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

(9:43 a.m.)

CHAIRPERSON MILLER: The next case is Case No. 13-PRO-00097, Napoleon, located at 1847 Columbia Road, N.W., License No. 75836, in ANC-1C.

Good morning.

MR. MOLLOY: Good morning. My name is Brian Molloy. I'm with Mallios and O'Brien and I'm representing The Popal Group for Napoleon.

CHAIRPERSON MILLER: Okay.

MR. JAMES: Sorry. Denis James representing the Kalorama Citizens Association.

CHAIRPERSON MILLER: Okay.

MR. HART: Brian Hart representing the ANC-1C.

MR. HENDERSON: Sonam Henderson. I'm representing a group of residents at 1852 Columbia Road. Should I read out their names?

CHAIRPERSON MILLER: You are

1 representing how many?

2 MR. HENDERSON: I am representing,  
3 I believe, five others or maybe six others.  
4 Laura Riley, Gretchen Ellsworth.

5 MEMBER SILVERSTEIN: We don't need  
6 to read them.

7 CHAIRPERSON MILLER: No?

8 MR. HENDERSON: Robert Hirsch.

9 CHAIRPERSON MILLER: Okay.

10 MR. HENDERSON: Pete Augustini,  
11 Matt Statz and Juanita.

12 MEMBER SILVERSTEIN: We don't need  
13 that.

14 MR. HENDERSON: Thank you.

15 CHAIRPERSON MILLER: Okay. I'm  
16 sorry. Thank you very much though. Okay. I  
17 guess there is no issue though that there is  
18 a group of five in this case that has  
19 standing. Okay.

20 All right. Is there anything else  
21 you need to tell us? Otherwise, we will set  
22 this for a hearing.

1 MR. HENDERSON: We have two others  
2 here.

3 CHAIRPERSON MILLER: Oh, two  
4 others are here as part of the group of five?

5 MR. HENDERSON: Yes.

6 CHAIRPERSON MILLER: Okay. Why  
7 don't you identify --

8 MEMBER SILVERSTEIN: Still within  
9 the group of five.

10 CHAIRPERSON MILLER: -- a group of  
11 11?

12 MR. JAMES: More than a group of  
13 five. Seven or eight. I'm not sure how many  
14 any more.

15 CHAIRPERSON MILLER: A group of at  
16 least five. Why don't you identify yourself  
17 as being here at this hearing?

18 MR. COLONNA: Sure. Michael  
19 Colonna. I'm a tenant at 1841 Columbia Road,  
20 N.W.

21 CHAIRPERSON MILLER: Okay. Sir?

22 MR. SIMMONS: Hal Simmons at 1851

1 Columbia Road.

2 CHAIRPERSON MILLER: Okay.

3 MR. SIMMONS: The Woodley.

4 CHAIRPERSON MILLER: Thank you.

5 Okay. So there are no issues. The case is  
6 scheduled for November 6th at 1:30 p.m.

7 And I want to state to you the  
8 same message that I stated to the previous  
9 parties in earlier cases and that is you will  
10 receive in the mail a Protest Information  
11 Form, often known as a PIF. If you don't  
12 receive that, you should contact Tesha  
13 Anderson at 442-6942.

14 This is a very important document.  
15 It has to be submitted to the Board and to all  
16 parties within seven days of the hearing. If  
17 we do not receive a copy of your PIF, your  
18 application or your protest is subject to  
19 dismissal and that does happen. And this is  
20 a very important form because it focuses the  
21 parties and the Board on the matters that are  
22 really at issue and that is what is addressed

1 at the hearing.

2 So if you don't have any  
3 questions, thank you. Yes?

4 MR. COLONNA: I do have a  
5 question.

6 CHAIRPERSON MILLER: All right.

7 MR. COLONNA: I'm sorry. For  
8 that, for the PIF form --

9 CHAIRPERSON MILLER: Um-hum.

10 MR. COLONNA: -- do you need one  
11 for each member of the group or one for the  
12 group?

13 CHAIRPERSON MILLER: One for each  
14 party. And you will on that form be  
15 identifying your witnesses and your  
16 contentions.

17 MR. COLONNA: I'm sorry. So the  
18 group, the protest group counts as a party as  
19 a whole or --

20 CHAIRPERSON MILLER: Yes, it's a  
21 party, um-hum. You are standing as a party.

22 MR. JAMES: Madam Chair, just to--

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CHAIRPERSON MILLER: Um-hum.

MR. JAMES: -- give you a true status on where we are, we have had our mediation where we made a bit of progress and we met privately where we made other progress. And a draft is forthcoming from the applicants and we are very hopeful that this will result in a new agreement.

CHAIRPERSON MILLER: Good. That's great. That's great to hear. Okay. Thank you very much.

MR. COLONNA: Thank you.

