

GOVERNMENT OF THE DISTRICT OF COLUMBIA

+ + + + +

ALCOHOLIC BEVERAGE REGULATION  
ADMINISTRATION BOARD

IN THE MATTER OF:

Caribbean Vibes, Inc.	Termination of
t/a Club Timehri	Settlement Agreement
2439 18th Street, N.W.	
License # ABRA-077730	
Retailer CT	
Case # 14-PRO-00057	

Monday,  
August 11, 2014

South	ABRA Hearing Room, 400
	Reeves Municipal Center
	2000 14th Street, N.W.
	Washington, D.C. 20009

The above-entitled matter convened at  
10:00 a.m., before the District of Columbia

Alcoholic Beverage Regulation Administration  
Board.

BEFORE:

LA VERNE FLETCHER, Board Mediator

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

P R O C E E D I N G S

[10:26 a.m.]

MS. FLETCHER: Would the parties in the matter of Club Timehri please come forward. The parties in the matter of Club Timehri.

This is case No. 14-PRO-00057, Caribbean Vibes, Inc. trading as Club Timehri, 2439 18th Street, N.W. This is License No. ABRA-077730.

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

My name is La Verne Fletcher, and I'm conducting the roll call hearing as the Board's agent, pursuant to D.C. Official Code 1601.2.

Introductions, beginning with the Applicant, please.

MR. WHELAN: Good morning. Stephen Whelan from Veritas Law on behalf of the Applicant.

MS. FLETCHER: And Stephen, could you spell your name for the record, please.

1 MR. WHELAN: Sure. Stephen. S-t-e-p-  
2 h-e-n. last name Whelan. W-h-e-l-a-n.

3 MS. FLETCHER: Thank you very much.  
4 And your name, sir?

5 MR. WELLS: Christopher Wells, owner,  
6 Timehri.

7 MS. FLETCHER: Is Wells W-e-l-l-s?

8 MR. WELLS: Yes, ma'am.

9 MS. FLETCHER: Thank you very much.  
10 And on behalf of ANC 1C? Is ANC 1C present today?

11 (No response)

12 MS. FLETCHER: Present on behalf of  
13 the Kalorama Citizens Association?

14 MR. JAMES: Denis James, president of  
15 Kalorama Citizens Association. Ms. Fletcher, I  
16 wonder if we might go out of line, in case  
17 somebody from the ANC might show up, because that  
18 -- seeing there aren't a great number of hearings  
19 and --

20 MS. FLETCHER: Yes.

21 MR. JAMES: -- you know, it's not  
22 uncommon for somebody to be a few minutes late.

1 MS. FLETCHER: We can do that.

2 MR. JAMES: I appreciate that. I  
3 appre - -with the indulgence of the other side.

4 MS. FLETCHER: I'm going to recall  
5 this -- Yes. If it's okay with you all, I'll  
6 recall this case in about ten minutes.

7 MR. WHELAN: Sure. No problem.

8 MS. FLETCHER: This may be -- is this  
9 Mr. -- Mr. James, is this ANC 1C coming in now?

10 MR. JAMES: Let's see.

11 MS. STAPLES: No.

12 MS. FLETCHER: Okay. I'm just going  
13 to recall this case after --

14 MR. JAMES: Thanks so much, though.

15 MS. FLETCHER: Okay. Thank you very  
16 much, Thank you. So I'm going to recall this  
17 case in about ten minutes, and we'll go to the  
18 next case on the calendar.

19 (Break)

20 (10:16 a.m.0

21 MS. FLETCHER: Would the parties in  
22 the matter of Club Timehri please come forward.

1 Case No. 14-PRO-00057.

2 Okay. We've had the introductions of  
3 Stephen Whelan already, and Christopher Wells.  
4 Your names are already on the record. You spelled  
5 them, so you don't need to do that again. We've  
6 had the introduction of Denis James from the  
7 Kalorama Citizens Association, Kalorama is  
8 spelled K-a-l-o-r-a-m-a, Citizens Association.

