

Capital Reporting Company  
In the Matter of: Convene, LLC t/a Thally 11-19-2012

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DISTRICT OF COLUMBIA

ALCOHOL BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :  
 :  
Convene, LLC :  
t/a Thally :  
1316 9th Street, NW :  
Retailer CR : Roll Call  
License No. 090403 : Hearing  
Case No. 12-PRO-00082 :  
New Application :  
-----x

November 19, 2012

The Alcohol Beverage Control

Board met in the Alcohol Beverage Control Hearing room,  
Reeves Building, 2000 14th Street, N.W., Washington  
D.C.,

PRESENT

LaVerne Fletcher, presiding.

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<p style="text-align: right;">2</p> <p>1           P R O C E E D I N G S</p> <p>2                                   10:28 a.m.</p> <p>3           MS. FLETCHER: Would the parties in the</p> <p>4 matter of Thally please come forward. This is Case</p> <p>5 Number 12- PRO-00082, Convene, LLC, t/a Thally, 1316</p> <p>6 9th Street, NW, License Number ABRA-090403. This is a</p> <p>7 Retailer CR new application.</p> <p>8           The protest issues are adverse impact on</p> <p>9 peace, order and quiet, residential parking and</p> <p>10 vehicular and pedestrian safety and real property</p> <p>11 values.</p> <p>12           My name is LaVerne Fletcher and I'll be</p> <p>13 conducting the roll call hearing as the board's agent,</p> <p>14 pursuant to D.C. Official Code 1601.2.</p> <p>15           Introductions, beginning with the applicant,</p> <p>16 please.</p> <p>17           MR. O'BRIEN: Steven O'Brien for the</p> <p>18 applicant.</p> <p>19           MS. FLETCHER: Thank you, Mr. O'Brien. And -</p> <p>20 - just for the record, Mr. Brien, the reason that the</p> <p>21 applicant didn't appear today?</p> <p>22           MR. O'BRIEN: I don't know.</p>	<p style="text-align: right;">4</p> <p>1           MS. FLETCHER: If they would come forward and</p> <p>2 state their name into the microphone and sell it for</p> <p>3 the court reporter, please.</p> <p>4           MALE VOICE3: My name is Orestes Del</p> <p>5 Castillo, spelled O-R-E-S-T-E-S, the first name. The</p> <p>6 last name is D-E-L, space, C-A-S-T-I-L-L-O.</p> <p>7           MS. FLETCHER: Thank you.</p> <p>8           MALE VOICE4: David Salter, S-A-L-T-E-R.</p> <p>9           MS. FLETCHER: Mr. Salter?</p> <p>10           MALE VOICE4: Yes.</p> <p>11           MS. FLETCHER: It does not appear -- you</p> <p>12 signed the protest letter for an earlier case, but it</p> <p>13 does not appear that you signed this one. As far as</p> <p>14 you know, did you?</p> <p>15           MALE VOICE4: That's a good question. We've</p> <p>16 had so many going on.</p> <p>17           MS. FLETCHER: I know.</p> <p>18           MALE VOICE4: I assumed because I had all the</p> <p>19 correspondence.</p> <p>20           MS. FLETCHER: Exactly.</p> <p>21           MALE VOICE4: I would like to be a signatory.</p> <p>22           MS. FLETCHER: I'm going to double check. It</p>
<p style="text-align: right;">3</p> <p>1           MS. FLETCHER: Okay.</p> <p>2           MR. O'BRIEN: I confirmed it with them</p> <p>3 Friday.</p> <p>4           MS. FLETCHER: Thank you very much.</p> <p>5           MR. O'BRIEN: But they're represented, so.</p> <p>6           MS. FLETCHER: Exactly. Exactly. That's</p> <p>7 totally sufficient.</p> <p>8           Okay. For the protestants?</p> <p>9           MS. AMORUSO: My name is Cristina Amoruso, I</p> <p>10 reside at 908 O Street, NW and I'm here to represent</p> <p>11 the protestants.</p> <p>12           MS. FLETCHER: Ms. Amoruso, can you spell</p> <p>13 your name please? Your first name.</p> <p>14           MS. AMORUSO: Sure. First name spelled C-R-</p> <p>15 I-S- T-I-N-A, last named spelled, A-M-O-R-U-S-O.</p> <p>16           MS. FLETCHER: Thank you.</p> <p>17           MR. RAYMOND: Matt Raymond, Commissioner for</p> <p>18 ANC 2F04. It's M-A-T-T, R-A-Y-M-O-N-D.</p> <p>19           MS. FLETCHER: Thank you, Mr. Raymond. Ms.</p> <p>20 Amoruso, are there any other individuals from your</p> <p>21 group present today?</p> <p>22           MS. AMORUSO: Yes, ma'am. Fellas.</p>	<p style="text-align: right;">5</p> <p>1 does not appear that you did. If you did not, you</p> <p>2 won't be a protestant in this case, you will be a</p> <p>3 protestant in the other one, obviously, because you</p> <p>4 signed it. But let me check and I'll tell you in --</p> <p>5 I'm just going to double check.</p> <p>6           MALE VOICE4: Thank you.</p> <p>7           MS. FLETCHER: Okay. Mr. Salter, on this</p> <p>8 particular protest letter you did not sign but Ms.</p> <p>9 Amoruso can represent your interest throughout the</p> <p>10 remainder of the process.</p> <p>11           MALE VOICE4: Thank you.</p> <p>12           MS. FLETCHER: Okay. So David Salter is not</p> <p>13 a protestant in this matter.</p> <p>14           MS. AMORUSO: Sorry.</p> <p>15           MS. FLETCHER: No problem. So, Ms. Amoruso,</p> <p>16 your protest letter indicates that each one of you can</p> <p>17 represent everyone. So, you're here so that's fine.</p> <p>18 Your group of five -- your group of six does have</p> <p>19 standing -- conditional standing as a protestant today.</p> <p>20           At the upcoming status hearing at least four</p> <p>21 more people that are not here today with you need to</p> <p>22 appear, in order to maintain your standing as</p>

