Page 1

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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MONDAY, DECEMBER 09, 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.

	Page 2
1	P-R-O-C-E-E-D-I-N-G-S
2	(11:43 a.m.)
3	MS. FLETCHER: Would the parties
4	in the matter of Echostage please come
5	forward.
6	This is Case No. 13-PRO-00174,
7	Echo Events, trading as Echostage, 2135 Queens
8	Chapel Road, N.E., License No. ABRA-090250.
9	This is a Retailer CN License
10	Renewal. The protest issues in this matter
11	are peace, order and quiet, and residential
12	parking and vehicular and pedestrian safety.
13	My name is La Verne Fletcher. I
14	am conducting the Roll Call Hearing as the
15	Board's agent, pursuant to D.C. Official Code
16	1601.2.
17	Introductions, beginning with the
18	Applicant.
19	MS. WILLIFORD: Hi. Good morning,
20	Ms. Fletcher, this is Kwamina Williford from
21	Holland and Knight on behalf of the Applicant
22	Echostage, and to my left is my colleague also

	Page 3
1	from Holland and Knight, Jessica Farmer.
2	And, should I spell it for the
3	record?
4	MS. FLETCHER: Yes.
5	MS. WILLIFORD: My name, for the
6	record, is K-w-a-m-i-n-a. Last name
7	Williford, W-i-l-l-i-f-o-r-d.
8	MS. FLETCHER: Thank you. And
9	present on behalf of ANC5C.
10	MS. BUTLER: Karla Butler, K-a-r-
11	l-a. Butler, B-u-t-l-e-r.
12	MS. FLETCHER: And present on
13	behalf of the group of individuals?
14	MS. ODUNSI: Yolanda Odunsi, O-d-
15	u-n-s-i.
16	MS. THORNTON: Yolanda Thornton,
17	Y-o-l-a-n-d-a, T-h-o-n-t-o-n.
18	MS. FLETCHER: One second. Okay.
19	MS. HARO: Tamar Haro, T-a-m-a-r.
20	Last name H-a-r-o.
21	MS. BROWN: Polly Brown, P-o-l-l-
22	y, B-r-o-w-n.

	Page 4
1	MS. STEPHENSON: Mamie Stephenson,
2	M-a-m-i-e, S-t-e-p-h-e-n-s-o-n.
3	MS. FLETCHER: That is Mamie
4	Stephenson?
5	MS. STEPHENSON: Yes.
6	MS. FLETCHER: Thank you.
7	MS. WARD: Martha Ward, M-a-r-t-h-
8	a, W-a-r-d.
9	MS. FLETCHER: Thank you.
10	ANC5C has standing as a
11	protestant. For the group of individuals, I
12	am granting standing to the six individuals
13	that are present.
14	The other individuals are not
15	present and did not designate a representative
16	to appear on their behalf. And so, for the
17	purpose of Roll Call, the group of six that
18	are present today is the only group are the
19	only members of the group that have standing.
20	And, who is going to represent the
21	group?
22	MS. HARO: Again well, we

Page 5 1 wanted to make sure that you have the petition 2 signed by nearly 100 residents in opposition. MS. FLETCHER: Yes. 3 If they are 4 not here and didn't designate a 5 representative, they are not recognized as Protestants. 6 7 The individuals that are present, 8 you can represent their interests throughout 9 the process, but we look at who came today, 10 and who designated a representative. 11 I have that document that you 12 already -- could you state your name one more 13 time. 14 MS. HARO: Tamar Haro. 15 MS. FLETCHER: Okay. Ms. Haro, I 16 have the protest letter in the file. 17 protest letter does not designate a 18 representative, so, for the purpose of Roll 19 Call, we look at who showed up today and who 20 provided you with letters of designation to 21 give to us. 22 MS. HARO: Great. We would like

	Page 6
1	to designate ANC Commissioner, Karla Butler
2	MS. FLETCHER: Okay.
3	MS. HARO: for our
4	representative.
5	MS. WILLIFORD: Ms. Fletcher, can
6	you clarify that all of the individuals who
7	showed up actually signed the petition? I am
8	trying to
9	MS. FLETCHER: Yes. You each
10	signed the protest letter?
11	MS. ODUNSI: Yes.
12	MS. BROWN: Yes.
13	MS. STEPHENSON: Yes.
14	MS. WARD: Yes.
15	MS. FLETCHER: And, Ms. Williford,
16	just so that you know, we check for that, so
17	we will check for that. There are a lot of
18	names we will check.
19	MS. WILLIFORD: Okay.
20	MS. FLETCHER: If we don't see the
21	name, or if you don't see the name, you can
22	let us know.
44	TGC UB AHOW.