(Whereupon, the Protest (Status) Hearing in the above-entitled matter was concluded at 9:46 a.m.)

<b>A</b>	<b>D</b>	<b>I</b>	<b>N</b>	
above-entitled 7:14 addressed 5:22 agreement 7:8 ALBERTI 1:19 Alcoholic 1:2,13,14 ANC-1C 1:8 2:6,18 Anderson 5:13 applicants 7:6 application 1:10 5:18 Association 2:15 Augustini 3:10 a.m 2:2 7:15	days 5:16 Denis 2:13 dismissal 5:19 DISTRICT 1:1 document 5:14 DONALD 1:20 draft 7:6 D.C 1:15	identify 4:7,16 identifying 6:15 important 5:14,20 Information 5:10 issue 3:17 5:22 issues 5:5	name 2:9 names 2:21 Napoleon 1:6 2:4 2:11 need 3:5,12,21 6:10 new 7:8 NICK 1:19 November 5:6 NW 1:7 N.W 1:15 2:5 4:20	2:14,17,20 3:1,2 residents 2:20 result 7:7 Retailer 1:8 right 3:20 6:6 Riley 3:4 Road 1:7 2:5,21 4:19 5:1 Robert 3:8 Room 1:14 Ruthanne 1:15,19
<b>B</b>	<b>E</b>	<b>J</b>	<b>O</b>	<b>S</b>
believe 3:3 Beverage 1:2,13,14 bit 7:4 Board 1:2,14 5:15 5:21 Brian 2:9,17 BROOKS 1:20 Building 1:14	earlier 5:9 eight 4:13 Ellsworth 3:4	James 2:13,13 4:12 6:22 7:2 JONES 1:21 Juanita 3:11	Oh 4:3 Okay 2:12,16 3:9 3:15,16,19 4:6,21 5:2,5 7:10 O'Brien 2:10	scheduled 5:6 September 1:12 set 3:21 seven 4:13 5:16 SILVERSTEIN 1:22 3:5,12 4:8 Simmons 4:22,22 5:3 Sir 4:21 six 3:3 Sonam 2:19 sorry 2:13 3:16 6:7 6:17 standing 3:19 6:21 state 5:7 stated 5:8 status 1:8 7:3,13 Statz 3:11 Street 1:15 subject 5:18 submitted 5:15 Suite 1:15 sure 4:13,18
<b>C</b>	<b>F</b>	<b>K</b>	<b>P</b>	
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<b>G</b>	<b>H</b>	<b>L</b>	<b>Q</b>	<b>T</b>
give 7:2 Good 2:7,8 7:9 great 7:10,10 Gretchen 3:4 group 1:6 2:10,20 3:18 4:4,9,10,12 4:15 6:11,12,18 6:18 guess 3:17	Hal 4:22 happen 5:19 Hart 2:17,17 hear 7:10 hearing 1:7,14 3:22 4:17 5:16 6:1 7:14 Henderson 2:19,19 3:2,8,10,14 4:1,5 HERMAN 1:21 Hirsch 3:8 hopeful 7:7	Laura 3:4 License 1:8 2:5 LLC 1:6 located 2:4	question 6:5 questions 6:3	tell 3:21 tenant 4:19 Tessa 5:12 thank 3:14,16 5:4 6:3 7:10,12 true 7:2 two 4:1,3 t/a 1:6
<b>M</b>		<b>M</b>	<b>R</b>	<b>U</b>
		Madam 6:22 mail 5:10 Mallios 2:9 Matt 3:11 matter 1:5 7:14 matters 5:21 mediation 7:4 MEETING 1:3 member 1:19,20,21 1:22 3:5,12 4:8 6:11 message 5:8 met 1:14 7:5 Michael 4:18 MIKE 1:22 Miller 1:15,19 2:3 2:12,16,22 3:7,9 3:15 4:3,6,10,15 4:21 5:2,4 6:6,9 6:13,20 7:1,9 Molloy 2:8,9 morning 2:7,8	read 2:21 3:6 really 5:22 receive 5:10,12,17 Reeves 1:14 Renewal 1:10 representing 2:10	

**um-hum** 6:9,21 7:1

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**W**

**want** 5:7

**Washington** 1:15

**witnesses** 6:15

**Woodley** 5:3

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**P**

**p** 1:4,10

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**#**

**#13-PRO-00097**

1:9

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**1:30** 5:6

**11** 1:12 4:11

**13-PRO-00097** 2:4

**14th** 1:14

**1841** 4:19

**1847** 1:7 2:5

**1851** 4:22

**1852** 2:20

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**2**

**2000** 1:14

**20009** 1:15

**2013** 1:12

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**4**

**400S** 1:15

**442-6942** 5:13

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**6**

**6th** 5:6

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**7**

**75836** 1:8 2:5

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**9:43** 2:2

**9:46** 7:15