

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

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IN THE MATTER OF: :
: :
Notta Tav Urne, LLC :
t/a Pi Restaurant : Protest
2309 18th Street, NW : Hearing
Retailer CR - ANC-1C : (Status)
License No. 76754 :
Case #13-PRO-00124 :
: :
(Termination of Settlement :
Agreement) :
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November 13, 2013

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

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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-00124, Pi Restaurant located at 2309 18th Street, N.W., License No. 76754, in ANC-1C.

MR. BIANCO: Good morning, Members of the Board. Richard Bianco on behalf of the applicant, Pi Restaurant, Notta Tav Urne, LLC, t/a Pi Restaurant.

CHAIRPERSON MILLER: Okay. And is anyone coming from Pi Restaurant?

MR. BIANCO: I do expect a corporate representative from Pi Restaurant. I can't explain to you why he is not here yet, but he is expected.

CHAIRPERSON MILLER: You do expect him?

MR. BIANCO: I do.

CHAIRPERSON MILLER: Okay. Let me see whether you want to pass and come back? How are the parties time-wise?

1 MR. BIANCO: I'm happy to proceed.

2 CHAIRPERSON MILLER: You're happy
3 to proceed without.

4 MR. BIANCO: In his absence. I
5 mean --

6 CHAIRPERSON MILLER: Okay.

7 MR. BIANCO: -- I'm authorized on
8 behalf of the association to take -- of the
9 corporation to take action, so I'm happy to
10 proceed.

11 CHAIRPERSON MILLER: All right.
12 Okay. Mr. James?

13 MR. JAMES: Denis James
14 representing the Kalorama Citizens
15 Association.

16 MS. AUBRUN: Benedicte Aubrun
17 representing the Reed-Cooke Neighborhood
18 Association.

19 CHAIRPERSON MILLER: Okay. All
20 right. This is a Status Conference. The
21 Board is aware that there is a motion pending
22 by Mr. Bianco to dismiss KCA from the protest.

1 And it's scheduled for our deliberation this
2 afternoon on our agenda, but the Board is
3 happy to address it now while you are all
4 here.

5 So we have read the papers. We
6 don't think there is any need for argument on
7 this matter. It is pretty straightforward.
8 I am going to move that we deny the Motion to
9 Dismiss, that I think Mr. James was correct in
10 his response that unlike some of the
11 provisions in the regulations, such as failure
12 to appear at a Status Hearing or a Roll Call
13 where you can -- a party can be dismissed for
14 that reason, that's not the case with respect
15 to mediations.

16 So that's my motion. Is there a
17 second?

18 MEMBER BROOKS: Second.

19 CHAIRPERSON MILLER: Any other
20 comments by Board Members? Okay.

21 All those in favor then of denying
22 the Motion to Dismiss say aye.

1 ALL: Aye.

2 CHAIRPERSON MILLER: All those
3 opposed? All those abstaining? The motion
4 passes 4-0-0.

5 Okay. So that takes us now to the
6 issue of mediation. You are here and Ms.
7 Fletcher is here. If you all want to take
8 advantage of that, seeing her after this
9 hearing, you can do so to make arrangements.

10 And your Protest Hearing is
11 scheduled for January 22, 2014 at 1:30 p.m.
12 I just want to highlight about the importance
13 of filing this PIF.

14 You should have gotten something
15 in the mail about that. The better the PIFs
16 are, the better, I think, these hearings will
17 go. The more specific you can be with
18 identifying your witnesses, exactly who are
19 they, what they are going to testify to, I
20 think the more efficient will be the hearing.

21 So I would suggest that you do
22 that. It doesn't necessarily say that in your

1 instructions, but I just want to encourage you
2 strongly to do that, because the point of the
3 form is to narrow the issues, so that when we
4 get here, we can focus really on what is
5 important and move forward with the hearing.

6 And you have to file this PIF
7 seven days before the date of the hearing and
8 serve it on opposing parties in the same time
9 frame.

10 Okay. And if you have any
11 questions about that, you can call Ms. Tesha
12 Anderson, 442-6942. And you can always check
13 in with our general counsel, also, if you have
14 questions about the hearing.

15 And if you have any questions now
16 you want to raise at the status, you can,
17 otherwise, that completes the status.

18 MR. BIANCO: Thank you.

19 CHAIRPERSON MILLER: All right.

20 Thank you.

21 MR. BIANCO: Thank you, Madam
22 Chair, Members of the Board. Have a good day.

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CHAIRPERSON MILLER: You too.

(Whereupon, the Protest (Status)

Hearing in the above-entitled matter was
concluded at 9:47 a.m.)

