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

- - - - -X

IN THE MATTER OF: :  
Chaplin Restaurant DC, LLC : CASE #16-PRO-000006  
t/a Chaplin :  
1501 9th Street Northwest :  
License #95700 :  
Retailer CR ANC 6E :  
Wednesday, March 9, 2016 :

- - - - - X

Wednesday, March 9, 2016

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

1       CHAIRPERSON:   DONOVAN ANDERSON, Presiding

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3       MEMBERS OF THE BOARD

4       NICK ALBERTI, BOARD MEMBER

5       RUTHANNE MILLER, BOARD MEMBER

6       JAMES SHORT, BOARD MEMBER

7       MIKE SILVERSTEIN, BOARD MEMBER

8

9       OTHER PERSONS PRESENT

10      JOYCE NJORGE

11      AGENT ON FILE FOR CHAPLIN

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

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CHAIRPERSON ANDERSON: Good morning, can you identify yourself for the record, please?

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MS. NJORGE: Joyce Njorge.

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CHAIRPERSON ANDERSON: And who are you, ma'am?

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Agent on file for Chaplin.

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CHAIRPERSON ANDERSON: Is the ANC here?

Is anyone from ANC 6E? All right I will recall this matter shortly, so you can take a seat in the audience. I'm just going to try to get some clarification why the ANC is not here. But we will, I will recall this case, okay?

MS. NJORGE: Okay.

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

- - - - -X

IN THE MATTER OF: :  
Chaplin Restaurant DC, LLC : CASE #16-PRO-000005  
t/a Chaplin :  
1501 9th Street Northwest :  
License #95700 :  
Retailer CR ANC 6E :  
Wednesday, March 9, 2016 :

- - - - - X

Wednesday, March 9, 2016

Whereupon, the above referenced matter  
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## P R O C E E D I N G S

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CHAIRPERSON ANDERSON: I now recall

Protest Hearing Case #16-PR0-00005, The

Chaplin, License #95700. Will the parties please

approach? Can you please identify yourself for

the record? Go ahead, yes ma'am.

MS. NJORGE: Joyce Njorage.

MR. PADRO: Alexander Padro.

CHAIRPERSON ANDERSON: This matter is set

for a hearing on April 20th at 4:30 and there are

just a few things that I would like to instruct

both parties regarding the process. The purpose

of protest hearing is to address the

appropriateness of the applicant -- I'm sorry --

the appropriateness of the establishment in the

area, okay? So, when we have a protest hearing

it should only be focused on the issues that are

in the protests. The board does not intend to

hear testimony in matters that are not relevant

to this case. You should receive via electronic

mail a letter explaining the protest process.

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1 Have you guys received that?

2 MS. NJORGE: Yes.

3 CHAIRPERSON ANDERSON: All right and if  
4 you have any questions you can talk to Ms. Randle  
5 who is the assistant to general counsel and sits  
6 back here. She can further explain to you the  
7 process of a protest hearing and it's imperative  
8 that you comply with the rules. You are also  
9 aware that you have to file a protest information  
10 form with the board within seven days and within  
11 seven days prior to the hearing that you need to  
12 file these -- these forms -- and that you need to  
13 provide the board with a copy and also provide a  
14 copy to each party. And if we do not receive a  
15 copy within the seven day period the matter could  
16 be dismissed, either side, if it's determined  
17 that good cause has not been shown why is it that  
18 you did not comply with the regulations and so,  
19 just all right. So, unless you have any other  
20 questions, the matter is set for a hearing on  
21 April 20th at 4:30 and you, I wish you if you  
22 continue -- yes ma'am go ahead.

1 MS. NJORGE: We are having difficulties  
2 getting our meetings on schedule. What I mean is  
3 we have so many mediation dates set up only for  
4 ANC to cancel. And last time we gave up our  
5 right to come before hearing in hopes that we  
6 would have a mediation before coming here, but  
7 still they ended up canceling. So, we feel it's  
8 unfair for us -- we have to spend so much time,  
9 we have to put something on calendar, then when  
10 it's two days before, they say, "oh, we can't  
11 make it." We push it, "I can't make this day, I  
12 can't make this day." Choose a date, they don't  
13 come, so we're having a problem here.

14 CHAIRPERSON ANDERSON: So you are talking  
15 about the mediation but not the hearing in front  
16 of us.

17 MS. NJORGE: Well, we had the hearing  
18 scheduled because this case was also rejected.  
19 We have two applications, entertainment and  
20 substantial change of hours. So, it was  
21 consolidated. Previously, these were two  
22 separate applications but we rescheduled when we

1 were still separate and came for a hearing last  
2 week on the second --

3 CHAIRPERSON ANDERSON: Right.

4 MS. NJORGE: -- but we give up our coming for  
5 hearing because we were in the hopes that we were  
6 going to get a settlement agreement, so we didn't  
7 need. We said, "okay" before when we had our  
8 mediation, the ANC was given more than two weeks  
9 to send us a draft for the settlement. We did  
10 not get it until two days before the mediation.

11 CHAIRPERSON ANDERSON: Right.

12 MS. NJORGE: And there seems to be, on our side,  
13 this seems to see like this is a trend to keep  
14 rescheduling and instead of January we are now in  
15 March. We have not had a mediation whereby both  
16 parties can discuss the settlement agreement and  
17 also we are not clear because the issues ANC is  
18 protesting are not on the application. They are  
19 not on the placard.

20 CHAIRPERSON ANDERSON: Well, the only  
21 thing I can say to you is that both hearings are  
22 scheduled for April 20th and unless -- unless

1 it's -- and I'm not inclined to postpone the  
2 matters unless both parties agree that it be  
3 postponed, so you would have your date in April.  
4 So, irrespective of what happens before, so  
5 unless, if one party decides to cancel it, and  
6 I'll just say this to you based on the  
7 representation that you're making, unless there's  
8 some act of God where it's not foreseeable that  
9 this will happen, unless both parties agree to  
10 postpone it. I assure you that we will have a  
11 hearing and this matter will be brought to an end  
12 on that date.

13 I do advise both parties to continue to  
14 speak. You don't necessarily have to have a  
15 hearing, so if you have, I think that if your  
16 settlement agreement, the ANC, I would assume  
17 that you'll have enough time for the ANC to have  
18 it at their meeting prior to April 20th, so you  
19 still have an opportunity to speak, but if you  
20 can't decide, we will have our hearing and that  
21 will be the end of it unless both parties decide  
22 that they want it to be postponed, okay? Thank

1 you. All right.

2 (Whereupon the above-entitled matter is

3 concluded.)

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