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6	<p>1 protestants.</p> <p>2 The other thing, Ms. Amoruso, can you have</p> <p>3 your group to designate you or another person, because</p> <p>4 you all have designated each other to represent one</p> <p>5 another in any proceeding. It's helpful to us if we</p> <p>6 have a person or two, as opposed to a group of people</p> <p>7 that we need to stay in touch with.</p> <p>8 MS. AMORUSO: I can definitely be the</p> <p>9 designated person and as the alternate Orestes Del</p> <p>10 Castillo.</p> <p>11 MS. FLETCHER: Okay. And so I already have</p> <p>12 your contact information on that sheet from the earlier</p> <p>13 case.</p> <p>14 MS. AMORUSO: Yes, ma'am. And I also</p> <p>15 included Mr. Del Castillo's as well.</p> <p>16 MS. FLETCHER: Okay. Thank you. So there</p> <p>17 are two protestants in this case. ANC 2F has standing</p> <p>18 as a protestant. And your group, Ms. Amoruso is</p> <p>19 granted conditional standing, depending upon whether or</p> <p>20 not three additional people show up, well four</p> <p>21 actually, no two, no three. You and Mr. Castillo are</p> <p>22 here today, so just three. Four must appear.</p>	8
7	<p>1 We need to set a date for mediation, the</p> <p>2 status hearing and a protest hearing. And I'll give</p> <p>3 you the dates for the status and protest hearing first.</p> <p>4 The status hearing is set for January 9, 2013 at 9:30.</p> <p>5 And the protest hearing is set for March 20, 2013 at</p> <p>6 1:30.</p> <p>7 MR. O'BRIEN: I'm sorry, I didn't hear the</p> <p>8 date.</p> <p>9 MS. FLETCHER: Oh, for the status hearing is --</p> <p>10 MR. O'BRIEN: No, status I got.</p> <p>11 MS. FLETCHER: Okay, I'll --</p> <p>12 MR. O'BRIEN: So protest hearing was March?</p> <p>13 MS. FLETCHER: March 20.</p> <p>14 MR. O'BRIEN: Two zero.</p> <p>15 MS. FLETCHER: Um hmm.</p> <p>16 MR. O'BRIEN: Thank you. At 1:30.</p> <p>17 MS. FLETCHER: At 1:30. Yes.</p> <p>18 MS. AMORUSO: We hope to work things out</p> <p>19 before then.</p> <p>20 MS. FLETCHER: That would be great. If you</p> <p>21 can that, ignore all -- you can ignore all the dates</p> <p>22 I'm about to give you.</p>	9
	<p>1 So, I'm going to give you a date for</p> <p>2 mediation. If the matter's resolved prior to mediation,</p> <p>3 we'll just cancel that, too.</p> <p>4 MR. RAYMOND: I'm sorry, did you say March</p> <p>5 13th?</p> <p>6 MS. FLETCHER: March --</p> <p>7 MR. O'BRIEN: Twentieth.</p> <p>8 MR. RAYMOND: Twentieth, I'm sorry. And the</p> <p>9 time once more?</p> <p>10 MS. FLETCHER: Um hmm. March 20, at 1:30.</p> <p>11 MR. O'BRIEN: We were all present for the</p> <p>12 last proceeding. December 6th at 1:00 would be okay</p> <p>13 for mediation for us.</p> <p>14 MS. FLETCHER: Is that good?</p> <p>15 MR. RAYMOND: That's correct.</p> <p>16 MS. AMORUSO: Correct.</p> <p>17 MS. FLETCHER: Okay. December 6th at 1:00</p> <p>18 for Thally. Okay, well that's everything.</p> <p>19 MR. O'BRIEN: It is.</p> <p>20 MS. FLETCHER: Thank you for coming.</p> <p>21 MR. RAYMOND: Thank you.</p> <p>22 MS. FLETCHER: I'll see you on December 6th</p>	