If we were to review the list and did not see the name of the individuals present, then that would change the dynamic.

You would be contacted and informed that you are not recognized as a Protestant.

MS. WILLIFORD: Great. Thank you for that. And, Ms. Fletcher, if I may. I, also for the record, wanted to make a comment regarding the protest filed by ANC5C.

MS. FLETCHER: yes.

MS. WILLIFORD: In particular, as you are well-aware, they are required to enter this pursuant to their bylaws, which actually requires a quorum to be present, and a majority to actually vote it within there.

On the basis of the resolution that was submitted, it does not actually refer to a quorum or the number of the majority of members who actually voted in this instance.

And so, we would object to it on that basis.

Page 9 What it does state here -- under 1 2 their bylaws a majority -- it needs to -- it doesn't state anything regarding a quorum and 3 actually, it is blank regarding the number of 4 5 members that voted. We do note that there are three 6 7 signatories that were on there which I would 8 assume would have been present, but under their bylaws, it is seven elected 9 10 commissioners, and the majority of them have 11 to be, four present, of which they need to 12 vote. 13 So, that information just isn't 14 within the resolution. 15 MS. BUTLER: Ms. Fletcher, we do 16 have a quorum and there are official minutes 17 that are taken at these meetings, and we can 18 definitely provide those minutes to you. 19 If you could --MS. FLETCHER: 20 MS. BUTLER: And also an 21 attendance and roll call. 22 MS. FLETCHER: So, Ms. Butler, if

Page 11 1 thing. 2 MS. BUTLER: For Echostage. Ιt should -- well, probably when it was scanned, 3 4 it was two pages, so --5 MS. FLETCHER: Okay. So, let me look at -- okay. So, for me it is the second 6 7 page? 8 MS. BUTLER: Yes. 9 MS. FLETCHER: So, let me just take a look at that. 10 11 It says here, "This resolution was 12 presented and approved at a properly-noticed 13 meeting of the 5C Commission on November 20 at 14 which time a majority of the members voted." 15 It doesn't say what the -- what 16 represents the majority or that they are -- or that a quorum voted. That needs to be filled 17 18 in. 19 So, we know that there was a 20 meeting. We know that it was properly 21 noticed, but we don't know what represents a 22 quorum, or how many people voted.

that any protest includes that information in

22

1 the actual protest letter.

MS. BUTLER: Okay.

MS. FLETCHER: So, the ANC is -is -- 5C is granted the standing today, Ms.
Butler, and you are going to get that
information to Ms. Williford and you can send
a copy to me. My card is on the table.

So, -- and then, of course, we have got the group of six represented by Ms. Butler.

We need to set a date for mediation.

And, Ms. Butler, just so that you know, you are going to get a notice with the mediation date, but that notice is also going to include dates for a status hearing and a protest hearing.

MS. BUTLER: All right.

MS. FLETCHER: Mediation comes

first. Then there is a status hearing before

the ABC Board where they want to hear from the

parties related to the outcome of the

1 mediation.

So, when you get your notice, you are going to have a date for a mediation, a status hearing and a protest hearing.

And at the status hearing, because you are representing the group, you can appear on behalf of the ANC and the group since at least five of them are present today.

MS. BUTLER: Okay.

MS. FLETCHER: And the next available date for mediation is -- one second. It is Friday, January the 21st at nine, ten or eleven.

MS. BUTLER: Is there any day to push -- push up the meeting before the 21st?
We would like to settle this as soon as possible.

MS. FLETCHER: Well, you can -just so that you -- no, you don't have to wait
for mediation. I am going to see if there is
something sooner.

You actually don't have to wait

Page 15 1 for mediation. You can always meet directly 2 with Ms. Williford and resolve the matter that 3 way. 4 So, I am going to see if I can 5 find something earlier, but if I can't, you can still -- you can discuss the matter with 6 7 Ms. Williford, and if you can resolve it, then 8 we wouldn't need the mediation. 9 MS. BUTLER: Okay. 10 MS. FLETCHER: Let me see if there 11 is anything before the 21st. We can do 12 Tuesday, February 4 at nine. 13 MS. BUTLER: No. I am sorry. 14 Prior to the 21st. I was trying to get 15 something sooner than the 21st. 16 MS. FLETCHER: Right. February 4. 17 MS. WILLIFORD: Oh, did you mean 18 February 21st before? I think before you said 19 January 21st. Oh, I am sorry. 20 MS. FLETCHER: I 21 should -- I meant February 21. 22 MS. BUTLER: Oh, February 21st?

