

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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IN THE MATTER OF: :

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Case #13-PRO-00147 :

Jefferson Grill, Inc. :

t/a Macombo Lounge :

5335 Georgia Avenue NW

License ABRA-00071 :

Retailer CN :

License Renewal :

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December 2, 2013

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The Alcoholic Beverage Control Board met in Alcoholic Beverage Control

Hearing Room, Reeves Building, 2000 14th Street N.W., Washington, D.C., Ms. La Verne Fletcher, Agent, presiding.

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

10:15 a.m.

AGENT FLETCHER: Is the Protestant present in Joint Chiefs? Is anyone present on behalf of ANC 1A for Joint Chiefs?

I'm going to go onto the next case. Are the parties present in the matter of Macombo Lounge? Is ANC 4D present, as well? Representation from ANC?

MR. CLAYTON: Yes.

AGENT FLETCHER: Okay, thank you. Thank you. My name is LaVerne Fletcher. I'll be conducting the Roll Call Hearing as the Board's Agent, pursuant to D.C. Official Code 1601.2.

This is Case No. 13-PRO-00147, Jefferson Grill, Inc, trading as Macombo Lounge, 5335 Georgia Avenue Northwest.

This is License No. ABRA-000771. This is a Retailer CN License Renewal.

The protest issues are adverse impact on peace, order and quiet, residential

1 parking and vehicular and pedestrian safety.

2 Introductions, beginning with the
3 Applicant, please.

4 MR. CLAYTON: Yes, good morning.
5 Robert Clayton, General Counsel and Vice
6 President of Jefferson Grill, Incorporated,
7 trading as Macombo Lounge.

8 AGENT FLETCHER: Mr. Clayton, is
9 that C-L-A-Y-T-O-N?

10 MR. CLAYTON: That's correct.

11 AGENT FLETCHER: Thank you, and
12 Mr. Clayton, would you put your contact number
13 on that sheet?

14 MR. CLAYTON: Yes.

15 AGENT FLETCHER: Thank you very
16 much. Present on behalf of ANC 4D?

17 MR. AKINS: Lamont Akins, ANC 4D.

18 AGENT FLETCHER: Mr. Akins, would
19 you spell your name for the Court Reporter,
20 please?

21 MR. AKINS: Last name is A-K-I-N-
22 S.

1 AGENT FLETCHER: Thank you, and
2 your name, ma'am?

3 MS. ROTH: My name is Nancy, R-O-
4 T-H, Roth.

5 AGENT FLETCHER: Thank you, and
6 your name, sir?

7 MR. JOHNSON: Kenneth Johnson.

8 AGENT FLETCHER: Are each of you
9 with ANC 4D?

10 MR. CLAYTON: They're in the ANC.
11 They're neighbors of Macombo Lounge.

12 AGENT FLETCHER: Okay.

13 MS. ROTH: We're on the block.

14 AGENT FLETCHER: Okay, you're not
15 Protestants, but you're present in support of
16 protest filed by ANC 4D?

17 MS. ROTH: We're also protestors.

18 AGENT FLETCHER: You're not
19 Protestants on this? I'm going to establish
20 who the Protestants are today.

21 ANC 4D filed the protest.

22 MS. ROTH: So did I. I put in

1 letters and I put in a petition with several
2 neighbors, and I have proxy letters.

3 AGENT FLETCHER: Thank you very
4 much. Thank you for that. That information
5 wasn't transferred to me, so, I'm going to
6 check --

7 MS. ROTH: Doesn't surprise me.

8 AGENT FLETCHER: -- the record.
9 Okay, Ms. Roth?

10 MS. ROTH: Yes.

11 AGENT FLETCHER: I see --

12 MS. ROTH: Okay.

13 AGENT FLETCHER: -- that you did
14 file a protest. I see the letter.

15 MS. ROTH: Thank you.

16 AGENT FLETCHER: Ms. Roth, I count
17 15 in your group.

18 MS. ROTH: Yes.

19 AGENT FLETCHER: And Mr. Johnson,
20 did you sign the protest letter, as well?

21 MR. JOHNSON: Yes, I believe so.

22 AGENT FLETCHER: I'll check. You

1 did. Is that Kenneth Johnson?

2 MR. JOHNSON: That's correct.

3 AGENT FLETCHER: Okay, Ms. Roth,
4 is there anyone else present from your group
5 today?

6 MS. ROTH: My daughter.

7 AGENT FLETCHER: Okay, anyone else
8 that signed the protest letter, if you would
9 just step forward behind Ms. Roth and read --
10 state your name and spell it for the Court
11 Reporter.

