:1,3,4 4:6	refused 4:18	Victor 2:18 3:3
Alcoholic 1:3,18,19	F	4:10,14 7:1	regulation 6:1	voluntarily 4:7
Alero 1:10,10 2:11	far 3:19 5:9	matter 1:9 3:18	remember 5:12	V-I-C-T 3:3
2:12	Fashbaugh 5:6	meet 4:18	Renewal 1:13 2:15	W
Alliance 4:12,17	6:15	met 1:19	reporter 2:22	Washington 1:21
5:3	file 6:5	M-A-R-T-I-N-E-Z	resolved 3:19 6:11	weren't 3:16
ANC 4:5,7,20 5:5,9	fill 2:5	3:4	respect 6:1,5	We're 2:3 6:10
apparently 5:13	Fletcher 1:21 2:3,7	N	responsibility 5:17	withdrawals 3:20
Applicant 2:17	2:20 3:2,5,9,12,18	name 2:18,21 3:1,2	5:18	withdrew 5:3,10
5:18,19	4:3,8,11,15,21	3:7	Restaurant 1:10	P
Authorized 3:10	5:21 6:8,12,22 7:3	negotiate 4:19,20	2:12	p 1:8
aware 5:8	7:5	never 3:15	Retailer 1:13 2:14	#
a.m 2:2 7:6	G	new 3:22	right 5:1 6:3 7:1	#13-PRO-00023
B	give 5:13	notice 5:13	ROLL 1:5	2:13
back 2:3	glad 6:20	notification 3:16	Room 1:20	1
beginning 2:16	going 3:13,14 4:20	notify 5:17,19	S	1B 4:7
believe 4:2,21 5:1	H	number 6:15	Sarah 5:5	10 1:15
Beverage 1:3,18,19	happened 4:22 5:2	NW 1:12	SDCA 5:10	10:45 2:2
Board 1:3,19	5:7,20	N.W 1:21 2:13	second 4:12	10:49 7:6
C	heard 4:16	O	seeing 6:5	1301 1:12 2:13
calendar 5:14	hearing 1:5,20 7:7	Okay 4:3 6:7 7:3	settlement 3:20 4:1	14th 1:20
call 1:5 6:18	Hi 3:9	owner 2:19	5:4,8,11	2
called 2:10	I	O-R 3:4	Shore 4:11,16 5:2	2000 1:20
case 2:8,9,12 4:22	ideal 5:21	P	signed 4:6,10	2013 1:15
6:18	Introductions 2:16	particular 6:2	sir 3:7	4
Citizens 4:12,16	issue 6:2,11	parties 4:2	situation 5:22	400S 1:20
5:2	J	perspective 2:6	Skip 3:8	
Coburn 2:5 3:8,8,9	JUNE 1:15	please 2:17,21	spell 2:21	
3:10,12,14,22 4:4	K	pleased 6:10	Street 1:10,12,20	
4:5,18,22 5:16 6:7	know 2:6 3:19 5:9	position 4:19	2:11,13	
6:10,14,20 7:4	6:1,3,4,9,14	presiding 1:22	Suite 1:20	
COLUMBIA 1:1	L	pretty 5:6 6:17	supposed 3:16	
coming 6:13,19	LaVerne 1:21	protest 5:3,10	sure 5:6 6:17	
concluded 7:7		protestant 4:4,13	T	
confirm 5:5 6:16		protesting 4:2	tell 2:9	
Control 1:3,18,19		P-R-O-C-E-E-D-...	thank 3:5 6:12 7:1	
court 2:21		2:1	7:5	
CR 1:13 2:14			thanks 6:19 7:4	