

Capital Reporting Company  
In the Matter of: Entorage 10-24-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :  
 :  
Entorage :  
2700 New York Avenue, NW :  
Retailer F : Fact Finding  
License No. 89512 : Hearing  
Case No. 12-CMP-00214 :  
Temporary License Application; :  
Follow-up to event held at Days :  
Inn Hotel on May 12, 2012 :  
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October 24, 2012

The Alcoholic Beverage Control

Board met in the Alcoholic Beverage Control Hearing  
Room, Reeves Building, 2000 14th Street, N.W.,  
Washington, D.C., Ruthanne Miller, Chairperson,  
presiding.

PRESENT

RUTHANNE MILLER, Chairperson  
NICK ALBERTI, Member  
DONALD BROOKS, Member  
HERMAN JONES, Member  
CALVIN NOPHLIN, Member  
MIKE SILVERSTEIN, Member

ALSO PRESENT

ERIN MATHIESON, ABRA



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6	<p>1 front door of the Days Inn. There's a side stairwell 2 that leads to the second floor. But I didn't want to 3 just walk up into the stairwell. So I figured I'd 4 start with the front desk staff because obviously they 5 know. It's their property. 6 MR. ALBERTI: Uh-huh. 7 MS. MATHIESON: So I asked for who was in 8 charge of the event. And the front desk staff told me 9 that Lewis was the person who runs the events. So they 10 got Lewis Walker for me, although, he's not the person 11 who was listed on the license as the applicant. 12 MR. ALBERTI: Was it clear to the front desk 13 that you're asking about the event? 14 MS. MATHIESON: Yes, yes. 15 MR. ALBERTI: Okay. 16 MS. MATHIESON: And Lewis Walker was -- I 17 should maybe clarify that. He was in charge of the 18 event. He knew everything that was going on. He knew 19 the full operations. He knew the staff. But 20 apparently, there was -- the way he explained it, there 21 was a confusion, like, how to get the license. So at 22 the last minute, they had applied. And Mr. Patrick had</p>	8	<p>1 used a caterer license. And I think the caterer's 2 license that they had been using was for Rose's Dream - 3 - Rose's Dream Catering. 4 MR. ALBERTI: Uh-huh. 5 MS. MATHIESON: And I think that they had 6 been doing catering license at the event. So there had 7 been something that had come up. And at the last 8 minute, the caterer said they were no longer able to do 9 the event on that day. So that's when they had to 10 apply for the one- day license. But they were very 11 clear about the terms of that, you know, requirement of 12 the one-day license. 13 But it was the first time that they were 14 operating with the one-day. I think all the events 15 that they had previously -- it was the same people who 16 had previously done events there, just a different 17 style of license, if that makes sense. 18 MR. ALBERTI: I'll just interject here. 19 MS. MATHIESON: Yeah. 20 MR. ALBERTI: It's my recollection that we've 21 actually seen other one-days at this location. 22 MS. MATHIESON: Yeah.</p>
7	<p>1 applied and put the license under his name. 2 So I made sure they were aware that, you 3 know, by putting the license under Mr. Patrick's name 4 that he would have to be there at -- 5 MR. ALBERTI: Okay. What's -- talk to a 6 little bit more about this, about -- 7 MS. MATHIESON: It was -- it was a little 8 different. 9 MR. ALBERTI: Who is -- well, wait. I'm -- 10 MS. MATHIESON: Sure. 11 MR. ALBERTI: You said something about they 12 conveyed to you that there was confusion and at the 13 last minute, Mr. Patrick applied for the license. Was 14 there - - who do you -- I mean, did they convey to you 15 who they -- 16 MS. MATHIESON: Yeah. 17 MR. ALBERTI: -- and what their original plan 18 was? 19 MS. MATHIESON: It'd hopefully be better to 20 explain that but this isn't the first time that event's 21 been there in the past. I think previously -- they do 22 events at that location. And I'm almost positive they</p>	9	<p>1 MR. ALBERTI: So -- 2 MS. MATHIESON: I think -- I mean, that was 3 the story that -- 4 MR. ALBERTI: So -- 5 MS. MATHIESON: -- they gave me. 6 MR. ALBERTI: Right. And that story got -- 7 MS. MATHIESON: Yeah. 8 MR. ALBERTI: I'm just -- I'm just thinking 9 that -- okay. So Mr. Walker seemed to be familiar with 10 the staff who -- by the -- by that -- 11 MS. MATHIESON: Yeah. 12 MR. ALBERTI: -- what do you mean -- staff, 13 what staff, like, people working the event or -- 14 MS. MATHIESON: He seemed very familiar -- 15 like, he knew -- yeah, like, the bartender, where the 16 bar was set up, where the license was posted. He knew 17 Mr. Patrick. He had the phone number to call him. So 18 he was -- I was just -- he wasn't obviously a licensed 19 manager but he was somehow involved in the -- 20 MR. ALBERTI: Okay. 21 MS. MATHIESON: -- organization of the event. 22 MR. ALBERTI: Okay. So Mr. Walker, what is</p>

