

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
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MEETING

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IN THE MATTER OF: :  
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Tas, LLC, t/a Libertine : Protest  
2435 18th Street NW : Hearing  
Retailer CR : (Status)  
License No. 86298 :  
Renewal Application :  
Case No. 13-PRO-00034 :

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June 19, 2013

The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Chairperson Nick Alberti presiding.

PRESENT:  
NICK ALBERTI, Chairperson  
DONALD BROOKS, Member  
MICHAEL SILVERSTEIN, Member

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

2 (9:42 a.m.)

3 CHAIRMAN ALBERTI: Good morning,  
4 everyone. I'd like you welcome you to the  
5 regularly scheduled District of Columbia  
6 Alcohol Beverage Control Board Hearing. Today  
7 is June 19, 2013.

8 I'd like to first introduce the  
9 Board members with me today. To my far right  
10 is Board Member Donald Brooks. To my left is  
11 Board Member Mike Silverstein. I am Nick  
12 Alberti and I will be chairing today's  
13 hearings.

14 Before we get started I'd like to  
15 remind everyone to silence all of your  
16 electronic devices so we can avoid  
17 interruptions. And on each of the tables up  
18 front there is a paper for you to sign in so  
19 that we have the correct spelling of you name.

20 Okay. Let's get started with our  
21 first case. Our first case is Case Number  
22 13-PRO-00034. Tas, LLC, trading as Libertine,

1 License Number 86298. Parties forward please.

2 Parties please introduce themselves.

3 MS. BOWMAN: Amy Bowman, for Tas.

4 MR. AUSLANDER: Scott Auslander,  
5 Applicant.

6 MR. JAMES: Denis James,  
7 representing Kalorama Citizens Association.

8 MR. SIMPSON: And William Simpson  
9 representing Advisory Neighborhood Commission  
10 1C.

11 CHAIRMAN ALBERTI: Good morning,  
12 everyone.

13 (Off microphone comments.)

14 CHAIRMAN ALBERTI: This is a  
15 Protest Status Hearing. Are there any  
16 preliminary matters in this case?

17 MS. BOWMAN: Not to our knowledge.

18 CHAIRMAN ALBERTI: Okay, I didn't  
19 think there would be. So we're going to set  
20 this over for a protest hearing on August 7th,  
21 2013 at 4:00 p.m. Is that time agreeable to  
22 all the parties?

1 MS. BOWMAN: Yes, sir.

2 CHAIRMAN ALBERTI: Great. So  
3 before you leave I just want to give you some  
4 instructions for the Protest Hearing.

5 You should have received, in a  
6 mailing from Sarah Fashbaugh, a copy of the  
7 Protest Information Form, the PIF, and a copy  
8 of the Rules of the Road. Does everyone have  
9 those documents?

10 MS. BOWMAN: Yes.

11 MR. AUSLANDER: Yes, sir.

12 CHAIRMAN ALBERTI: Both parties  
13 are required to submit the Protest Information  
14 Form at least seven days before the hearing.  
15 It's important that you do that because if we  
16 do not receive a copy of your PIF seven days  
17 before the hearing your protest or your  
18 license application may be subject to  
19 dismissal.

20 The document needs to be submitted  
21 to ABRA and to the opposing parties. It's  
22 imperative that you review the Rules of the

1 Road closely and that you adhere to them  
2 during the hearing.

3 Each side will be given 90 minutes  
4 to present their case, and this includes  
5 direct and cross examinations.

6 And just, lastly, the Board hopes  
7 to keep this focused so we don't want to hear  
8 testimony that's not focused on the matters at  
9 hand, the protestable issues. Any questions?

10 Great. Thank you for coming.

11 MS. BOWMAN: Thank you.

12 CHAIRMAN ALBERTI: Thank you.

13 (Whereupon, the meeting/hearing in  
14 the above-entitled matter was concluded at  
15 9:45 a.m.)

