

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

J. Paul's DC, LLC	
t/a J. Paul's	Protest
3218 M Street, NW	Hearings
Retailer CR - ANC-2E	(Status)
License No. 72358	
Case #14-PRO-00056	
(Substantial Change -	
Entertainment Endorsement)	
(and combined for efficiency)	
MYIA, LLC t/a To Be Determined	
1419 Wisconsin Ave., NW	
Retailer CR - ANC-2E	
License No. 96102	
Case #14-PRO-00066	
(Transfer to a New License)	

October 22, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

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

(9:54 a.m.)

CHAIRPERSON MILLER: The next case is Case No. 14-PRO-00056, J. Paul's located at 3218 M Street, N.W., License No. 72358, in ANC-2E.

MR. KLINE: Good morning, Andrew Kline on behalf of the licensee.

CHAIRPERSON MILLER: Good morning.

MS. CRUSE: Good morning, I'm Karen Tammany Cruse and I'm representing the Citizens Association of Georgetown and I gave you authorization.

MEMBER SILVERSTEIN: Is your microphone on?

MS. CRUSE: No.

MEMBER SILVERSTEIN: The bar in front right there.

MS. CRUSE: Okay. Now it is, I'm sorry. And I am also authorized to represent the ANC-2E and the individual protestants. And I understand that Ms. Jenkins was to alert

1 you to that fact.

2 CHAIRPERSON MILLER: Okay.

3 MR. KLINE: We don't have any
4 objection to that.

5 CHAIRPERSON MILLER: No objections
6 to that. And you two are also counsel on the
7 next case, is that right or wrong, Case No.
8 14-PRO-00066?

9 MR. KLINE: I'm counsel on that
10 case as well.

11 CHAIRPERSON MILLER: Okay. Oh,
12 I'm sorry, and you are representing?

13 MS. CRUSE: And I'll be
14 representing as well.

15 CHAIRPERSON MILLER: Okay. All
16 right. So we can deal with those, both of
17 them, and the other one is located at 1419
18 Wisconsin Avenue, N.W., License No. 96102, in
19 ANC-2E.

20 And I just say that for efficiency
21 purposes and we get to the point of giving you
22 instructions for preparation if you go to

1 hearing.

2 MR. KLINE: Okay.

3 CHAIRPERSON MILLER: Do you have
4 anything you wanted to report to the Board or
5 any preliminary issues?

6 MR. KLINE: No. We are -- the
7 issues seem to be pretty straightforward.
8 Frankly, my principal has been out of the
9 country, which has brought some difficulty in
10 terms of getting together, but --

11 CHAIRPERSON MILLER: Okay.

12 MR. KLINE: -- we expect that we
13 will work through the few issues that we have
14 in this case.

15 CHAIRPERSON MILLER: Okay.

16 MS. CRUSE: I could add that's the
17 position we are taking too.

18 CHAIRPERSON MILLER: All right.
19 Then the first case, J. Paul's, is scheduled
20 for a Protest Hearing December 3, 2014 at 4:30
21 p.m.

22 And the second case, To Be

1 Determined at 1419 Wisconsin Avenue, N.W., is
2 scheduled for a Protest Hearing November 19,
3 2014 at 4:30 p.m.

4 And I just want to make sure that
5 you are aware that you need to file a Protest
6 Information Form, also known as a PIF, and an
7 Exhibit Form seven days before the date of the
8 hearing. And this is very important. If the
9 PIF isn't filed and also served on the
10 opposing parties, your application or your
11 protest could be dismissed.

12 And you know that in that PIF you
13 identify your witnesses and your issues and
14 witnesses need to be identified by name, not
15 just by category like neighbors or whatever.
16 And Exhibit Form should be attached to an
17 exhibit. I mean, your exhibits should be
18 attached to an Exhibit Form and copies of
19 exhibits also served on opposing party and the
20 Board.

21 Okay. If an exhibit or witness is
22 not identified, it could be excluded at the

1 hearing. It would just depend on the
2 prejudice to the opposing party and the reason
3 that it wasn't submitted in time.

4 But we do this because it makes
5 for a much more efficient hearing when
6 everybody is on notice to the issues.

7 Okay. Any questions?

8 MR. KLINE: I have none. Thank
9 you.

10 MS. CRUSE: No.

11 CHAIRPERSON MILLER: All right.
12 Okay. If you have any questions between now
13 and then, you can contact Ms. Jenkins.

14 MS. CRUSE: Thank you.

15 CHAIRPERSON MILLER: All right.

16 MR. KLINE: Thank you.

17 CHAIRPERSON MILLER: Thank you.

18 (Whereupon, the Protest (Status)
19 Hearing in the above-entitled matters were
20 concluded at 9:58 a.m.)

