

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
+ + + + +  
ALCOHOLIC BEVERAGE REGULATION  
ADMINISTRATION BOARD

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:  
IN THE MATTER OF:                   :  
:  
  : Roll Call  
Brilliant, LLC                        : Hearing  
t/a Flash                               :  
645 Florida Avenue, N.W.           :  
License # ABRA-090823               :  
Retailer CT                           :  
Substantial Change                   :  
(Requesting 24 Hour                 :  
Operation)                           :  
Case #13-PRO-00112                 :

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Monday,  
August 26, 2013

ABRA Meeting Room, 400 South

Reeves Municipal Center  
2000 14th Street, N.W..  
Washington, D.C. 20009

The above-entitled matter convened  
at 10:15 a.m., before the District of Columbia  
Alcoholic Beverage Regulation Administration

Board.

BEFORE:

LA VERNE FLETCHER, Board Mediator

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

2 [10:15 a.m.]

3 MS. FLETCHER: Please come  
4 forward, the parties in the matter of Flash.  
5 This is Case No. 13-PRO-00112. Brilliant LLC,  
6 trading as Flash, 645 Florida Avenue, N.W.,  
7 License No. ABRA-090823.

8 This is a Retailer CT substantial  
9 change, requesting 24 hour operation.

10 The protest issues are adverse  
11 impact on peace, order, and quiet.

12 My name is La Verne Fletcher, and  
13 Ill be conducting the roll call hearing as the  
14 Board's agent, pursuant to D.C. Official Code  
15 1601.2.

16 Introductions, beginning with the  
17 Applicant.

18 MR. MOTTAGHI: My names Afshin  
19 Mottaghi. M-o-t-t-a-g-h-i.

20 MS. FLETCHER: M-o-t-t-a-g...

21 MR. MOTTAGHI: h-i.

22 MS. FLETCHER: h-i. Is that the

1 last name?

2 MR. MOTTAGHI: That's the last  
3 name. Yes, ma'am.

4 MS. FLETCHER: What's the first  
5 name?

6 MR. MOTTAGHI: Afshin. A-f, like  
7 Frank, s like Sam, h-i-n.

8 MS. FLETCHER: Thank you very  
9 much.

10 MR. WHELAN: Stephen Whelan. S-t-  
11 e-p-h-e-n, last name Whelan. W-h-e-l-a-n, from  
12 Veritas Law, on behalf of the Applicant.

13 MS. FLETCHER: Okay. From where,  
14 Mr. Whelan?

15 MR. WHELAN: The Veritas Law Firm.

16 MS. FLETCHER: Thank you. Would  
17 you spell that for the court reporter.  
18 Veritas.

19 MR. WHELAN: Sure. V-e-r-i-t-a-s.

20 MS. FLETCHER: Thank you.  
21 And for the Protestant?

22 MR. GREEN: Good morning. My name

1 is John Green. J-o-h-n, G-r-e-e-n.

2 MS. FLETCHER: Thank you, Mr.  
3 Green.

4 MR. GREEN: And I am representing  
5 ANC 1B.

6 MS. FLETCHER: Yes. And ANC 1B  
7 does have standing as a Protestant. We need  
8 to schedule a date for mediation, a status  
9 hearing, and a protest hearing, and I'll give  
10 you the date for the status and protest  
11 hearings first.

12 The status hearing is set for  
13 October 2nd. October 2nd at 9:30 a.m.

14 The protest hearing is set for  
15 December the 4th, 2013, at 4:00 o'clock p.m.

16 MR. GREEN: Is that the earliest  
17 available date?

18 MS. FLETCHER: Yes.

19 MR. WHELAN: That was the 3rd of  
20 December?

21 MS. FLETCHER: December 4th.

22 MR. WHELAN: December 4th. Thank

1 you.

2 MS. FLETCHER: And yes, that is  
3 the earliest date on the Board's calendar.

4 If you want to petition for an  
5 earlier date, you always have the option of  
6 doing that. That is the next available date.  
7 If a date becomes available sooner, you can  
8 check. But the date that you were given is the  
9 next available date.

