

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 1001 H. Street LLC: Case #16-PRO-00036

8 t/a Ben's Upstairs/Ten 01 :

9 1001 H. Street Northeast :

10 License #93103 :

11 Retailer CR :

12 ANC 6A :

13 Application to Renew License :

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15 Wednesday, July 13, 2016

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

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2 BOARD MEMBERS PRESENT

3 NICK ALBERTI, BOARD MEMBER

4 RUTHANNE MILLER, BOARD MEMBER

5 JAMES SHORT, BOARD MEMBER

6 MIKE SILVERSTEIN, BOARD MEMBER

7

8 ALSO PRESENT:

9 TERI JANINE QUINN

10 FRANK WHITE

11 JAY MILLER

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

2 PROTEST HEARING STATUS

3 CHAIRPERSON ANDERSON: The second case on
4 our Protest Hearing (Status) is Case #16-PRO-
5 00036, Ben's Upstairs/Ten01, license #93103.
6 Will the parties please approach and identify
7 themselves for the record?

8 MR. WILLIAMS: They are out in the hall,
9 I'll go grab them real quick.

10 CHAIRPERSON ANDERSON: Thank you. Are
11 they here? I want everyone to know these
12 hearings are scheduled to start at 9:30. I try
13 my best to be here at 9:30 so I expect everyone
14 to be here at 9:30. I came out here at 9:29 and
15 43 seconds, so I want everyone to know that under
16 my tenure on this Board, I expect at 9:30 for
17 everyone to be here and I expect you to be here,
18 okay? Thank you. All right.

19 This case that I'm calling, and I will
20 recall the first case, but this case I'm calling
21 right now is Case #16-PRO-00036, Ben's
22 Upstairs/Ten01, license #093103. Will the

1 parties please identify themselves for the record
2 please?

3 MS. QUINN: Teri Janine Quinn,
4 representing Ten01 H Street.

5 CHAIRPERSON ANDERSON: Good morning,
6 ma'am.

7 MS. QUINN: Good morning.

8 MR. WHITE: I'm Frank White, representing
9 Ten01 H Street.

10 CHAIRPERSON ANDERSON: Good morning, sir.

11 MR. WILLIAMS: Good morning, Jay Williams
12 representing ANC 6A.

13 CHAIRPERSON ANDERSON: Good morning. Are
14 there any preliminary matters in this case?

15 MS. QUINN: No.

16 MR. WILLIAMS: No.

17 CHAIRPERSON ANDERSON: All right, this
18 matter is scheduled for a protest hearing on
19 August 10th at 1:30 p.m. Now that we've
20 scheduled this matter for a protest hearing there
21 are a few things I would like to instruct the
22 applicant and the protestants about the protest

1 hearing -- so that the protest hearing is focused
2 and addresses only those issues that are being
3 protested. The Board does not intend to hear
4 testimony in matters that are not relevant to
5 this case. You should have received, and if you
6 have not you will receive shortly by electronic
7 or regular mail, a letter explaining the protest
8 process, a copy of the protest information form,
9 a copy of an exhibit form. If you do not have
10 these documents, please contact our assistant
11 general counsel, Ms. April Randall, following
12 this hearing. Ms. Randall is not here but we
13 have Mr. Burman here today so if you need copies
14 of those documents, you can get them from him.

15 It is imperative that you review the
16 rules closely and adhere to them before and
17 during the protest hearing. You are also
18 required to complete and submit the protest
19 information form, PIP and the exhibit form seven
20 days before the date of the hearing. These two
21 forms and accompanying documents need to be
22 submitted to ABRA's legal division and to all

1 opposing parties in this matter. If we do not
2 receive a copy of your PIP, your application or
3 your protest, whichever side you're representing,
4 may be subject to dismissal.

5 Likewise, if we do not receive a copy of
6 the exhibit form and the exhibits themselves,
7 your exhibits may be excluded from the record
8 upon a finding that the opposing party has been
9 prejudiced or no good cause for the failure to
10 submit has been shown. Likewise, witnesses other
11 than the party may also be subject to exclusion
12 if not identified in the PIP. Accordingly, these
13 forms are very important, they greatly assist the
14 Board in narrowing the protest issues,
15 facilitating the process and keeping the parties
16 on point during the hearing. They likewise
17 provide notice to opposing parties enabling them
18 to better prepare for the hearing.

19 We thank you greatly for your
20 cooperation. Again, if you have any questions
21 today or at any time leading up to the hearing,
22 please do not hesitate to contact ACC Randall at

1 202-443-4353. Thank you. Do you guys have any
2 questions for the Board today?

3 MS. QUINN: No.

4 CHAIRPERSON ANDERSON: No?

5 MR. WILLIAMS: No.

6 CHAIRPERSON ANDERSON: All right fine.

7 Good luck with your negotiations. If not, I will
8 see you here for a protest hearing on August 10th
9 at 1:30.

10 MR. WILLIAMS: Thank you.

11 (Whereupon, the above-entitled matter was
12 concluded.)

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