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<p style="text-align: center;"><b>A</b></p> <p>above-entitled 5:14  <b>ABRA</b> 4:21  <b>adhere</b> 5:1  <b>Advisory</b> 3:9  <b>agreeable</b> 3:21  <b>Alberti</b> 1:14,20 2:3  2:12 3:11,14,18  4:2,12 5:12  <b>Alcohol</b> 2:6  <b>Alcoholic</b> 1:2,12,13  <b>Amy</b> 3:3  <b>Applicant</b> 3:5  <b>application</b> 1:9  4:18  <b>Association</b> 3:7  <b>August</b> 3:20  <b>Auslander</b> 3:4,4  4:11  <b>avoid</b> 2:16  <b>a.m</b> 2:2 5:15</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>Beverage</b> 1:2,12,13  2:6  <b>Board</b> 1:2,13 2:6,9  2:10,11 5:6  <b>Bowman</b> 3:3,3,17  4:1,10 5:11  <b>Brooks</b> 1:21 2:10  <b>Building</b> 1:13</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>case</b> 1:9 2:21,21,21  3:16 5:4  <b>chairing</b> 2:12  <b>CHAIRMAN</b> 2:3  3:11,14,18 4:2,12  5:12  <b>Chairperson</b> 1:14  1:20  <b>Citizens</b> 3:7  <b>closely</b> 5:1  <b>Columbia</b> 1:1 2:5  <b>coming</b> 5:10  <b>comments</b> 3:13  <b>Commission</b> 3:9</p>	<p><b>concluded</b> 5:14  <b>Control</b> 1:2,12,13  2:6  <b>copy</b> 4:6,7,16  <b>correct</b> 2:19  <b>CR</b> 1:8  <b>cross</b> 5:5</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>days</b> 4:14,16  <b>Denis</b> 3:6  <b>devices</b> 2:16  <b>direct</b> 5:5  <b>dismissal</b> 4:19  <b>District</b> 1:1 2:5  <b>document</b> 4:20  <b>documents</b> 4:9  <b>Donald</b> 1:21 2:10  <b>D.C</b> 1:14</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>electronic</b> 2:16  <b>examinations</b> 5:5</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>far</b> 2:9  <b>Fashbaugh</b> 4:6  <b>first</b> 2:8,21,21  <b>focused</b> 5:7,8  <b>Form</b> 4:7,14  <b>forward</b> 3:1  <b>front</b> 2:18</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>give</b> 4:3  <b>given</b> 5:3  <b>going</b> 3:19  <b>Good</b> 2:3 3:11  <b>Great</b> 4:2 5:10</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>hand</b> 5:9  <b>hear</b> 5:7  <b>hearing</b> 1:7,13 2:6  3:15,20 4:4,14,17  5:2  <b>hearings</b> 2:13  <b>hopes</b> 5:6</p>	<p style="text-align: center;"><b>I</b></p> <p><b>imperative</b> 4:22  <b>important</b> 4:15  <b>includes</b> 5:4  <b>Information</b> 4:7,13  <b>instructions</b> 4:4  <b>interruptions</b> 2:17  <b>introduce</b> 2:8 3:2  <b>issues</b> 5:9</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>James</b> 3:6,6  <b>June</b> 1:11 2:7</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>Kalorama</b> 3:7  <b>keep</b> 5:7  <b>knowledge</b> 3:17</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>lastly</b> 5:6  <b>leave</b> 4:3  <b>left</b> 2:10  <b>Let's</b> 2:20  <b>Libertine</b> 1:6 2:22  <b>license</b> 1:8 3:1 4:18  <b>LLC</b> 1:6 2:22</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p><b>mailing</b> 4:6  <b>matter</b> 1:5 5:14  <b>matters</b> 3:16 5:8  <b>MEETING</b> 1:3  <b>meeting/hearing</b>  5:13  <b>Member</b> 1:21,22  2:10,11  <b>members</b> 2:9  <b>met</b> 1:13  <b>MICHAEL</b> 1:22  <b>microphone</b> 3:13  <b>Mike</b> 2:11  <b>minutes</b> 5:3  <b>morning</b> 2:3 3:11</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>name</b> 2:19  <b>needs</b> 4:20</p>	<p><b>Neighborhood</b> 3:9  <b>Nick</b> 1:14,20 2:11  <b>Number</b> 2:21 3:1  <b>NW</b> 1:7  <b>N.W</b> 1:14</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>Okay</b> 2:20 3:18  <b>opposing</b> 4:21</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>paper</b> 2:18  <b>parties</b> 3:1,2,22  4:12,21  <b>PIF</b> 4:7,16  <b>please</b> 3:1,2  <b>preliminary</b> 3:16  <b>present</b> 1:19 5:4  <b>presiding</b> 1:14  <b>protest</b> 1:6 3:15,20  4:4,7,13,17  <b>protestable</b> 5:9  <b>P-R-O-C-E-E-D-...</b>  2:1  <b>p.m</b> 3:21</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>questions</b> 5:9</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>receive</b> 4:16  <b>received</b> 4:5  <b>Reeves</b> 1:13  <b>regularly</b> 2:5  <b>remind</b> 2:15  <b>Renewal</b> 1:9  <b>representing</b> 3:7,9  <b>required</b> 4:13  <b>Retailer</b> 1:8  <b>review</b> 4:22  <b>right</b> 2:9  <b>Road</b> 4:8 5:1  <b>Room</b> 1:13  <b>Rules</b> 4:8,22</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p><b>Sarah</b> 4:6  <b>scheduled</b> 2:5</p>	<p><b>Scott</b> 3:4  <b>set</b> 3:19  <b>seven</b> 4:14,16  <b>side</b> 5:3  <b>sign</b> 2:18  <b>silence</b> 2:15  <b>Silverstein</b> 1:22  2:11  <b>Simpson</b> 3:8,8  <b>sir</b> 4:1,11  <b>spelling</b> 2:19  <b>started</b> 2:14,20  <b>Status</b> 1:8 3:15  <b>Street</b> 1:7,14  <b>subject</b> 4:18  <b>submit</b> 4:13  <b>submitted</b> 4:20</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p><b>tables</b> 2:17  <b>Tas</b> 1:6 2:22 3:3  <b>testimony</b> 5:8  <b>Thank</b> 5:10,11,12  <b>think</b> 3:19  <b>time</b> 3:21  <b>today</b> 2:6,9  <b>today's</b> 2:12  <b>trading</b> 2:22  <b>t/a</b> 1:6</p> <hr/> <p style="text-align: center;"><b>W</b></p> <p><b>want</b> 4:3 5:7  <b>Washington</b> 1:14  <b>welcome</b> 2:4  <b>we're</b> 3:19  <b>William</b> 3:8</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>p</b> 1:5,10</p> <hr/> <p style="text-align: center;"><b>1</b></p> <p><b>1C</b> 3:10  <b>13-PRO-00034</b> 1:9  2:22  <b>14th</b> 1:13  <b>18th</b> 1:7  <b>19</b> 1:11 2:7</p>
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<hr/> <b>9</b> <hr/> <b>9:42</b> 2:2 <b>9:45</b> 5:15 <b>90</b> 5:3 <hr/>				