12 MS. MAZER: My name is Miriam
13 Mazer, M-I-R-I-A-M, M-A-Z-E-R.

14 AGENT FLETCHER: Thank you, Ms.
15 Mazer, and did you sign the protest letter?

16 MS. MAZER: Yes, I did.

17 AGENT FLETCHER: Thank you very
18 much. Anyone else? Thank you. That's good,
19 thanks.

20 MS. ROTH: I have letters of proxy
21 from several neighbors.

22 AGENT FLETCHER: Okay.

1 MS. ROTH: Not all who signed, and
2 one who didn't sign --

3 AGENT FLETCHER: Okay.

4 MS. ROTH: -- but who was very
5 integrally involved, because he's been the
6 victim of a great deal --

7 AGENT FLETCHER: Yes.

8 MS. ROTH: -- of the crime
9 emanating down our street from this
10 establishment.

11 AGENT FLETCHER: Okay, I'll take
12 those, Ms. Roth.

13 (OTR comments)

14 AGENT FLETCHER: Okay, let's see.
15 I have a letter from the following
16 individuals, designating Nancy Roth as their
17 representative:

18 Stephanie Cronen, Ms. Cronen's
19 last name is spelled C-R-O-N-E-N. Jason
20 Allen, A-L-L-E-N, first name J-A-S-O-N.

21 Devon Wilson, that's D-E-V-O-N,
22 Wilson, W-I-L-S-O-N.

1 Let's see. Ms. Roth, I see --
2 okay, I can't read his signature, but this is
3 his address, and so, Devon Wilson does have
4 standing as a Protestant.

5 Charles Foreman. Ms. Roth, is
6 Charles Foreman the person who is involved,
7 but didn't sign the protest letter?

8 MS. ROTH: Yes.

9 AGENT FLETCHER: Okay.

10 MS. ROTH: We couldn't reach him
11 for the protest --

12 AGENT FLETCHER: Okay.

13 MS. ROTH: -- letter, but he is --
14 he just had his car bashed in a couple of
15 weeks ago, and it's not the first time.

16 AGENT FLETCHER: I am not going to
17 recognize Mr. Foreman as a Protestant, but if
18 this matter goes forward for a protest
19 hearing, he can certainly be a witness.

20 MS. ROTH: Okay.

21 AGENT FLETCHER: Cris Fleming, C-
22 R-I-S, F-L-E-M-I-N-G.

1 MS. ROTH: Next door neighbor.

2 AGENT FLETCHER: Mr. Fleming did
3 sign the protest letter.

4 MS. ROTH: I hope you have the
5 second page. There were signatures on the
6 back.

7 AGENT FLETCHER: I have those.

8 MS. ROTH: Okay.

9 AGENT FLETCHER: So, Ms. Roth, Mr.
10 Johnson and Ms. Mazer, you're present today.

11 With the letters of designation
12 that you gave me, Ms. Roth, that represents a
13 group of seven.

14 I am going to grant standing to
15 the group of seven and of course, you can
16 represent the interest of the entire group,
17 but I'm going to represent standing to just --
18 the group of seven, because you're either here
19 or designated you as a representative.

20 Ms. Roth, I assume you're going to
21 be representing the entire group of seven
22 throughout the process?

1 MS. ROTH: Yes.

2 AGENT FLETCHER: Okay, is that
3 okay with you, Mr. Johnson and Ms. Mazer?

4 Okay, so, Ms. Roth, if you would
5 put your contact information on that sheet,
6 you'll be the person that we contact.

7 MS. ROTH: It's on there.

8 AGENT FLETCHER: Okay, thank you
9 very much. So, with respect to Macombo
10 Lounge, we have two Protestants, ANC 4D and a
11 group of seven, represented by Nancy Roth.

12 Mr. Akins, you put your contact
13 information on that sheet?

14 MR. AKINS: Yes, ma'am, I did.

15 AGENT FLETCHER: Thank you. We
16 need to set a date for mediation, a status
17 hearing and a protest hearing. I'll give you
18 a date for the status and protest hearings
19 first.

20 The date for the status hearing is
21 January 29, 2014 at 9:30 a.m..

22 MR. CLAYTON: What was that again?

1 AGENT FLETCHER: What?

2 MR. CLAYTON: What time was that
3 again?

4 AGENT FLETCHER: At 9:30 a.m..

5 MS. ROTH: And this is what?

6 MR. CLAYTON: Status hearing.

7 (OTR comments)

8 AGENT FLETCHER: The date for the
9 protest hearing is March 26th, March 26th at
10 4:30 p.m.

11 We need to set a date for
12 mediation to occur prior to January 29th.
13 I'll give you the next dates available in
14 January.

15 Thursday, January 2nd is available,
16 if you want to do it that early in January.

17 MR. CLAYTON: How about January
18 9th?

19 AGENT FLETCHER: January 9th is not
20 good. The next available date is January
21 10th. Is that good for you, Mr. Clayton? Is
22 that good for you, Ms. Roth?

1 MS. ROTH: Yes, ma'am.

2 AGENT FLETCHER: Okay, so, then
3 we'll set mediation for Friday, January 10th.
4 Do you want 10:00 or 11:00 a.m. or 1:00 p.m.?
5 Do you have a preference for time?

6 MS. ROTH: Ten o'clock would be
7 good.

8 MR. CLAYTON: Eleven o'clock?

9 MS. ROTH: Eleven?

10 AGENT FLETCHER: Is 11:00 a.m.
11 good? Okay, so, mediation is set for Friday,
12 January 10th at 11:00 a.m. Any questions?

13 The Roll Call Hearing is
14 concluded. Thank you.

15 (Whereupon, the Roll Call Hearing
16 was concluded at 10:28 a.m.)

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