9 Mr. James, would you spell your name  
10 for the court reporter, please.

11 MR. JAMES: It's D-e-n-i-s. J-a-m-e-  
12 s.

13 MS. FLETCHER: And on behalf of ANC  
14 1C?

15 MR. HART: Brian hart.

16 MS. FLETCHER: Mr. Hart. Thank you.

17 And Ms. Aubrun, you're here on behalf  
18 of the Reed-Cook Neighborhood Association?

19 MS. AUBRUN: Yes. My name is  
20 Benedicte Aubrun on behalf of the Reed-Cook  
21 Neighborhood Association.

22 MS. FLETCHER: Have you filed a

1 protest?

2 MS. AUBRUN: Yes. I did.

3 MS. FLETCHER: Ms. Aubrun, your  
4 protest is not in the file. For some reason, a  
5 copy of your protest letter is not in the file.

6 MS. AUBRUN: I got a confirmation  
7 from Martha Jenkins on this.

8 MS. FLETCHER: Okay.

9 MS. AUBRUN: Yes.

10 MS. FLETCHER: I'm going to go ahead  
11 and grant standing for the Reed-Cook Neighborhood  
12 Association.

13 MS. AUBRUN: Okay.

14 MS. FLETCHER: I don't know why your  
15 protest letter is not in the file. I'll check  
16 with Martha Jenkins.

17 MS. AUBRUN: Okay.

18 MS. FLETCHER: Placed in the file.  
19 But we'll get it from you at some point if --

20 MS. AUBRUN: If ever you need me to  
21 mail it to you, just send +me an email.

22 MS. FLETCHER: Okay. Thank you. So

1 there are three Protestants in this matter -- ANC  
2 1C, the Reed-Cook Neighborhood Association, and  
3 Kalorama Citizens Association.

4 Mr. Whelan and Mr. Wells, did you put  
5 your email addresses on that sheet already?

6 MR. WELLS: Yes, we did.

7 MS. FLETCHER: We need to set a date  
8 for mediation, a status hearing, and a protest  
9 hearing.

10 I'll give you the date for the  
11 status and protest hearing first.

12 The date for the status hearing is  
13 October the 1st. October 1st at 9:30. The status  
14 hearing.

15 And for the protest hearing, November  
16 12 at 1:30 p.m.

17 We'll need to set a date for  
18 mediation prior to the October 1 status hearing.

19 The next available date for mediation  
20 is Tuesday, August 26. Tuesday, August 26, at  
21 9:00, 10:00 or 11:00.

22 MR. WHELAN: All of those work for

1 us, Ms. Fletcher.

2 MS. FLETCHER: We can also do  
3 Wednesday, August 27. If that's not good, we can  
4 move to the next week.

5 MR. WELLS: How about early in  
6 September? Would that work for you, Mr. Hart?

7 MR. HART: Sure.

8 MS. FLETCHER: It works on the  
9 calendar. Would that work -- early September? So  
10 what about  
11 Thursday, September 4th?

12 MR. HART: That works for me.

13 MR. WELLS: 11:00.

14 MS. FLETCHER: 11:00 is good.

15 MR. WHELAN: That works for us.

16 MS. FLETCHER: So Ms. Aubrun, does  
17 that work for you too?

18 MS. AUBRUN: Yes.

19 MS. FLETCHER: So mediation is set  
20 for Thursday, September 4. Okay. Any questions?

21 MR. WHELAN: I just want to clarify,  
22 that there was a petition to terminate settlement

1 agreement as well as a renewal, and those two  
2 have been consolidated in to one?

3 MS. FLETCHER: I'm not aware that  
4 they've been consolidated. If they have been or  
5 will be, then Martha Jenkins will let you know.  
6 I'm aware that there's a license renewal pending,  
7 and that you've got a protest hearing coming for  
8 that. But I don't know about the consolidation at  
9 this stage.

10 MR. WHELAN: Okay.

11 MS. FLETCHER: But if you're able to  
12 resolve the termination of settlement, that might  
13 resolve both. That would be up to you.