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10	<p>1 his position with Days Inn, do you know?  2 MS. MATHIESON: He doesn't work for the Days  3 Inn. That much I did know. And I don't know if he has  4 a --  5 MR. ALBERTI: Oh, you don't know what his  6 affiliation was with --  7 MS. MATHIESON: No. They just -- the Days  8 Inn employees referred to him as the person in charge  9 for the event. So I don't know if they had a contract,  10 whose name was on the contract. I don't know.  11 MR. ALBERTI: Oh --  12 MS. MATHIESON: Yeah.  13 MR. ALBERTI: -- that's very interesting.  14 MS. MATHIESON: I'm not sure -- not sure how  15 that works.  16 MR. ALBERTI: That's very interesting. Did  17 you speak with the management of Days Inn at all?  18 MS. MATHIESON: No, just the one person at  19 the front desk. Because it was a licensed event and  20 there was the applicant, I didn't really get too much  21 into --  22 MR. ALBERTI: Okay.</p>	12	<p>1 Patrick here. All right. So it's 1:53 and the hearing  2 was called for 1:30 and he hasn't come. I had a  3 request that the Board just take a quick recess to  4 discuss with counsel whether or not we want to take any  5 action just based on the testimony that we heard in  6 this fact finding. So we're going to do that and I'm  7 going to read the instructions for having a quick  8 closed meeting.  9 As Chairperson of the Alcoholic Beverage  10 Control Board for the District of Columbia, and in  11 accordance with Section 405 of the Open Meetings  12 Amendment Act of 2010, I move that the ABC Board hold a  13 closed meeting for the purpose of seeking legal advice  14 from our counsel on Case No. 12-CMP-00214, Entorage,  15 per Section 405(b)(4) of the Open Meetings Amendment  16 Act of 2010 and deliberate upon this case for the  17 reasons cited in Section 405(b)(13) of the Open  18 Meetings Amendment Act of 2010.  19 Is there a second?  20 MR. NOPHLIN: Second.  21 CHAIRPERSON MILLER: Mr. Nophlin has seconded  22 the motion. I'm going to call a roll call vote. Mr.</p>
11	<p>1 MS. MATHIESON: -- into that aspect of it.  2 MR. ALBERTI: Okay. I was just - if you had  3 it, I just want -- would like to hear it. If you  4 hadn't, that's fine. Did you notice what the security  5 was there, if any?  6 MS. MATHIESON: They did have security. I  7 can't recall exactly the number on it but they did have  8 security.  9 MR. ALBERTI: Do you think it was -- did it -  10 - do you know at all or -- whether it was security that  11 was hired -- that were employees of the Days Inn or  12 were they hired by the temporary Licensee?  13 MS. MATHIESON: I can't say for certain,  14 although, my assumption would be that they were hired  15 by the -- not by the Days Inn, by the Licensee.  16 MR. ALBERTI: Okay. I have no further  17 questions right now.  18 CHAIRPERSON MILLER: Anybody else have  19 questions? Okay. Thank you very much.  20 MR. ALBERTI: I've got a couple more  21 recommendations coming out of this.  22 CHAIRPERSON MILLER: Okay. I don't see Mr.</p>	13	<p>1 Nophlin?  2 MR. NOPHLIN: I agree.  3 CHAIRPERSON MILLER: Mr. Brooks?  4 MR. BROOKS: I agree.  5 CHAIRPERSON MILLER: Mr. Alberti?  6 MR. ALBERTI: I agree.  7 CHAIRPERSON MILLER: Ms. Miller agrees. Mr.  8 Silverstein?  9 MR. SILVERSTEIN: I agree.  10 CHAIRPERSON MILLER: Okay. It appears that  11 the motion has passed by a vote of 5-0-0. I hereby  12 give notice that the ABC Board will recess this  13 proceeding to hold a closed meeting in the ABC Board  14 conference room pursuant to the Open Meetings Amendment  15 Act of 2010. Okay.  16 (WHEREUPON, at 1:55 p.m., the hearing went  17 off record until 2:09 p.m.)  18 CHAIRPERSON MILLER: And we're back on the  19 record. I think that Mr. Alberti has a few things he  20 wants to say.  21 MR. ALBERTI: Okay. With respect to this  22 report, this report raised a lot of red flags for me.</p>