	Page 16
1	MS. FLETCHER: Yes.
2	MS. BUTLER: Oh. Sorry. Okay.
3	MS. FLETCHER: Okay. I am sorry.
4	I misspoke. Did I say January?
5	MS. BUTLER: Yes.
6	MS. WILLIFORD: Yes.
7	MS. FLETCHER: Thank you for
8	correcting me. I meant to say February 21st.
9	MS. BUTLER: Okay.
10	MS. FLETCHER: So, is that okay?
11	MS. BUTLER: That is fine.
12	February 4th?
13	MS. WILLIFORD: Is it possible to
14	do Tuesday, the February 18th?
15	MS. FLETCHER: I have got numerous
16	that day is not good, Ms. Williford.
17	MS. WILLIFORD: Yes, that
18	MS. FLETCHER: You want to try to
19	do it before the 21st?
20	MS. WILLIFORD: If possible.
21	MS. FLETCHER: Tuesday, February 4
22	is still available at nine.

	Page 17
1	MS. BUTLER: Yes. The 4th is fine
2	for me.
3	MS. WILLIFORD: Okay.
4	MS. FLETCHER: So, mediation for
5	Echostage is set for Tuesday, February 4 at
6	nine.
7	MS. WILLIFORD: Thank you.
8	MS. FLETCHER: Okay. Any
9	questions?
10	(No response.)
11	MS. FLETCHER: Okay. Thank you.
12	The Roll Call Hearing is concluded.
13	MS. WILLIFORD: All right. Thank
14	you.
15	MS. BUTLER: Thank you.
16	(Whereupon, the Roll Call Hearing
17	was concluded at 11:56 p.m.)