14 MR. WHELAN: Okay.

15 MS. FLETCHER: Anything else, Mr.  
16 Whelan?

17 MR. WHELAN: Nothing. Thank you.

18 MS. FLETCHER: Okay. Then the roll  
19 call hearing is concluded. Thank you for coming.

20 (Whereupon, at 10:18 a.m., the roll  
21 call hearing was concluded)

22

<b>A</b>	<b>Caribbean</b> 1:7 2:7 <b>case</b> 1:9 2:6 3:16 4:6,13,17,18 5:1 <b>Center</b> 1:13 <b>check</b> 6:15 <b>Christopher</b> 3:5 5:3 <b>Citizens</b> 3:13,15 5:7,8 7:3 <b>clarify</b> 8:21 <b>Club</b> 1:7 2:4,5,7 4:22 <b>Code</b> 2:15 <b>Columbia</b> 1:1,16 <b>come</b> 2:4 4:22 <b>coming</b> 4:9 9:7,19 <b>concluded</b> 9:19,21 <b>conducting</b> 2:14 <b>confirmation</b> 6:6 <b>consolidated</b> 9:2,4 <b>consolidation</b> 9:8 <b>convened</b> 1:15 <b>copy</b> 6:5 <b>court</b> 5:10 <b>CT</b> 1:9 2:10	4:15,21 5:13,16 5:22 6:3,8,10,14 6:18,22 7:7 8:1,2 8:8,14,16,19 9:3 9:11,15,18 <b>forward</b> 2:4 4:22	<b>L</b>	<b>owner</b> 3:5
<b>a.m</b> 1:16 2:2 9:20 <b>a.m.0</b> 4:20 <b>able</b> 9:11 <b>above-entitled</b> 1:15 <b>ABRA</b> 1:12 2:8 <b>ABRA-077730</b> 1:8 <b>addresses</b> 7:5 <b>Administration</b> 1:3 1:17 <b>adverse</b> 2:12 <b>agent</b> 2:15 <b>agreement</b> 1:7 2:11 9:1 <b>ahead</b> 6:10 <b>Alcoholic</b> 1:3,17 <b>ANC</b> 3:10,10,17 4:9 5:13 7:1 <b>Applicant</b> 2:17,20 <b>appre</b> 4:3 <b>appreciate</b> 4:2 <b>Association</b> 3:13,15 5:7,8,18,21 6:12 7:2,3 <b>Aubrun</b> 5:17,19,20 6:2,3,6,9,13,17,20 8:16,18 <b>August</b> 1:11 7:20 7:20 8:3 <b>available</b> 7:19 <b>aware</b> 9:3,6	<b>G</b>	<b>La</b> 1:21 2:13 <b>late</b> 3:22 <b>Law</b> 2:19 <b>Let's</b> 4:10 <b>letter</b> 6:5,15 <b>license</b> 1:8 2:8 9:6 <b>line</b> 3:16	<b>P</b>	<b>P</b> 2:1 <b>p.m</b> 7:16 <b>parties</b> 2:3,5 4:21 <b>peace</b> 2:12 <b>pending</b> 9:6 <b>petition</b> 8:22 <b>Placed</b> 6:18 <b>please</b> 2:4,17,22 4:22 5:10 <b>point</b> 6:19 <b>present</b> 3:10,12 <b>president</b> 3:14 <b>prior</b> 7:18 <b>problem</b> 4:7 <b>protest</b> 2:11 6:1,4,5 6:15 7:8,11,15 9:7 <b>Protestants</b> 7:1 <b>pursuant</b> 2:15 <b>put</b> 7:4
<b>B</b>	<b>D</b>	<b>H</b>	<b>M</b>	<b>Q</b>