10 MR. MOTTAGHI: Where would I  
11 check?

12 MS. FLETCHER: You may--you  
13 received a letter from us of the roll call  
14 hearing?

15 MR. MOTTAGHI: Yes.

16 MS. FLETCHER: The person to check  
17 with is the person that signed that letter.  
18 Actually, that is not the person. You'd better  
19 check with Martha Jenkins. I'll give you her  
20 e-mail address. Martha Jenkins is the general  
21 counsel. Martha manages the Board's calendar.  
22 Her name is Martha, M-a-r-t-h-a. Her last name

1 is Jenkins. Just so that you have her e-mail  
2 address, is martha.jenkins@dc.gov. Her  
3 telephone number is (202) 442-4456. The  
4 Veritas Law Firm has Martha's contact  
5 information?

6 MR. WHELAN: Yes; it does. It  
7 does.

8 MS. FLETCHER: Yes. But the date  
9 that you were given is the next available  
10 date. But feel free to check with her, to ask  
11 her for something earlier. She's out this  
12 week. Shell be back next week.

13 MR. WHELAN: What time did you say  
14 on the 4th?

15 MS. FLETCHER: 4:00 o'clock.

16 MR. WHELAN: 4:00 o'clock.

17 MS. FLETCHER: Yes. So we need to  
18 set a date for mediation to occur, prior to  
19 October 2nd. The next available date is  
20 September the 19th, which is a Thursday, at  
21 9:00, 10:00, 11:00, or 1:00. If that's not  
22 good, I can keep moving.

1 MR. WHELAN: In September, what  
2 was the date?

3 MR. GREEN: 19th.

4 MR. WHELAN: 19th. 10:00 is good.

5 MS. FLETCHER: 10:00? Would that  
6 be good for you, Mr. Green?

7 MR. GREEN: This was the date--

8 MS. FLETCHER: September 19.

9 That's on a Thursday at 10:00.

10 MR. GREEN: This is the--

11 MS. FLETCHER: Mediation.

12 MR. GREEN: Mediation?

13 MS. FLETCHER: Yes.

14 MR. GREEN: September. Let me see.

15

16 MS. FLETCHER: September 19 at

17 10:00.

18 MR. GREEN: 19th at 10:00?

19 MS. FLETCHER: Yes.

20 MR. GREEN: that works for me.

21 MS. FLETCHER: Is that good? And

22 Mr. Green, did you put your contact

1 information on that sheet?

2 MR. GREEN: I'm working on that  
3 right now.

4 MS. FLETCHER: Okay. Thank you.

5 MR. GREEN: Thank you.

6 And excuse me. You said 10:00  
7 a.m.?

8 MS. FLETCHER: Yes.

9 MR. GREEN: Perfect. Thank you.

10 MS. FLETCHER: You're welcome. And  
11 the mediation will take place here. Just check  
12 in with the receptionist. Any questions, at  
13 all?

14 [No response]