A	bylaws 7:14 9:2,9	DISTRICT 1:1	go 8:20 12:16	K
a.m 2:2		document 5:11	going 4:20 8:11	K-a-r 3:10
ABC 13:21	<u>C</u>	10:21	10:10,13 12:4,16	K-w-a-m-i-n-a 3:6
ABRA-090250 1:12	call 1:5 2:14 4:17	dynamic 7:3	13:5,14,15 14:3	Karla 3:10 6:1
2:8	5:19 8:11 9:21		14:20 15:4	Knight 2:21 3:1
actual 13:1	12:3 17:12,16	E	good 2:19 16:16	know 6:16,22 10:3
agent 1:22 2:15	card 13:7	earlier 15:5	grant 12:16	10:22 11:19,20,21
ahead 8:20 12:16	Case 1:13 2:6	Echo 2:7	granted 12:18 13:4	13:14
Alcoholic 1:3,18,18	change 7:3	Echostage 1:10 2:4	granting 4:12	Kwamina 2:20
allow 12:4	Chapel 1:11 2:8	2:7,22 11:2 17:5	Great 5:22 7:7	
ANC 6:1 13:3 14:7	check 6:16,17,18	Ekho 1:10	group 3:13 4:11,17	\mathbf{L}
ANC5C 3:9 4:10	clarify 6:6	elected 9:9	4:18,19,21 13:9	l-a 3:11
7:10 8:4	CN 2:9	eleven 14:13	14:6,7	La 1:20 2:13
anyway 12:17	Code 2:15	email 10:1		left 2:22
apologies 8:22	colleague 2:22	enter 7:13	H	letter 5:16,17 6:10
appear 4:16 14:6	COLUMBIA 1:1	Events 1:10 2:7	H-a-r-o 3:20	8:10,15 10:14
Applicant 2:18,21	come 2:4		happened 10:16	12:1,7,13 13:1
approved 11:12	comes 13:19	F	Haro 3:19,19 4:22	letters 5:20
assume 9:8	comment 7:9	Farmer 3:1	5:14,14,15,22 6:3	License 1:12,12 2:8
attendance 9:21	Commission 11:13	February 15:12,16	hear 13:21	2:9
	Commissioner 6:1	15:18,21,22 16:8	hearing 1:5,19 2:14	list 7:1
available 14:11	commissioners	16:12,14,21 17:5	13:16,17,20 14:4	look 5:9,19 8:19
16:22	9:10	file 5:16	14:4,5 17:12,16	10:14 11:6,10
B	concluded 17:12,17	filed 7:10	held 10:3 12:8	looking 10:22
B-r-o-w-n 3:22	conducting 2:14	filled 11:17	Hi 2:19	lot 6:17
B-u-t-l-e-r 3:11	contacted 7:4	find 15:5	Holland 2:21 3:1	101 0.17
back 8:13,14,16	Control 1:3,18,18	fine 16:11 17:1		M
10:15	copy 13:7	first 13:20	I	M-a-m-i-e 4:2
basis 7:17,22	Correct 10:5	five 14:8	include 13:16	M-a-r-t-h 4:7
beginning 2:17	correcting 16:8	Fletcher 1:22 2:3	includes 12:22	majority 7:16,19
behalf 2:21 3:9,13	course 13:8	2:13,20 3:4,8,12	individuals 3:13	8:13 9:2,10 10:18
4:16 14:7	CR 1:12	3:18 4:3,6,9 5:3	4:11,12,14 5:7 6:6	11:14,16
		5:15 6:2,5,9,15,20	7:2	Mamie 4:1,3
Beverage 1:3,18,18	D	7:8,11 8:1,6,9,14	information 8:9	Martha 4:7
blank 9:4	D.C 1:20 2:15	8:18 9:15,19,22	9:13 10:1 12:5,22	matter 1:9 2:4,10
Board 1:3,18 13:21	date 13:11,15 14:3	10:6,10,13,19	13:6	15:2,6
Board's 2:15	14:11	11:5,9 12:12,15	informed 7:5	mean 8:22 15:17
Brown 3:21,21 6:12	dates 13:16	12:21 13:3,19	initial 10:17	meant 15:21 16:8
Building 1:19	day 14:14 16:16	14:10,18 15:10,16	instance 7:20	
Butler 3:10,10,11	DECEMBER 1:15	15:20 16:1,3,7,10	interests 5:8	mediation 13:12,15
6:1 8:1,3,8,12,16	definitely 9:18	16:15,18,21 17:4	Introductions 2:17	13:19 14:1,3,11
9:15,20,22 10:5,7	designate 4:15 5:4	17:8,11	issues 2:10	14:20 15:1,8 17:4 meet 15:1
10:12,16,20 11:2	5:17 6:1	forward 2:5		
11:8 12:10,14,20	designated 5:10	four 9:11	J	meeting 8:4 10:3,18
13:2,5,10,13,18	designation 5:20	Friday 14:12	January 14:12	11:13,20 12:8
14:9,14 15:9,13	directly 15:1	1 1 1 u u y 1 ¬.1 2	15:19 16:4	14:15
15:22 16:2,5,9,11	discretion 12:17	G	Jessica 3:1	meetings 9:17
17:1,15	discuss 15:6	give 5:21	0 0 5 5 1 0 0 1 1	members 4:19 7:20

