

DISTRICT OF COLUMBIA  
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ALCOHOLIC BEVERAGE CONTROL BOARD  
+ + + + +  
MEETING

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IN THE MATTER OF: :  
 :  
Eatonville, Inc. :  
t/a Eatonville : Protest  
2121 14th Street, N.W. : Hearing  
Retailer CR : (Status)  
License No. 78882 :  
ANC 1B :  
Renewal Application :  
Case No. 13-PRO-00037 :  
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July 17, 2013

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

PRESENT:

- RUTHANNE MILLER, Chairperson
- NICK ALBERTI, Member
- DONALD BROOKS, Member
- MICHAEL SILVERSTEIN, Member

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

9:44 a.m.

CHAIRPERSON MILLER: Good morning,  
ladies and gentlemen.

I'd like to welcome you to the  
regularly scheduled meeting of the District of  
Columbia Alcoholic Beverage Control Board.  
Today is July 17th, 2013.

My name is Ruthanne Miller. I'm  
the Chairperson.

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 this  
morning and three constitutes a quorum.

Copies of today's hearing calendar  
and agenda are available at the receptionist  
desk.

Please be aware that these  
proceedings are being recorded by a court

1 reporter. Accordingly, we must ask that you  
2 to refrain from any disruptive noises or  
3 actions in the hearing room.

4 If you have any electronic  
5 devices, pagers, cell phones or such, please  
6 make certain they're turned off to avoid any  
7 interruption of the proceedings.

8 Please note when I call your case  
9 come forward, take a seat at the table.  
10 You'll find a piece of paper there. Please  
11 sign in on that piece of paper and that's to  
12 ensure the correct spelling of your name for  
13 the record.

14 The Open Meetings Act requires  
15 that the public hearing on each case be open  
16 to the public. The Board may, consistent with  
17 Section 405(b) of the Open Meetings Act, enter  
18 a closed meeting during or after the public  
19 hearing on a case to consult with an attorney  
20 to obtain legal advice, discuss settlement  
21 agreements or deliberate upon a decision in an  
22 adjudication proceeding.

1                   Okay. We'll now turn to this  
2 morning's calendar. The first case on the  
3 calendar is Case Number 13-PRO-00037,  
4 Eatonville located at 2121 14th Street, N.W.,  
5 License Number 78882 in ANC 1B.

6                   Good morning.

7                   MR. O'BRIEN: Good morning, Madam  
8 Chair. Stephen O'Brien for the renewal  
9 applicant. I'm accompanied by Andy Shallal S-  
10 H-A-L-L-A-L who is the President of the  
11 renewal applicant.

12                   CHAIRPERSON MILLER: Okay.

13                   MR. GIRARDO: Hi. I'm William  
14 Girardo W-I-L-L-I-A-M.

15                   COURT REPORTER: Your microphone,  
16 sir.

17                   MR. GIRARDO: Sorry.

18                   COURT REPORTER: That green light  
19 has to be on.

20                   MR. GIRARDO: How do you turn it  
21 on?

22                   MEMBER ALBERTI: That little bar

1 at the front.

2 MR. GIRARDO: Here we go. So,  
3 it's William Girardo G as in George I-R-A-R-D  
4 as in David O and I'm the abutting property  
5 owner and I'm with -- also my wife LeAnn is  
6 out of the country. I think we sent a letter  
7 saying that she couldn't be here.

8 CHAIRPERSON MILLER: Okay. That's  
9 fine. So, this is a protest status hearing.

10 Are there any issues you need to  
11 bring to our attention? Otherwise, I'm going  
12 to --

13 MR. O'BRIEN: A mediation --

14 CHAIRPERSON MILLER: Um-hum.

15 MR. O'BRIEN: -- to date has been  
16 unsuccessful.

17 CHAIRPERSON MILLER: Okay.

18 MR. O'BRIEN: So, you have to  
19 continue this for a protest hearing.

20 CHAIRPERSON MILLER: Okay.

21 MR. GIRARDO: Yes.

22 CHAIRPERSON MILLER: All right.

1 Then the protest hearing is scheduled for  
2 September 11th, 2013 at 4:30 p.m. and I just  
3 want to bring a few things to your attention.

4 You should have received in the  
5 mail from our adjudication assistant who is  
6 now Tesha Anderson a letter explaining the  
7 protest process and a copy of the protest  
8 information form. Okay.

9 It's very important that you  
10 review the rules closely for this protest  
11 hearing and most importantly, I want to bring  
12 to your attention that you are required to  
13 complete and submit the protest information  
14 form seven days before the date of the  
15 hearing. The document needs to be submitted  
16 to ABRA and to the opposing parties in the  
17 matter.

18 If we do not receive a copy of  
19 your protest information form, your  
20 application or your protest, whichever side  
21 you're on, may be subject to dismissal. So,  
22 this form is very important to the Board in

1 narrowing the protest issues, facilitating the  
2 process and keeping the parties in focus at  
3 the hearing.