15 MS. FLETCHER: Okay. The roll  
16 call hearing is concluded. See you then.

17 MR. MOTTAGHI: Thank you.

18 MS. FLETCHER: You're welcome.

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

21

22

<p style="text-align: center;"><b>A</b></p> <p><b>above-entitled</b> 1:18  <b>ABRA</b> 1:15  <b>ABRA-090823</b> 1:9  2:7  <b>address</b> 5:20 6:2  <b>Administration</b> 1:4  1:19  <b>adverse</b> 2:10  <b>Afshin</b> 2:18 3:6  <b>agent</b> 2:14  <b>Alcoholic</b> 1:3,19  <b>ANC</b> 4:5,6  <b>Applicant</b> 2:17  3:12  <b>August</b> 1:14  <b>available</b> 4:17 5:6,7  5:9 6:9,19  <b>Avenue</b> 1:9 2:6  <b>A-f</b> 3:6  <b>a.m</b> 1:19 2:2 4:13  8:7,19</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>back</b> 6:12  <b>beginning</b> 2:16  <b>behalf</b> 3:12  <b>better</b> 5:18  <b>Beverage</b> 1:3,19  <b>Board</b> 1:4,20,22  <b>Board's</b> 2:14 5:3,21  <b>Brilliant</b> 1:8 2:5</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>C</b> 2:1  <b>calendar</b> 5:3,21  <b>call</b> 1:7 2:13 5:13  8:16,20  <b>Case</b> 1:12 2:5  <b>Center</b> 1:16  <b>change</b> 1:10 2:9  <b>check</b> 5:8,11,16,19  6:10 8:11  <b>Code</b> 2:14  <b>Columbia</b> 1:1,19  <b>come</b> 2:3  <b>concluded</b> 8:16,20</p>	<p><b>conducting</b> 2:13  <b>contact</b> 6:4 7:22  <b>convened</b> 1:18  <b>counsel</b> 5:21  <b>court</b> 3:17  <b>CT</b> 1:10 2:8</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D</b> 2:1  <b>date</b> 4:8,10,17 5:3,5  5:6,7,8,9 6:8,10  6:18,19 7:2,7  <b>December</b> 4:15,20  4:21,22  <b>District</b> 1:1,19  <b>doing</b> 5:6  <b>D.C</b> 1:17 2:14</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>E</b> 2:1,1  <b>earlier</b> 5:5 6:11  <b>earliest</b> 4:16 5:3  <b>excuse</b> 8:6  <b>e-mail</b> 5:20 6:1  <b>e-p-h-e-n</b> 3:11</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>feel</b> 6:10  <b>Firm</b> 3:15 6:4  <b>first</b> 3:4 4:11  <b>Flash</b> 1:8 2:4,6  <b>Fletcher</b> 1:22 2:3  2:12,20,22 3:4,8  3:13,16,20 4:2,6  4:18,21 5:2,12,16  6:8,15,17 7:5,8,11  7:13,16,19,21 8:4  8:8,10,15,18  <b>Florida</b> 1:9 2:6  <b>forward</b> 2:4  <b>Frank</b> 3:7  <b>free</b> 6:10</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>G</b> 2:1  <b>general</b> 5:20  <b>give</b> 4:9 5:19  <b>given</b> 5:8 6:9</p>	<p><b>good</b> 3:22 6:22 7:4  7:6,21  <b>GOVERNMENT</b>  1:1  <b>Green</b> 3:22 4:1,3,4  4:16 7:3,6,7,10,12  7:14,18,20,22 8:2  8:5,9  <b>G-r-e-e-n</b> 4:1</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>hearing</b> 1:8 2:13  4:9,9,12,14 5:14  8:16,20  <b>hearings</b> 4:11  <b>hour</b> 1:11 2:9  <b>h-i</b> 2:21,22  <b>h-i-n</b> 3:7</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p><b>Ill</b> 2:13  <b>impact</b> 2:11  <b>information</b> 6:5  8:1  <b>Introductions</b> 2:16  <b>issues</b> 2:10</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>Jenkins</b> 5:19,20 6:1  <b>John</b> 4:1  <b>J-o-h-n</b> 4:1</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>keep</b> 6:22</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>La</b> 1:22 2:12  <b>Law</b> 3:12,15 6:4  <b>letter</b> 5:13,17  <b>License</b> 1:9 2:7  <b>LLC</b> 1:8 2:5</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p><b>manages</b> 5:21  <b>Martha</b> 5:19,20,21  5:22  <b>Martha's</b> 6:4  <b>martha.jenkins...