9:5 11:14 opposition 5:2 safety 2:12 takes 12:9 0 says 10:15 11:11 Tamar 3:19 5:14 order 2:11 met 1:18 **Queens** 1:11 2:7 minutes 9:16,18 outcome 13:22 scanned 11:3 ten 14:12 questions 17:9 **second** 3:18 11:6 **b** 1:8,14 12:11 **quiet** 2:11 P **Thank** 3:8 4:6,9 7:7 misspoke 16:4 14:11 quorum 7:15,19 P-o-l-l 3:21 **MONDAY** 1:15 see 6:20,21 7:2 16:7 17:7,11,13 8:4 9:3,16 10:4,6 P-R-O-C-E-E-D-... morning 2:19 10:14 14:20 15:4 17:15 11:17.22 12:8.9 2:1 15:10 thing 11:1 N **p.m** 17:17 **send** 13:6 R think 10:16 15:18 **N.E** 1:11 2:8 **page** 11:7 **Thornton** 3:16,16 recognized 5:5 7:5 **sent** 8:15 **N.W** 1:20 pages 10:20 11:4 **set** 13:11 17:5 three 9:6 record 3:3,6 7:9 name 2:13 3:5,6,20 parking 2:12 **settle** 14:16 time 5:13 11:14 10:2 5:12 6:21,21 7:2 particular 7:12 today 4:18 5:9,19 seven 9:9 **Reeves** 1:19 parties 2:3 13:22 names 6:18 **showed** 5:19 6:7 13:4 14:8 **refer** 7:18 nearly 5:2 **peace** 2:11 signatories 9:7 trading 2:7 **regarding** 7:10 9:3 need 8:10 9:11 10:3 pedestrian 2:12 9:4 **signed** 5:2 6:7,10 trv 16:18 13:11 15:8 **people** 11:22 10:8 trying 6:8 15:14 related 13:22 needs 9:2 11:17 **petition** 5:1 6:7 six 4:12,17 13:9 Tuesday 15:12 **Renewal** 1:13 2:10 12:12 8:17 16:14,21 17:5 **represent** 4:20 5:8 soon 14:16 nine 14:12 15:12 **please** 2:4 8:2 two 10:20 11:4 sooner 14:21 15:15 representative 4:15 **Polly** 3:21 16:22 17:6 5:5.10.18 6:4 sorry 15:13,20 16:2 **two-sided** 10:21 **note** 9:6 possible 14:17 16:3 represented 13:9 U notice 13:14,15 16:13,20 **speak** 8:22 representing 14:6 14:2 present 3:9,12 4:13 **u-n-s-i** 3:15 represents 11:16 **spell** 3:2 noticed 11:21 4:15,18 5:7 7:3,15 standing 4:10,12,19 11:21 November 8:4 9:8,11 10:4 12:8 12:16,18 13:4 required 7:13 vehicular 2:12 11:13 14:8 state 5:12 8:12 9:1 requires 7:15 Verne 1:20 2:13 number 7:19 9:4 presented 11:12 9:3 10:17 12:7 residential 2:11 **vote** 7:16 8:6,8 9:12 presiding 1:22 10:17 residents 5:2 stating 10:8 voted 7:20 8:13 9:5 numerous 16:15 **Prior** 15:14 status 13:16,20 resolution 7:17 10:4,18 11:14,17 probably 11:3 14:4,5 8:17 9:14 11:11 0 11:22 process 5:9 **Stephenson** 4:1,1,4 **resolve** 15:2.7 **O-d** 3:14 properly 11:20 4:5 6:13 respond 8:2 W object 7:21 12:6 properly-noticed **Street** 1:20 response 17:10 W-a-r-d 4:8 objecting 12:2 11:12 **submit** 12:10 **Retailer** 1:12 2:9 W-i-l-l-i-f-o-r-d 3:7 **Odunsi** 3:14,14 **protest** 2:10 5:16 review 7:1 submitted 7:18 wait 14:19,22 6:11 5:17 6:10 7:10 8:17 **right** 10:14 13:18 want 13:21 16:18 official 2:15 9:16 8:10 12:3,7,13,22 15:16 17:13 sure 5:1 12:21 wanted 5:1 7:9 12:11 13:1,17 14:4 Road 1:11 2:8 Ward 4:7,7 6:14 **Oh** 15:17,20,22 \mathbf{T} **protestant** 4:11 7:6 roll 1:5 2:14 4:17 Washington 1:20 16:2 **T-a-m-a-r** 3:19 **Protestants** 5:6 5:18 8:11 9:21 wav 15:3 okay 3:18 5:15 6:2 **provide** 9:18 12:5 T-h-o-n-t-o-n 3:17 12:3 17:12,16 well-aware 7:13 6:19 10:7,12 11:5 provided 5:20 t/a 1:10 **Room** 1:19 **Williford** 2:19,20 11:6 12:10,14,20 purpose 4:17 5:18 **table** 13:7 3:5,7 6:5,15,19 13:2 14:9 15:9 S take 8:19 10:10,14 8:11 12:3 7:7,12 8:20,21 16:2,3,9,10 17:3,8 pursuant 2:15 7:14 S-t-e-p-h-e-n-s-o-n 11:10 10:2 12:2,5 13:6 17:11 push 14:15,15 4:2 taken 8:7,8 9:17 15:2,7,17 16:6,13 opportunity 12:4

			Page 20
	I	1	I
16:16,17,20 17:3			
17:7,13			
wouldn't 15:8			
wouldn't 15.8			
X			
A			
Y			
y 3:22			
Y-o-l-a-n-d-a 3:17			
Yolanda 3:14,16			
1 01a11da 5.14,10			
7			
Z			
0			
09 1:15			
1			
100 5:2			
11:43 2:2			
11:56 17:17			
13-PRO-00174			
1:13 2:6			
14th 1:19			
1601.2 2:16			
18th 16:14			
2			
20 11:13			
2000 1:19			
2013 1:15			
20th 8:5			
21 15:21			
2135 1:11 2:7			
21st 14:12,15 15:11			
15:14,15,18,19,22			
16:8,19			
3			
4			
4 15:12,16 16:21			
17:5			
4th 16:12 17:1			
5			
5C 11:13 13:4			
SC 11.15 15:4			
		l	