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

- - - - -X

IN THE MATTER OF: :
DC Live, llc, t/a XO : #15-PRO-000108
15 K Street Northeast :
Retailer CTU Application :
License #ABRA 100316. :
November 30, 2015 :

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Monday, November 30, 2015

Whereupon, the above-referenced matter
came on for hearing at the Alcoholic Beverage
Regulation Administration, Reeves Center, 2000
14th Street, N.W., Suite 400S, Washington, D.C.
20009.

1 CHAIRPERSON:

2 LAVERNE FLETCHER, Presiding

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5 ALSO PRESENT:

6 STEPHEN WHELAN, Esq, Veritas Law Firm, On
7 behalf of DC Live, llc, trading as XO.

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9 DREW COURTNEY, Esq, on behalf of ANC 6C

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11 ERMIYAS ASFAW

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

2 CHAIRPERSON FLETCHER: Would the parties
3 in the matter of XO please come forward? This is
4 Case #15-PRO-00108 DC Live, LLC, trading as XO,
5 15 K Street Northeast, License 100316. This is a
6 Retailer CTU application. The protest issues are
7 adverse impact on peace, order and quiet. My
8 name is Laverne Fletcher. I am conducting the
9 Roll Call Hearing as the Board's Agent pursuant
10 to DC Official Code 1601. Introductions
11 beginning with the applicant, please.

12 MR. WHELAN: Good morning. Stephen
13 Whelan of The Veritas Law Firm on behalf of DC
14 Live, LLC, trading as XO.

15 CHAIRPERSON FLETCHER: And Mr. Whelan
16 would you spell your name for the record?

17 MR. WHELAN: Sure. S-T-E-P-H-E-N, W-H-E-
18 L-A-N.

19 CHAIRPERSON FLETCHER: W-H-A?

20 MR. WHELAN: E-L-A-N.

21 CHAIRPERSON FLETCHER: And could you
22 spell the name of the law firm?

1 MR. WHELAN: V-E-R-I-T-A-S.

2 CHAIRPERSON FLETCHER: Thank you. And
3 present on behalf of ANC 6C?

4 MR. WHELAN: I also have someone else
5 with me on behalf of the applicant.

6 CHAIRPERSON FLETCHER: I'm sorry, I
7 didn't realize that. And your name sir?

8 SPEAKER: My name is Ermiyas Asfaw, E-R-
9 M-I-Y-A-S-, A-S-F-A-W.

10 CHAIRPERSON FLETCHER: Can you spell the
11 last name again?

12 MR. ASFAW: A-S-F-A-W.

13 CHAIRPERSON FLETCHER: You're the
14 applicant?

15 MR. ASFAW: Ah, yes.

16 CHAIRPERSON FLETCHER: And the first name
17 is E-R-M --

18 MR. ASFAW: I-Y-A-S.

19 CHAIRPERSON FLETCHER: Thank you. And
20 present on behalf of ANC 6C?

21 SPEAKER: Yes, my name is Drew Courtney.
22 I'm the Chairman of ANC 6C's Alcoholic Beverage

1 Licensing Committee and the designated
2 representative in this case. First name, Drew,
3 D-R-E-W, last name C-O-U-R-T-N-E-Y.

4 CHAIRPERSON FLETCHER: Thank you Mr.
5 Courtney. ANC 6C does give standing as a
6 protestant. We need to set a date for mediation
7 and status hearing and a protest hearing. I'll
8 give you the dates for the status and protest
9 hearing first: The date for the status hearing
10 is January 6, 2016, at 9:30 a.m., January 6, at
11 9:30. The date for the protest hearing is
12 January 27, at 1:30 p.m. January 27 at 1:30. We
13 need to set a date for mediation. Mr. Whelan
14 from the previous case you preferred January?

15 MR. WHELAN: That's correct.

16 CHAIRPERSON FLETCHER: Okay, so I'm going
17 to start with January, well the status hearing is
18 on January 6th, so the mediation will follow it.
19 You'll still need to appear for the status
20 hearing to report to the Board that mediation is
21 coming. Would you like to move to the following
22 week?

1 MR. WHELAN: If you still have the 5th
2 available that's fine, otherwise we can move to
3 the following week.

4 CHAIRPERSON FLETCHER: The 5th is
5 available. Is that good for you, Mr. Courtney?

6 MR. COURTNEY: Yeah, I think we can
7 probably do that.

8 CHAIRPERSON FLETCHER: On a Tuesday at
9 9:00, 10:00 or 11:00? On the 5th, either time is
10 good.

11 MR. COURTNEY: 9:00 would probably be
12 best.

13 CHAIRPERSON FLETCHER: 9:00 is good? Is
14 that good for you, Mr. Whelan?

15 MR. WHELAN: That's fine. Okay, so
16 mediation is set for Tuesday, January 5, at 9:00
17 a.m. Mr. Courtney, did you put your contact
18 information on this sheet?

19 MR. COURTNEY: I did.

20 CHAIRPERSON FLETCHER: You did?

21 MR. COURTNEY: Can I also put -- there
22 are two designated representatives. May I also

1 put him on as well?

2 CHAIRPERSON FLETCHER: Yes, thank you.

3 What's that person's name?

4 MR. COURTNEY: That's Tony Goodman.

5 CHAIRPERSON FLETCHER: Tony Goodman?

6 MR. COURTNEY: He's the commissioner
7 representing that single member district.

8 CHAIRPERSON FLETCHER: Okay. Tony
9 Goodman. And how do you spell Tony?

10 MR. COURTNEY: T-O-N-Y, last name,
11 Goodman, G-O-O-D-M-A-N.

12 CHAIRPERSON FLETCHER: Okay, thank you.
13 I'll add him as a designated representative.

14 MR. COURTNEY: Thank you.

15 CHAIRPERSON FLETCHER: Okay, roll call
16 hearing concluded.

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