<p>A</p> <p>a.m 2:2 7:4 above-entitled 7:3 absence 3:4 abstaining 5:3 action 3:9 address 4:3 advantage 5:8 afternoon 4:2 agenda 4:2 Agreement 1:10 ALBERTI 1:19 Alcoholic 1:2,13,14 ANC-1C 1:8 2:6 Anderson 6:12 appear 4:12 applicant 2:9 argument 4:6 arrangements 5:9 association 3:8,15 3:18 Aubrun 3:16,16 authorized 3:7 aware 3:21 aye 4:22 5:1</p>	<p>5:2 6:19 7:1 check 6:12 Citizens 3:14 COLUMBIA 1:1 come 2:21 coming 2:12 comments 4:20 completes 6:17 concluded 7:4 Conference 3:20 Control 1:2,13,14 corporate 2:14 corporation 3:9 correct 4:9 counsel 6:13 CR 1:8</p>	<p>frame 6:9</p> <p>G</p> <p>general 6:13 go 5:17 going 4:8 5:19 good 2:7 6:22 gotten 5:14</p> <p>H</p> <p>happy 3:1,2,9 4:3 hearing 1:7,14 4:12 5:9,10,20 6:5,7,14 7:3 hearings 5:16 highlight 5:12</p>	<p>4:18 Members 2:7 4:20 6:22 met 1:14 MIKE 1:22 Miller 1:15,19 2:3 2:11,17,20 3:2,6 3:11,19 4:19 5:2 6:19 7:1 morning 2:7 motion 3:21 4:8,16 4:22 5:3 move 4:8 6:5</p>	<p>presiding 1:16 pretty 4:7 proceed 3:1,3,10 protest 1:6 3:22 5:10 7:2 provisions 4:11</p> <p>Q</p> <p>questions 6:11,14 6:15</p>
<p>B</p> <p>back 2:21 behalf 2:8 3:8 Benedicte 3:16 better 5:15,16 Beverage 1:2,13,14 Bianco 2:7,8,13,19 3:1,4,7,22 6:18,21 Board 1:2,14 2:8 3:21 4:2,20 6:22 BROOKS 1:21 4:18 Building 1:14</p>	<p>D</p> <p>D.C 1:15 date 6:7 day 6:22 days 6:7 deliberation 4:1 Denis 3:13 deny 4:8 denying 4:21 dismiss 3:22 4:9,22 dismissed 4:13 DISTRICT 1:1 DONALD 1:21</p>	<p>I</p> <p>identifying 5:18 importance 5:12 important 6:5 instructions 6:1 issue 5:6 issues 6:3</p> <p>J</p> <p>James 3:12,13,13 4:9 January 5:11</p>	<p>N</p> <p>N.W 1:15 2:5 narrow 6:3 necessarily 5:22 need 4:6 Neighborhood 3:17 NICK 1:19 Notta 1:6 2:9 November 1:12 NW 1:7</p>	<p>R</p> <p>raise 6:16 read 4:5 really 6:4 reason 4:14 Reed-Cooke 3:17 Reeves 1:14 regulations 4:11 representative 2:14 representing 3:14 3:17 respect 4:14 response 4:10 Restaurant 1:6 2:4 2:9,10,12,14 Retailer 1:8 Richard 2:8 right 3:11,20 6:19 Roll 4:12 Room 1:14 Ruthanne 1:15,19</p>
<p>C</p> <p>call 4:12 6:11 case 1:9 2:3,4 4:14 Chair 6:22 Chairperson 1:15 1:19 2:3,11,17,20 3:2,6,11,19 4:19</p>	<p>E</p> <p>efficient 5:20 encourage 6:1 exactly 5:18 expect 2:13,17 expected 2:16 explain 2:15</p> <p>F</p> <p>failure 4:11 favor 4:21 file 6:6 filing 5:13 Fletcher 5:7 focus 6:4 form 6:3 forward 6:5</p>	<p>K</p> <p>Kalorama 3:14 KCA 3:22</p> <p>L</p> <p>License 1:8 2:5 LLC 1:6 2:9 located 2:5</p> <p>M</p> <p>Madam 6:21 mail 5:15 matter 1:5 4:7 7:3 mean 3:5 mediation 5:6 mediations 4:15 MEETING 1:3 Member 1:19,21,22</p>	<p>O</p> <p>Okay 2:11,20 3:6 3:12,19 4:20 5:5 6:10 opposed 5:3 opposing 6:8</p> <p>P</p> <p>P-R-O-C-E-E-D-... 2:1 p.m 5:11 papers 4:5 parties 2:22 6:8 party 4:13 pass 2:21 passes 5:4 pending 3:21 Pi 1:6 2:4,9,10,12 2:14 PIF 5:13 6:6 PIFs 5:15 point 6:2 PRESENT 1:18</p>	<p>S</p> <p>scheduled 4:1 5:11 second 4:17,18 see 2:21 seeing 5:8 serve 6:8 Settlement 1:10 seven 6:7 SILVERSTEIN 1:22 specific 5:17 status 1:8 3:20 4:12 6:16,17 7:2 straightforward 4:7</p>

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testify 5:19	<hr/>			
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think 4:6,9 5:16,20	6			
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