<b>beginning</b> 2:16 <b>behalf</b> 2:19 3:10,12 5:13,17,20 <b>Benedicte</b> 5:20 <b>Beverage</b> 1:3,17 <b>Board</b> 1:3,18,21 <b>Board's</b> 2:14 <b>Break</b> 4:19 <b>Brian</b> 5:15	<b>D</b> 2:1 <b>D-e-n-i-s</b> 5:11 <b>D.C</b> 1:14 2:15 <b>date</b> 7:7,10,12,17 7:19 <b>Denis</b> 3:14 5:6 <b>District</b> 1:1,16	<b>h-e-n</b> 3:2 <b>hart</b> 5:15,15,16 8:6 8:7,12 <b>hearing</b> 1:12 2:14 7:8,9,11,12,14,15 7:18 9:7,19,21 <b>hearings</b> 3:18	<b>ma'am</b> 3:8 <b>mail</b> 6:21 <b>Martha</b> 6:7,16 9:5 <b>matter</b> 1:6,15 2:4,5 4:22 7:1 <b>mediation</b> 7:8,18 7:19 8:19 <b>Mediator</b> 1:21 <b>minutes</b> 3:22 4:6 4:17 <b>Monday</b> 1:11 <b>morning</b> 2:18 <b>move</b> 8:4 <b>Municipal</b> 1:13	<b>questions</b> 8:20 <b>quiet</b> 2:12
<b>C</b>	<b>E</b>	<b>I</b>	<b>N</b>	<b>R</b>
<b>C</b> 2:1 <b>calendar</b> 4:18 8:9 <b>call</b> 2:14 9:19,21	<b>E</b> 2:1,1 <b>early</b> 8:5,9 <b>email</b> 6:21 7:5	<b>impact</b> 2:12 <b>indulgence</b> 4:3 <b>introduction</b> 5:6 <b>introductions</b> 2:16 5:2 <b>issues</b> 2:11	<b>N</b> 2:1 <b>N.W</b> 1:8,14 2:8 <b>name</b> 2:13,22 3:2,4 5:9,19 <b>names</b> 5:4 <b>need</b> 5:5 6:20 7:7 7:17 <b>Neighborhood</b> 5:18 5:21 6:11 7:2 <b>November</b> 7:15 <b>number</b> 3:18	<b>R</b> 2:1 <b>reason</b> 6:4 <b>recall</b> 4:4,6,13,16 <b>record</b> 2:22 5:4 <b>Reed-Cook</b> 5:18,20 6:11 7:2 <b>Reeves</b> 1:13 <b>Regulation</b> 1:3,17 <b>renewal</b> 9:1,6 <b>reporter</b> 5:10 <b>resolve</b> 9:12,13 <b>response</b> 3:11 <b>Retailer</b> 1:9 2:10 <b>roll</b> 2:14 9:18,20 <b>Room</b> 1:12
<b>C</b>	<b>F</b>	<b>J</b>	<b>O</b>	<b>S</b>
	<b>file</b> 6:4,5,15,18 <b>filed</b> 5:22 <b>first</b> 7:11 <b>Fletcher</b> 1:21 2:3 2:13,21 3:3,7,9,12 3:15,20 4:1,4,8,12	<b>J-a-m-e</b> 5:11 <b>James</b> 3:14,14,21 4:2,9,10,14 5:6,9 5:11 <b>Jenkins</b> 6:7,16 9:5	<b>O</b> 2:1 <b>October</b> 7:13,13,18 <b>Official</b> 2:15 <b>okay</b> 4:5,12,15 5:2 6:8,13,17,22 8:20 9:10,14,18 <b>order</b> 2:12	<b>s</b> 2:1 5:12 <b>S-t-e-p</b> 3:1 <b>see</b> 4:10
	<b>K</b>	<b>K</b>		
		<b>K-a-l-o-r-a-m-a</b> 5:8 <b>Kalorama</b> 3:13,15 5:7,7 7:3 <b>know</b> 3:21 6:14 9:5		