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<p style="text-align: right;">14</p> <p>1 I'm concerned about the fact that Mr. Patrick wasn't  2 present. And it appeared that he may not have had any  3 intention of being present. It took him 30 minutes to  4 arrive. I'm also concerned about Mr. Walker's role in  5 how this license was handled. He seemed to be  6 knowledgeable of the fact that an ABC manager or the  7 owner should be present, and yet, he seemed to be  8 somehow connected with organizing this event, and yet,  9 we have a violation here of no owner or ABC manager on  10 duty.  11       And the third thing I'm concerned about is  12 how the -- how the management of this establishment,  13 Days Inn -- what their -- what their role is in these  14 events. We see events week after week at this  15 establishment. There's implication from testimony that  16 Mr. Walker and Mr. Patrick have done events in the past  17 at this establishment. So I'm going to recommend that  18 we deny Mr. Kenneth Patrick any one-day temporary  19 licenses for a period of one year.  20       And the second part of our motion is that we  21 not grant any -- or approve any one-day licenses for  22 this venue, the Days Inn, at 2700 New York Avenue until</p>	<p style="text-align: right;">16</p> <p>1 or those individuals who might be planning events  2 there. And therefore, my understanding is that we will  3 make room in our schedule so that we could have this  4 fact finding in the near future.  5       Okay. Other comments?  6       (No audible response.)  7       CHAIRPERSON MILLER: Then there's been a  8 motion. I think it's been seconded by Mr. Nophlin. All  9 right. All those in favor, say aye?  10       (Chorus of ayes.)  11       CHAIRPERSON MILLER: All those opposed?  12       (No audible response.)  13       CHAIRPERSON MILLER: All those abstaining?  14       (No audible response.)  15       CHAIRPERSON MILLER: The vote is 6-0-0 then  16 and the motion passes. Okay. Thank you very much.  17       (WHEREUPON, at 2:13 p.m., the hearing was  18 concluded.)  19  20  21  22</p>
<p style="text-align: right;">15</p> <p>1 they appear for us in a fact finding hearing so we can  2 find out what they see as their responsibilities and  3 what their connection to these events is. So that's my  4 recommendation to the Board.  5       CHAIRPERSON MILLER: Is there a second? Are  6 there comments?  7       (No audible response.)  8       CHAIRPERSON MILLER: I just make a couple of  9 comments. I think that it's very serious if the person  10 who is the applicant in charge of being responsible for  11 the service of alcohol not show up at an event. And  12 Mr. Patrick also has not shown up here at this hearing.  13 And we haven't had any word from him as to any reason  14 why he's not here. So for that reason, I would go  15 along with denying him a one-day license in the  16 District for a year.  17       And with respect to the Days Inn, I  18 understand that our Board sees a lot of applications  19 and has -- there are some concerns. And I would say  20 that I understand that this could, you know, hinder  21 some events maybe that are already planned. And I  22 don't think that we want to unduly burden the Days Inn</p>	<p style="text-align: right;">17</p> <p style="text-align: center;">1       CERTIFICATE OF NOTARY PUBLIC  2  3       I, LINDA METCALF, the officer before whom the  4 foregoing hearing was taken, do hereby certify that the  5 testimony appearing in the foregoing pages was recorded  6 by me and thereafter reduced to typewriting under my  7 direction; that said transcription is a true record of  8 the testimony given by said parties; that I am neither  9 counsel for, related to, nor employed by any of the  10 parties to the action in which this hearing was taken;  11 and, further, that I am not a relative or employee of  12 any counsel or attorney employed by the parties hereto,  13 nor financially or otherwise interested in the outcome  14 of this action.  15  16  17  18       _____  19       LINDA METCALF  20       Notary Public in and for the  21       District of Columbia  22</p>

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1 CERTIFICATE OF TRANSCRIPTION

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3 I, MIRANDA PENNACHI, hereby certify that I am not  
4 the Court Reporter who reported the proceeding and that  
5 I have typed the transcript of the proceeding using the  
6 Court Reporter's notes and recordings. The  
7 foregoing/attached transcript is a true, correct and  
8 complete transcription of the proceedings.