</b></p>	<p>6:2  <b>matter</b> 1:6,18 2:4  <b>ma'am</b> 3:3  <b>mediation</b> 4:8 6:18  7:11,12 8:11  <b>Mediator</b> 1:22  <b>Meeting</b> 1:15  <b>Monday</b> 1:14  <b>morning</b> 3:22  <b>Mottaghi</b> 2:18,19  2:21 3:2,6 5:10,15  8:17  <b>moving</b> 6:22  <b>Municipal</b> 1:16  <b>M-a-r-t-h-a</b> 5:22  <b>M-o-t-t-a-g</b> 2:20  <b>M-o-t-t-a-g-h-i</b>  2:19</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>N</b> 2:1  <b>name</b> 2:12 3:1,3,5  3:11,22 5:22,22  <b>names</b> 2:18  <b>need</b> 4:7 6:17  <b>number</b> 6:3  <b>N.W</b> 1:9,17 2:6</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>O</b> 2:1  <b>occur</b> 6:18  <b>October</b> 4:13,13  6:19  <b>Official</b> 2:14  <b>Okay</b> 3:13 8:4,15  <b>operation</b> 1:12 2:9  <b>option</b> 5:5  <b>order</b> 2:11  <b>o'clock</b> 4:15 6:15  6:16</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>P</b> 2:1  <b>parties</b> 2:4  <b>peace</b> 2:11  <b>Perfect</b> 8:9  <b>person</b> 5:16,17,18  <b>petition</b> 5:4</p>	<p><b>place</b> 8:11  <b>Please</b> 2:3  <b>prior</b> 6:18  <b>protest</b> 2:10 4:9,10  4:14  <b>Protestant</b> 3:21 4:7  <b>pursuant</b> 2:14  <b>put</b> 7:22  <b>p.m</b> 4:15</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>questions</b> 8:12  <b>quiet</b> 2:11</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>R</b> 2:1  <b>received</b> 5:13  <b>receptionist</b> 8:12  <b>Reeves</b> 1:16  <b>Regulation</b> 1:3,19  <b>reporter</b> 3:17  <b>representing</b> 4:4  <b>requesting</b> 1:11 2:9  <b>response</b> 8:14  <b>Retailer</b> 1:10 2:8  <b>right</b> 8:3  <b>roll</b> 1:7 2:13 5:13  8:15,20  <b>Room</b> 1:15</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p><b>s</b> 2:1 3:7  <b>Sam</b> 3:7  <b>schedule</b> 4:8  <b>see</b> 7:14 8:16  <b>September</b> 6:20  7:1,8,14,16  <b>set</b> 4:12,14 6:18  <b>sheet</b> 8:1  <b>Shell</b> 6:12  <b>signed</b> 5:17  <b>sooner</b> 5:7  <b>South</b> 1:15  <b>spell</b> 3:17  <b>standing</b> 4:7  <b>status</b> 4:8,10,12  <b>Stephen</b> 3:10  <b>Street</b> 1:17</p>
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<b>substantial</b> 1:10 2:8 <b>Sure</b> 3:19 <b>S-t</b> 3:10 <hr/> <b>T</b> <hr/> <b>take</b> 8:11 <b>telephone</b> 6:3 <b>Thank</b> 3:8,16,20 4:2,22 8:4,5,9,17 <b>Thursday</b> 6:20 7:9 <b>time</b> 6:13 <b>trading</b> 2:6 <b>t/a</b> 1:8 <hr/> <b>V</b> <hr/> <b>Veritas</b> 3:12,15,18 6:4 <b>Verne</b> 1:22 2:12 <b>V-e-r-i-t-a-s</b> 3:19 <hr/> <b>W</b> <hr/> <b>want</b> 5:4 <b>Washington</b> 1:17 <b>week</b> 6:12,12 <b>welcome</b> 8:10,18 <b>Whelan</b> 3:10,10,11 3:14,15,19 4:19 4:22 6:6,13,16 7:1 7:4 <b>working</b> 8:2 <b>works</b> 7:20 <b>W-h-e-l-a-n</b> 3:11 <hr/> <b>P</b> <hr/> <b>p</b> 1:5,13 <hr/> <b>#</b> <hr/> <b>#13-PRO-00112</b> 1:12 <hr/> <b>1</b> <hr/> <b>1B</b> 4:5,6 <b>1:00</b> 6:21 <b>10:00</b> 6:21 7:4,5,9 7:17,18 8:6 <b>10:15</b> 1:19 2:2 <b>10:21</b> 8:19	<b>11:00</b> 6:21 <b>13-PRO-00112</b> 2:5 <b>14th</b> 1:17 <b>1601.2</b> 2:15 <b>19</b> 7:8,16 <b>19th</b> 6:20 7:3,4,18 <hr/> <b>2</b> <hr/> <b>2nd</b> 4:13,13 6:19 <b>2000</b> 1:17 <b>20009</b> 1:17 <b>2013</b> 1:14 4:15 <b>202</b> 6:3 <b>24</b> 1:11 2:9 <b>26</b> 1:14 <hr/> <b>3</b> <hr/> <b>3rd</b> 4:19 <hr/> <b>4</b> <hr/> <b>4th</b> 4:15,21,22 6:14 <b>4:00</b> 4:15 6:15,16 <b>400</b> 1:15 <b>442-4456</b> 6:3 <hr/> <b>6</b> <hr/> <b>645</b> 1:9 2:6 <hr/> <b>9</b> <hr/> <b>9:00</b> 6:21 <b>9:30</b> 4:13			
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