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<p style="text-align: center;">A</p> <p>a.m 2:2 6:20 above-entitled 6:19 add 4:16 ALBERTI 1:20 Alcoholic 1:2,15,15 alert 2:22 ANC-2E 1:7,11 2:6 2:21 3:19 Andrew 2:7 application 5:10 Association 2:12 attached 5:16,18 authorization 2:13 authorized 2:20 Ave 1:10 Avenue 3:18 5:1 aware 5:5</p> <hr/> <p style="text-align: center;">B</p> <p>bar 2:17 behalf 2:8 Beverage 1:2,15,15 Board 1:2,15 4:4 5:20 BROOKS 1:20 brought 4:9 Building 1:16</p> <hr/> <p style="text-align: center;">C</p> <p>case 1:8,12 2:3,4 3:7,7,10 4:14,19 4:22 category 5:15 Chairperson 1:17 1:19 2:3,9 3:2,5 3:11,15 4:3,11,15 4:18 6:11,15,17 Change 1:8 Citizens 2:12 COLUMBIA 1:1 combined 1:9 concluded 6:20 contact 6:13 Control 1:2,15,15 copies 5:18 counsel 3:6,9</p>	<p>country 4:9 CR 1:7,11 Cruse 2:10,11,16 2:19 3:13 4:16 6:10,14</p> <hr/> <p style="text-align: center;">D</p> <p>D.C 1:16 date 5:7 days 5:7 DC 1:5 deal 3:16 December 4:20 depend 6:1 Determined 1:10 5:1 difficulty 4:9 dismissed 5:11 DISTRICT 1:1 DONALD 1:20</p> <hr/> <p style="text-align: center;">E</p> <p>efficiency 1:9 3:20 efficient 6:5 Endorsement 1:9 Entertainment 1:9 everybody 6:6 excluded 5:22 exhibit 5:7,16,17 5:18,21 exhibits 5:17,19 expect 4:12</p> <hr/> <p style="text-align: center;">F</p> <p>fact 3:1 file 5:5 filed 5:9 first 4:19 Form 5:6,7,16,18 Frankly 4:8 front 2:18</p> <hr/> <p style="text-align: center;">G</p> <p>Georgetown 2:12 getting 4:10 giving 3:21 go 3:22 Good 2:7,9,10</p>	<p style="text-align: center;">H</p> <p>hearing 1:16 4:1,20 5:2,8 6:1,5,19 Hearings 1:6 HECTOR 1:21</p> <hr/> <p style="text-align: center;">I</p> <p>identified 5:14,22 identify 5:13 important 5:8 individual 2:21 Information 5:6 instructions 3:22 issues 4:5,7,13 5:13 6:6</p> <hr/> <p style="text-align: center;">J</p> <p>J 1:5,6 2:4 4:19 JAMES 1:22 Jenkins 2:22 6:13</p> <hr/> <p style="text-align: center;">K</p> <p>Karen 2:11 Kline 2:7,8 3:3,9 4:2,6,12 6:8,16 know 5:12 known 5:6</p> <hr/> <p style="text-align: center;">L</p> <p>License 1:7,11,12 2:5 3:18 licensee 2:8 LLC 1:5,10 located 2:4 3:17</p> <hr/> <p style="text-align: center;">M</p> <p>M 1:6 2:5 MATTER 1:4 matters 6:19 mean 5:17 MEETING 1:3 Member 1:20,20,21 1:21,22 2:14,17 met 1:15 microphone 2:15 MIKE 1:21 Miller 1:17,19 2:3 2:9 3:2,5,11,15</p>	<p>4:3,11,15,18 6:11 6:15,17 morning 2:7,9,10 MYIA 1:10</p> <hr/> <p style="text-align: center;">N</p> <p>N.W 1:16 2:5 3:18 5:1 name 5:14 need 5:5,14 neighbors 5:15 New 1:12 NICK 1:20 notice 6:6 November 5:2 NW 1:6,10</p> <hr/> <p style="text-align: center;">O</p> <p>objection 3:4 objections 3:5 October 1:14 Oh 3:11 Okay 2:19 3:2,11 3:15 4:2,11,15 5:21 6:7,12 opposing 5:10,19 6:2</p> <hr/> <p style="text-align: center;">P</p> <p>P-R-O-C-E-E-D-... 2:1 p.m 4:21 5:3 parties 5:10 party 5:19 6:2 Paul's 1:5,6 2:4 4:19 PIF 5:6,9,12 point 3:21 position 4:17 prejudice 6:2 preliminary 4:5 preparation 3:22 PRESENT 1:18 presiding 1:17 prejudice 6:2 preliminary 4:5 preparation 3:22 PRESENT 1:18 presiding 1:17 pretty 4:7 principal 4:8 protest 1:6 4:20 5:2</p>	<p>5:5,11 6:18 protestants 2:21 purposes 3:21</p> <hr/> <p style="text-align: center;">Q</p> <p>questions 6:7,12</p> <hr/> <p style="text-align: center;">R</p> <p>reason 6:2 Reeves 1:16 report 4:4 represent 2:20 representing 2:11 3:12,14 Retailer 1:7,11 right 2:18 3:7,16 4:18 6:11,15 RODRIGUEZ 1:21 Room 1:16 Ruthanne 1:17,19</p> <hr/> <p style="text-align: center;">S</p> <p>scheduled 4:19 5:2 second 4:22 served 5:9,19 seven 5:7 SHORT 1:22 SILVERSTEIN 1:21 2:14,17 sorry 2:20 3:12 Status 1:7 6:18 straightforward 4:7 Street 1:6,16 2:5 submitted 6:3 Substantial 1:8 Suite 1:16 sure 5:4</p> <hr/> <p style="text-align: center;">T</p> <p>t/a 1:6,10 Tammany 2:11 terms 4:10 Thank 6:8,14,16,17 time 6:3 Transfer 1:12 two 3:6</p>
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