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

9:48 a.m.

CHAIRPERSON MILLER: Next case is Case Number 13-PRO-00088, Riverfront at the Ballpark, located at 25 Potomac Avenue SE, License Number 92040. Good morning.

Usually the Licensee sits over here and the Protestant sits to my left. But if there's not space and you need to extend over you could.

MALE PARTICIPANT: Can we take this chair?

CHAIRPERSON MILLER: Sure. Oh --

MR. ALBERTI: If you promise to put it back.

CHAIRPERSON MILLER: Yes.

(Laughter)

CHAIRPERSON MILLER: We have a lot of parties in this case.

(Off microphone comments)

CHAIRPERSON MILLER: How ever you're comfortable, if you want to rig up a

1 few chairs you can. If you want to stand, it
2 won't be too long.

3 What I want to do is start with
4 introductions for the record, starting with
5 the Licensee.

6 MR. CHUNG: Good morning, David
7 Chung on behalf of the Licensee.

8 CHAIRPERSON MILLER: Good morning.

9 MR. LITSKY: Andy Litsy on behalf
10 of ANC 6D.

11 CHAIRPERSON MILLER: All right.

12 MR. DARCONTE: Bruce Darconte, D-
13 A-R-C-O-N-T-E.

14 CHAIRPERSON MILLER: And you are
15 here on behalf of --

16 MR. DARCONTE: Um --

17 CHAIRPERSON MILLER: Group of five
18 or more?

19 MR. DARCONTE: Group of five, yes.

20 CHAIRPERSON MILLER: And how many
21 are here?

22 MR. DARCONTE: Five.

1 CHAIRPERSON MILLER: Okay. Well,
2 you want to say who you are so we know you're
3 here for the record?

4 MR. KAMINSKI: I'm Ed Kaminski.
5 I'm with the group.

6 CHAIRPERSON MILLER: Okay.

7 MS. MAHONEY: I'm Joan Mahoney.
8 And I'm also with the group.

9 CHAIRPERSON MILLER: All right.

10 MS. KAMINSKI: Carole Kaminski.

11 MS. RICE: Katherine Rice.

12 MS. DURBIN: This is Diane Durbin
13 with MPD.

14 CHAIRPERSON MILLER: Oh, MPD,
15 okay. Are you okay back there?

16 MS. DURBIN: Oh, yes.

17 CHAIRPERSON MILLER: Okay. Well,
18 good morning. Okay, anybody else here?

19 MS. WILLIAMS: Mary Williams, I am
20 one of the five, touched by four of the team.

21 CHAIRPERSON MILLER: Okay, got it.
22 And you're the designated representative?

1 MS. WILLIAMS: I am.

2 MR. KAMINSKI: If it's okay, I
3 just want to make sure there were five of the
4 Kaminski Protest Group, so we're here to
5 convert our conditional protest to an
6 unconditional protest.

7 CHAIRPERSON MILLER: Okay. Well,
8 I'm glad you made that clear. Okay. So there
9 are five of you here today?

10 MR. KAMINSKI: Yes.

11 CHAIRPERSON MILLER: Okay, good.
12 All right. So you're all set. And the Mary
13 Williams's group is set.

14 All right, then I'm just going to
15 set this for a hearing and make some just
16 general instructions, unless there's anything
17 you need to bring to the Board's attention.

18 I'm not hearing anything, okay. I
19 see that you're set, you have mediation coming
20 up. And a Protest Hearing is set for August
21 14th, 2013, at 1:30 p.m.

22 What I just want to emphasize is

1 that the Board has a protest information form
2 which all of you should have gotten. And
3 that's a really important form.

4 And it's required to be submitted
5 to the Board, and ABRA, and all the parties in
6 the case seven days ahead of time.

7 And on that form you identify your
8 issues basically and your witnesses. And
9 that's a very important form.

10 And the directions say that if you
11 don't file it, your protest or your
12 application could be dismissed. And that does
13 happen. So we don't want that to happen to
14 you all. So pay attention to that deadline if
15 you don't settle.

16 And your contact person is Ms.
17 Tesha Anderson. Her number is 442-6942. If
18 you haven't gotten that form, you should
19 contact her. Okay, any questions?

20 MR. LITSKY: Yes. I have a
21 question.

22 CHAIRPERSON MILLER: Okay.

1 MR. LITSKY: For the record, could
2 you reiterate when our, because this status
3 hearing is out of order it would seem to me,
4 usually we would wind up having, I guess, it
5 would go to the agent.

6 CHAIRPERSON MILLER: Sure.

7 MR. LITSKY: A mediation session
8 first. So I just want to make sure for the
9 record everybody's on record of when that
10 mediation session is supposed to take place.

11 CHAIRPERSON MILLER: Sure. What I
12 have is mediation is scheduled for August 1st,
13 2013.

14 MR. LITSKY: Okay. Hearing is in
15 this building?

16 CHAIRPERSON MILLER: And the
17 hearing is August 14th, 2013, at 1:30.

18 MR. LITSKY: And I also had a
19 question since our ANC rarely opposes
20 licenses, we work things out ahead of time
21 before.

22 Under this case it's different.

1 Is the ANC required to fill out the same form
2 as the other participants?

3 CHAIRPERSON MILLER: Yes, all the
4 parties, Licensee, ANC, all the parties. It's
5 a pretty simple, basic form.

6 MR. LITSKY: Well, I've already
7 seen it. I just wanted to make sure that we
8 weren't exempt for some reason. I didn't want
9 to have to wind up having the protest
10 dismissed for medical reasons.

11 CHAIRPERSON MILLER: Right, right,
12 right, okay. Yes?

13 MS. DURBIN: Does MPD have to fill
14 out that protest form also?

15 CHAIRPERSON MILLER: If MPD is
16 going to participate in the hearing and
17 present a case, it applies to MPD as well, as
18 far as I know.

19 But it is very straight forward,
20 what's your issue and who's your witness,
21 okay.

22 MS. DURBIN: Thank you.

1 CHAIRPERSON MILLER: Okay, great.

2 All right. Have a good day.

3 MR. LITSKY: Thank you for your
4 time.

5 CHAIRPERSON MILLER: Okay.

6 MR. LITSKY: Have a great day.

7 (Whereupon, the hearing was
8 concluded at 9:53 a.m.)

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