4 Okay. So, just pay attention to  
5 that. We don't like to dismiss parties for  
6 failure to file a PIF, but it does happen.  
7 So, pay attention to that.

8 Okay. And if you have any  
9 questions, you can contact Ms. Anderson at  
10 442-6942.

11 Thank you very much.

12 MR. O'BRIEN: Thank you.

13 (Whereupon, at 9:48 a.m., the  
14 hearing was adjourned.)

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<b>A</b>	4:2,3 cell 3:5 certain 3:6 Chair 4:8 Chairperson 1:15 1:19 2:3,10 4:12 5:8,14,17,20,22 closed 3:18 closely 6:10 Columbia 1:1 2:7 come 3:9 complete 6:13 conduct 2:16 consistent 3:16 constitutes 2:17 consult 3:19 contact 7:9 continue 5:19 Control 1:2,13,14 2:7 Copies 2:18 copy 6:7,18 correct 3:12 country 5:6 court 2:22 4:15,18 CR 1:8	enter 3:17 explaining 6:6	<b>K</b>	O 5:4 obtain 3:20 Okay 4:1,12 5:8,17 5:20 6:8 7:4,8 open 3:14,15,17 opposing 6:16 owner 5:5 O'Brien 4:7,8 5:13 5:15,18 7:12
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<b>C</b>	<b>E</b>	<b>H</b>	Madam 4:7 mail 6:5 matter 1:5 6:17 mediation 5:13 meeting 1:3 2:6 3:18 Meetings 3:14,17 Member 1:20,21 1:22 4:22 members 2:15 met 1:14 MICHAEL 1:22 microphone 4:15 Mike 2:13 Miller 1:15,19 2:3 2:9 4:12 5:8,14,17 5:20,22 morning 2:3,17 4:6 4:7 morning's 4:2	
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<p><b>regularly</b> 2:6  <b>renewal</b> 1:10 4:8  4:11  <b>reporter</b> 3:1 4:15  4:18  <b>required</b> 6:12  <b>requires</b> 3:14  <b>Retailer</b> 1:8  <b>review</b> 6:10  <b>right</b> 2:11,12 5:22  <b>room</b> 1:14 3:3  <b>rules</b> 6:10  <b>Ruthanne</b> 1:15,19  2:9</p> <hr/> <p style="text-align: center;"><b>S</b></p> <hr/> <p><b>S</b> 4:9  <b>saying</b> 5:7  <b>scheduled</b> 2:6 6:1  <b>seat</b> 3:9  <b>Section</b> 3:17  <b>sent</b> 5:6  <b>September</b> 6:2  <b>settlement</b> 3:20  <b>seven</b> 6:14  <b>Shallal</b> 4:9  <b>side</b> 6:20  <b>sign</b> 3:11  <b>Silverstein</b> 1:22  2:14  <b>sir</b> 4:16  <b>Sorry</b> 4:17  <b>spelling</b> 3:12  <b>status</b> 1:8 5:9  <b>Stephen</b> 4:8  <b>Street</b> 1:8,15 4:4  <b>subject</b> 6:21  <b>submit</b> 6:13  <b>submitted</b> 6:15</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p><b>table</b> 3:9  <b>take</b> 3:9  <b>Tesha</b> 6:6  <b>Thank</b> 7:11,12  <b>things</b> 6:3  <b>think</b> 5:6  <b>three</b> 2:17</p>	<p><b>Today</b> 2:8  <b>today's</b> 2:18  <b>turn</b> 4:1,20  <b>turned</b> 3:6  <b>t/a</b> 1:7</p> <hr/> <p style="text-align: center;"><b>U</b></p> <hr/> <p><b>Um-hum</b> 5:14  <b>unsuccessful</b> 5:16</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>want</b> 6:3,11  <b>Washington</b> 1:15  <b>welcome</b> 2:5  <b>We'll</b> 4:1  <b>whichever</b> 6:20  <b>wife</b> 5:5  <b>William</b> 4:13 5:3  <b>W-I-L-L-I-A-M</b>  4:14</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>p</b> 1:5,11</p> <hr/> <p style="text-align: center;"><b>1</b></p> <hr/> <p><b>1B</b> 1:9 4:5  <b>11th</b> 6:2  <b>13-PRO-00037</b>  1:10 4:3  <b>14th</b> 1:8,14 4:4  <b>17</b> 1:12  <b>17th</b> 2:8</p> <hr/> <p style="text-align: center;"><b>2</b></p> <hr/> <p><b>2000</b> 1:14  <b>2013</b> 1:12 2:8 6:2  <b>2121</b> 1:8 4:4</p> <hr/> <p style="text-align: center;"><b>4</b></p> <hr/> <p><b>4:30</b> 6:2  <b>405(b)</b> 3:17  <b>442-6942</b> 7:10</p> <hr/> <p style="text-align: center;"><b>7</b></p> <hr/> <p><b>78882</b> 1:9 4:5</p> <hr/> <p style="text-align: center;"><b>9</b></p> <hr/> <p><b>9:44</b> 2:2  <b>9:48</b> 7:13</p>			
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