

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
3 ALCOHOLIC BEVERAGE CONTROL BOARD
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6 IN THE MATTER OF :
7 Notta Bike or Bar, LLC, : Show Cause Hearing
8 t/a Joint Chiefs :
9 3400 11th Street NW : Case #14-CMP-00734
10 License #ABRA-83926 : (Status)
11 Retailer Class CT :
12 ANC-1A :
13 Failed to Maintain Books and :
14 Records (two counts) :

15 - - - - -X

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17 Wednesday, December 2, 2015

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19 Whereupon, the above-referenced matter
20 came on for hearing at the Alcoholic Beverage
21 Control Board, Reeves Center, 2000 14th Street,
22 N.W., Suite 400S, Washington, D.C. 20009.

1 CHAIRPERSON:

2 DONOVAN ANDERSON, Presiding

3

4 BOARD MEMBERS:

5 RUTHANNE MILLER

6 NICK ALBERTI

7 MICHAEL SILVERSTEIN

8 JAMES SHORT

9

10

11 ALSO PRESENT - Case #14-CMP-00734

12

13 JENNIFER MARCANO, CFO

14 on behalf of Joint Chiefs

15 CHRISSY GEPHARDT

16 on behalf of Office of Attorney General

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

2 [9:56 a.m.]

3 CHAIRMAN ANDERSON: The next case on the
4 Court's agenda today is Case No. 14-CMP-00734,
5 Joint Chiefs, License No. 83926.

6 Will the parties please approach?

7 (Pause)

8 CHAIRMAN ANDERSON: Can you please state
9 your name and spell it for the record, please?

10 MS. MARCANO: Jennifer Marciano, J-E-N-N-
11 I-F-E-R, M-A-R-C-A-N-O.

12 CHAIRMAN ANDERSON: And who are you,
13 ma'am?

14 (No response heard)

15 MS. GEPHARDT: Oh --

16 CHAIRMAN ANDERSON: And who are you?

17 MS. MARCANO: Oh, I'm sorry. I'm the
18 Chief Financial Officer of the company.

19 CHAIRMAN ANDERSON: And you have -- do
20 you have authorization to --

21 MS. MARCANO: Yes.

22 CHAIRMAN ANDERSON: Do you have something

1 in writing or (Inaudible portion 00:26:40) --

2 (Simultaneous discussion)

3 MS. MARCANO: No. The owner called and
4 spoke with -- I couldn't tell you. He's away
5 with his family, so I just got a phone call like
6 three days ago, saying stand in.

7 (Pause)

8 (Discussion off the record)

9 MS. MARCANO: I actually was sitting
10 there when he was on the phone. I heard him
11 saying, hey, can you know, my CFO come? I'm
12 going to be out of town.

13 (Simultaneous discussion)

14 MS. MARCANO: But I didn't get --

15 FEMALE SPEAKER: Okay.

16 MS. MARCANO: It was kind of last minute.

17 CHAIRMAN ANDERSON: All right, um --
18 also, can you repeat your name and spell it again
19 for us, because she did not get it.

20 (Discussion off the record)

21 MS. MARCANO: Sure. It's Jennifer
22 Marciano.

1 (Discussion off the record)

2 CHAIRMAN ANDERSON: Oh, I'm sorry. I
3 have -- I'm not quite done with her, as yet. I'm
4 sorry.

5 (Simultaneous discussion)

6 CHAIRMAN ANDERSON: How quickly can you
7 give us -- can you get an authorization letter?

8 MS. MARCANO: In writing from the owner?

9 CHAIRMAN ANDERSON: Yes.

10 MS. MARCANO: Well, he's in Disney World
11 with his daughter, so probably not very quickly.

12 CHAIRMAN ANDERSON: But how quickly can
13 you do that?

14 MS. MARCANO: I mean, he -- I -- I don't
15 know.

16 He'll be back on Monday, so he may answer
17 his phone and be available, or he may -- I may
18 see him on Monday when he returns.

19 (Whispering by Board)

20 MS. MARCANO: I mean, I'm -- I'm part
21 owner in the company, as well. I don't know if
22 that makes any --

1 CHAIRMAN ANDERSON: I'm sorry. You said
2 you're what?

3 MS. MARCANO: I'm also part owner in the
4 company, as well. A small --

5 (Simultaneous discussion)

6 MS. MARCANO: So that may --

7 CHAIRMAN ANDERSON: What -- what
8 percentage?

9 MS. MARCANO: Does that make a
10 difference?

11 Overall, I think 4 percent.

12 CHAIRMAN ANDERSON: Okay. So --

13 (Discussion off the record)

14 CHAIRMAN ANDERSON: Can you provide the
15 board with authorization? Because I'm not sure
16 if your name is on the license.

17 And so, can -- if -- are -- would you be
18 able to provide us with authorization by close of
19 business on Tuesday?

20 MS. MARCANO: Yeah. Well, he'll be back
21 on Monday in the office.

22 CHAIRMAN ANDERSON: Well --

1 MS. MARCANO: So. I mean, at that point,
2 it's probably moot (Laughter), because he'll be
3 back, but --

4 CHAIRMAN ANDERSON: Okay, I'm sorry.

5 (Simultaneous discussion)

6 CHAIRMAN ANDERSON: You can introduce
7 yourself briefly and then you can --

8 MS. GEPHARDT: Okay. I'm Chrissy
9 Gephardt. I'm here with the Office of the
10 Attorney General.

11 CHAIRMAN ANDERSON: And can you please
12 spell your name for us, Ms. Gephardt?

13 MS. GEPHARDT: Just -- and this may not
14 be the case, but um -- it's my understanding we
15 have not reached an offer of compromise today, so
16 we're not going to be agreeing to anything.

17 CHAIRMAN ANDERSON: How -- how come?

18 MS. GEPHARDT: And so, I --

19 CHAIRMAN ANDERSON: I need you to spell
20 your name for her.

21 MS. GEPHARDT: Oh, I'm sorry.

22 CHAIRMAN ANDERSON: She's -- yes.

1 MS. GEPHARDT: C-H-R-I-S-S-Y. And then,
2 my last name is G-E, P, as in Peter, H-A-R-D, as
3 in dog, T as in Tom.

4 CHAIRMAN ANDERSON: Okay. I'm sorry. Go
5 ahead.

6 MS. GEPHARDT: Um -- so um -- I was -- I
7 -- my issue was that we are not agreeing to an
8 offer and compromise today, and we were not going
9 to go to a hearing today.

10 So, she would not be binding the company
11 to anything.

12 CHAIRMAN ANDERSON: Okay.

13 MS. GEPHARDT: So, I don't know if that's
14 relevant.

15 MALE SPEAKER: That's fine.

16 CHAIRMAN ANDERSON: Okay, well, all
17 right. That's fine.

18 MS. GEPHARDT: (Laughter) Okay.

19 CHAIRMAN ANDERSON: All right.

20 The hearing is then set for January 27th,
21 2016, at 10:00.

22 MS. GEPHARDT: Okay.

1 CHAIRMAN ANDERSON: Okay? All right.

2 Thank you.

3 [Whereupon, at 9:59 a.m. the

4 above-entitled matter concluded.]