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14 \_\_\_\_\_  
Date MIRANDA PENNACHI

15 Transcriptionist

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<p><b>certain</b> 11:13  <b>CERTIFICATE</b>  17:1 18:1  <b>certify</b> 17:4 18:3  <b>Chairperson</b>  1:14,16  2:3,12,16,20 3:5  5:6,8 11:18,22  12:9,21  13:3,5,7,10,18  15:5,8  16:7,11,13,15  <b>charge</b> 3:16,18  5:14,17,18  6:8,17 10:8  15:10  <b>Chorus</b> 16:10  <b>cited</b> 12:17  <b>clarify</b> 6:17  <b>clear</b> 5:16 6:12  8:11  <b>closed</b> 12:8,13  13:13  <b>Columbia</b> 1:1  12:10 17:20  <b>coming</b> 11:21  <b>comments</b> 15:6,9  16:5  <b>complete</b> 18:8  <b>concerned</b>  14:1,4,11  <b>concerns</b> 15:19  <b>concluded</b> 16:18  <b>conference</b> 13:14  <b>confusion</b> 6:21  7:12  <b>connected</b> 14:8</p>	<p><b>connection</b> 15:3  <b>consuming</b> 4:4  <b>contract</b> 10:9,10  <b>Control</b> 1:2,12,13  12:10  <b>convey</b> 7:14  <b>conveyed</b> 7:12  <b>corner</b> 4:3  <b>correct</b> 18:7  <b>counsel</b> 12:4,14  17:9,12  <b>couple</b> 11:20 15:8  <b>Court</b> 18:4,6</p> <hr/> <p style="text-align: center;"><b>D</b></p> <hr/> <p><b>D.C</b> 1:14  <b>Date</b> 18:14  <b>day</b> 8:9,10  <b>Days</b> 1:8  3:9,12,15,17  5:13,18,22 6:1  10:1,2,7,17  11:11,15  14:13,22  15:17,22  <b>deliberate</b> 12:16  <b>deny</b> 14:18  <b>denying</b> 15:15  <b>desk</b> 6:4,8,12  10:19  <b>different</b> 7:8 8:16  <b>direction</b> 17:7  <b>discuss</b> 12:4  <b>District</b> 1:1 12:10  15:16 17:20  <b>DONALD</b> 1:17</p>	<p><b>done</b> 8:16 14:16  <b>door</b> 6:1  <b>downstairs</b> 4:18  <b>Dream</b> 8:2,3  <b>duration</b> 5:3  <b>duty</b> 14:10</p> <hr/> <p style="text-align: center;"><b>E</b></p> <hr/> <p><b>either</b> 4:14  <b>else</b> 11:18  <b>employed</b> 17:9,12  <b>employee</b> 17:11  <b>employees</b> 10:8  11:11  <b>entered</b> 3:15,22  5:13  <b>Entorage</b> 1:5 2:5  3:10,15 12:14  <b>Erin</b> 1:20 2:9  <b>establishment</b>  14:12,15,17  <b>event</b> 1:8  3:8,9,15,22  4:1,16,22  5:3,19,20,21  6:8,13,18 8:6,9  9:13,21 10:9,19  14:8 15:11  <b>events</b> 6:9 7:22  8:14,16 14:14,16  15:3,21 16:1  <b>event's</b> 7:20  <b>everything</b> 6:18  <b>exactly</b> 11:7  <b>excuse</b> 4:10  <b>explain</b> 7:20  <b>explained</b> 6:20</p>	<hr/> <p style="text-align: center;"><b>F</b></p> <hr/> <p><b>fact</b> 1:6 12:6  14:1,6 15:1 16:4  <b>familiar</b> 9:9,14  <b>favor</b> 16:9  <b>figured</b> 6:3  <b>financially</b> 17:13  <b>finding</b> 1:6 12:6  15:1 16:4  <b>fine</b> 11:4  <b>first</b> 7:20 8:13  <b>flags</b> 13:22  <b>floor</b> 6:2  <b>Follow-up</b> 1:8  <b>food</b> 4:4  <b>foregoing</b> 17:4,5  <b>foregoing/  attached</b> 18:7  <b>forth</b> 4:5  <b>forward</b> 2:7 3:2  <b>front</b> 6:1,4,8,12  10:19  <b>full</b> 6:19  <b>future</b> 16:4</p> <hr/> <p style="text-align: center;"><b>G</b></p> <hr/> <p><b>generated</b> 3:7  <b>given</b> 17:8  <b>grant</b> 14:21  <b>Great</b> 2:14</p> <hr/> <p style="text-align: center;"><b>H</b></p> <hr/> <p><b>handled</b> 14:5  <b>happened</b> 5:5  <b>haven't</b> 15:13</p>
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