seeing 3:18	<hr/> <b>V</b> <hr/>	<b>1C</b> 3:10,10 4:9 5:14	
send 6:21	<b>Veritas</b> 2:19	7:2	
<b>September</b> 8:6,9,11	<b>Verne</b> 1:21 2:13	<b>1st</b> 7:13,13	
8:20	<b>Vibes</b> 1:7 2:7	<hr/> <b>2</b> <hr/>	
set 7:7,17 8:19	<hr/> <b>W</b> <hr/>	<b>2000</b> 1:14	
<b>settlement</b> 1:7 2:11	<b>W-e-l-l-s</b> 3:7	<b>20009</b> 1:14	
8:22 9:12	<b>W-h-e-l-a-n</b> 3:2	<b>2014</b> 1:11	
sheet 7:5	<b>want</b> 8:21	<b>2439</b> 1:8 2:8	
show 3:17	<b>Washington</b> 1:14	<b>26</b> 7:20,20	
side 4:3	<b>we'll</b> 4:17 6:19 7:17	<b>27</b> 8:3	
sir 3:4	<b>We've</b> 5:2,5	<hr/> <b>3</b> <hr/>	
<b>somebody</b> 3:17,22	<b>Wednesday</b> 8:3	<hr/> <b>4</b> <hr/>	
<b>South</b> 1:13	<b>week</b> 8:4	<b>4</b> 8:20	
<b>spell</b> 2:22 5:9	<b>Wells</b> 3:5,5,7,8 5:3	<b>400</b> 1:12	
<b>spelled</b> 5:4,8	7:4,6 8:5,13	<b>4th</b> 8:11	
<b>stage</b> 9:9	<b>Whelan</b> 2:18,19 3:1	<hr/> <b>5</b> <hr/>	
<b>standing</b> 6:11	3:2 4:7 5:3 7:4,22	<hr/> <b>6</b> <hr/>	
<b>STAPLES</b> 4:11	8:15,21 9:10,14	<hr/> <b>7</b> <hr/>	
<b>status</b> 7:8,11,12,13	9:16,17	<hr/> <b>8</b> <hr/>	
7:18	<b>wonder</b> 3:16	<hr/> <b>9</b> <hr/>	
<b>Stephen</b> 2:18,21	<b>work</b> 7:22 8:6,9,17	<b>9:00</b> 7:21	
3:1 5:3	<b>works</b> 8:8,12,15	<b>9:30</b> 7:13	
<b>Street</b> 1:8,14 2:8	<hr/> <b>X</b> <hr/>		
<b>Sure</b> 3:1 4:7 8:7	<hr/> <b>Y</b> <hr/>		
<hr/> <b>T</b> <hr/>	<hr/> <b>Z</b> <hr/>		
<b>t/a</b> 1:7	<hr/> <b>0</b> <hr/>		
<b>ten</b> 4:6,17	<b>077730</b> 2:9		
<b>terminate</b> 8:22	<hr/> <b>1</b> <hr/>		
<b>termination</b> 1:7	<b>1</b> 7:18		
2:10 9:12	<b>1:30</b> 7:16		
<b>Thank</b> 3:3,9 4:15	<b>10:00</b> 1:16 7:21		
4:16 5:16 6:22	<b>10:16</b> 4:20		
9:17,19	<b>10:18</b> 9:20		
<b>Thanks</b> 4:14	<b>10:26</b> 2:2		
<b>three</b> 7:1	<b>11</b> 1:11		
<b>Thursday</b> 8:11,20	<b>11:00</b> 7:21 8:13,14		
<b>Timehri</b> 1:7 2:4,5,7	<b>12</b> 7:16		
3:6 4:22	<b>14-PRO-00057</b> 1:9		
<b>today</b> 3:10	2:6 5:1		
<b>trading</b> 2:7	<b>14th</b> 1:14		
<b>Tuesday</b> 7:20,20	<b>1601.2</b> 2:15		
<b>two</b> 9:1	<b>18th</b> 1:8 2:8		
<hr/> <b>U</b> <hr/>			
<b>uncommon</b> 3:22			

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Caribbean Vibes, Inc.

Before: Alcoholic Beverage Regulation Board

Date: August 11, 2014

Place: Washington, D.C.

was duly recorded and accurately transcribed under  
my direction; further, that said transcript is a  
true and accurate record of the proceedings.



-----  
Court Reporter

**NEAL R. GROSS**

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701