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<p style="text-align: center;"><u>0</u></p> <p><b>090403</b> 1:7</p> <hr/> <p style="text-align: center;"><u>1</u></p> <p><b>1:00</b> 8:12,17  <b>1:30</b> 7:6,16,17              8:10  <b>10:28</b> 2:2  <b>10:35</b> 9:7  <b>12</b> 2:5  <b>12-PRO-00082</b> 1:8  <b>1316</b> 1:6 2:5  <b>13th</b> 8:5  <b>14th</b> 1:13  <b>1601.2</b> 2:14  <b>19</b> 1:11</p> <hr/> <p style="text-align: center;"><u>2</u></p> <p><b>20</b> 7:5,13 8:10  <b>2000</b> 1:13  <b>2012</b> 1:11  <b>2013</b> 7:4,5  <b>2F</b> 6:17  <b>2F04</b> 3:18</p> <hr/> <p style="text-align: center;"><u>6</u></p> <p><b>6th</b> 8:12,17,22</p> <hr/> <p style="text-align: center;"><u>9</u></p> <p><b>9</b> 7:4  <b>9:30</b> 7:4  <b>908</b> 3:10  <b>9th</b> 1:6 2:6</p> <hr/> <p style="text-align: center;"><u>A</u></p> <p><b>a.m</b> 2:2 9:7</p>	<p><b>ABRA-090403</b> 2:6  <b>action</b> 10:10,14  <b>actually</b> 6:21  <b>additional</b> 6:20  <b>adverse</b> 2:8  <b>agent</b> 2:13  <b>Alcohol</b> 1:2,12,13  <b>already</b> 6:11  <b>alternate</b> 6:9  <b>am</b> 10:8,11 11:3  <b>Amoruso</b>              3:9,12,14,20,22              5:9,14,15              6:2,8,14,18 7:18              8:16  <b>A-M-O-R-U-S-O</b>              3:15  <b>ANC</b> 3:18 6:17  <b>ANDREW</b> 10:3,18  <b>appear</b> 2:21              4:11,13 5:1,22              6:22  <b>appearing</b> 10:5  <b>applicant</b>              2:15,18,21  <b>application</b> 1:8 2:7  <b>assumed</b> 4:18  <b>attorney</b> 10:12</p> <hr/> <p style="text-align: center;"><u>B</u></p> <p><b>beginning</b> 2:15  <b>Beverage</b>              1:2,12,13  <b>Board</b> 1:2,13  <b>board's</b> 2:13  <b>Brien</b> 2:20</p>	<p><b>Building</b> 1:13  <b>busy</b> 9:2</p> <hr/> <p style="text-align: center;"><u>C</u></p> <p><b>cancel</b> 8:3  <b>case</b> 1:8 2:4 4:12              5:2 6:13,17  <b>Castillo</b> 4:5              6:10,21  <b>C-A-S-T-I-L-L-O</b>              4:6  <b>Castillo's</b> 6:15  <b>CERTIFICATE</b>              10:1 11:1  <b>certify</b> 10:4 11:3  <b>check</b> 4:22 5:4,5  <b>Code</b> 2:14  <b>Columbia</b> 1:1              10:20  <b>coming</b> 8:20  <b>Commissioner</b>              3:17  <b>complete</b> 11:8  <b>concluded</b> 9:4,7  <b>conditional</b> 5:19              6:19  <b>conducting</b> 2:13  <b>confirmed</b> 3:2  <b>contact</b> 6:12  <b>Control</b> 1:2,12,13  <b>Convene</b> 1:5 2:5  <b>correct</b> 8:15,16              11:7  <b>correspondence</b>              4:19  <b>counsel</b> 10:9,12</p>	<p><b>court</b> 4:3 11:4,6  <b>CR</b> 1:7 2:7  <b>C-R</b> 3:14  <b>Cristina</b> 3:9</p> <hr/> <p style="text-align: center;"><u>D</u></p> <p><b>D.C</b> 1:14 2:14  <b>date</b> 7:1,8 8:1              11:14  <b>dates</b> 7:3,21  <b>David</b> 4:8 5:12  <b>December</b>              8:12,17,22  <b>definitely</b> 6:8  <b>Del</b> 4:4 6:9,15  <b>D-E-L</b> 4:6  <b>depending</b> 6:19  <b>designate</b> 6:3  <b>designated</b> 6:4,9  <b>direction</b> 10:7  <b>District</b> 1:1 10:20  <b>double</b> 4:22 5:5</p> <hr/> <p style="text-align: center;"><u>E</u></p> <p><b>earlier</b> 4:12 6:12  <b>employed</b> 10:9,12  <b>employee</b> 10:11  <b>everyone</b> 5:17  <b>everything</b> 8:18  <b>Exactly</b> 3:6 4:20</p> <hr/> <p style="text-align: center;"><u>F</u></p> <p><b>Fellas</b> 3:22  <b>financially</b> 10:13  <b>fine</b> 5:17</p>
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<p><b>first</b> 3:13,14 4:5 7:3</p> <p><b>five</b> 5:18</p> <p><b>Fletcher</b> 1:15 2:3,12,19 3:1,4,6,12,16,19 4:1,7,9,11,17,20, 22 5:7,12,15 6:11,16 7:9,11,13,15,17, 20 8:6,10,14,17,20, 22 9:3,6</p> <p><b>foregoing</b> 10:4,5</p> <p><b>foregoing/ attached</b> 11:7</p> <p><b>forward</b> 2:4 4:1</p> <p><b>Friday</b> 3:3</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>given</b> 10:8</p> <p><b>granted</b> 6:19</p> <p><b>great</b> 7:20</p> <p><b>group</b> 3:21 5:18 6:3,6,18</p> <hr/> <p style="text-align: center;"><b>H</b></p> <hr/> <p><b>hear</b> 7:7</p> <p><b>hearing</b> 1:7,13 2:13 5:20 7:2,3,4,5,9,12 9:3,7 10:4,10</p> <p><b>helpful</b> 6:5</p> <p><b>hereby</b> 10:4 11:3</p> <p><b>hereto</b> 10:12</p> <p><b>hmm</b> 7:15 8:10</p> <p><b>hope</b> 7:18</p>	<hr/> <p style="text-align: center;"><b>I</b></p> <hr/> <p><b>ignore</b> 7:21</p> <p><b>I'll</b> 2:12 5:4 7:2,11 8:22</p> <p><b>I'm</b> 3:10 4:22 5:5 7:7,22 8:1,4,8</p> <p><b>impact</b> 2:8</p> <p><b>included</b> 6:15</p> <p><b>indicates</b> 5:16</p> <p><b>individuals</b> 3:20</p> <p><b>information</b> 6:12</p> <p><b>interest</b> 5:9</p> <p><b>interested</b> 10:13</p> <p><b>Introductions</b> 2:15</p> <p><b>I-S</b> 3:15</p> <p><b>issues</b> 2:8</p> <p><b>It's</b> 3:18 6:5</p> <hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <p><b>January</b> 7:4</p> <hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p><b>KNOUS</b> 10:3,18</p> <hr/> <p style="text-align: center;"><b>L</b></p> <hr/> <p><b>LaPOOH</b> 11:3,14</p> <p><b>last</b> 3:15 4:6 8:12</p> <p><b>LaVerne</b> 1:15 2:12</p> <p><b>least</b> 5:20</p> <p><b>letter</b> 4:12 5:8,16</p> <p><b>License</b> 1:7 2:6</p> <p><b>LLC</b> 1:5 2:5</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/>	<p><b>ma'am</b> 3:22 6:14</p> <p><b>maintain</b> 5:22</p> <p><b>MALE</b> 4:4,8,10,15,18,2 1 5:6,11</p> <p><b>March</b> 7:5,12,13 8:4,6,10</p> <p><b>Matt</b> 3:17</p> <p><b>M-A-T-T</b> 3:18</p> <p><b>matter</b> 1:4 2:4 5:13</p> <p><b>matter's</b> 8:2</p> <p><b>mediation</b> 7:1 8:2,13</p> <p><b>MEETING</b> 1:3</p> <p><b>met</b> 1:13</p> <p><b>microphone</b> 4:2</p> <hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>N.W</b> 1:13</p> <p><b>neither</b> 10:8</p> <p><b>nor</b> 10:9,13</p> <p><b>Notary</b> 10:1,19</p> <p><b>notes</b> 11:6</p> <p><b>November</b> 1:11</p> <p><b>NW</b> 1:6 2:6 3:10</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>O'Brien</b> 2:17,19,22 3:2,5 7:7,10,12,14,16 8:7,11,19 9:5</p> <p><b>obviously</b> 5:3</p> <p><b>officer</b> 10:3</p> <p><b>Official</b> 2:14</p> <p><b>Oh</b> 7:9</p>	<p><b>okay</b> 3:1,8 5:7,12 6:11,16 7:11 8:12,17,18</p> <p><b>opposed</b> 6:6</p> <p><b>order</b> 2:9 5:22</p> <p><b>Orestes</b> 4:4 6:9</p> <p><b>O-R-E-S-T-E-S</b> 4:5</p> <p><b>otherwise</b> 10:13</p> <p><b>outcome</b> 10:13</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>pages</b> 10:5</p> <p><b>parking</b> 2:9</p> <p><b>particular</b> 5:8</p> <p><b>parties</b> 2:3 10:8,10,12</p> <p><b>peace</b> 2:9</p> <p><b>pedestrian</b> 2:10</p> <p><b>people</b> 5:21 6:6,20</p> <p><b>person</b> 6:3,6,9</p> <p><b>please</b> 2:4,16 3:13 4:3</p> <p><b>present</b> 1:15 3:21 8:11</p> <p><b>presiding</b> 1:15</p> <p><b>prior</b> 8:2</p> <p><b>PRO-00082</b> 2:5</p> <p><b>problem</b> 5:15</p> <p><b>proceeding</b> 6:5 8:12 11:4,5</p> <p><b>proceedings</b> 11:8</p> <p><b>process</b> 5:10</p> <p><b>property</b> 2:10</p> <p><b>protest</b> 2:8 4:12 5:8,16 7:2,3,5,12</p>
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