

Capital Reporting Company  
In the Matter of: John P. Leader 09-19-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :  
 :  
John P. Leader :  
Between 9th and 14th Street :  
Pennsylvania Avenue, NW :  
Class F : Fact Finding  
Temporary License Application : Hearing  
Taste of DC :  
Dates of Event: :  
October 6, 7, and 8, 2012 :  
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September 19, 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

ABYIE GHENENE, ABRA

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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                                   10:59 a.m.</p> <p>3           CHAIRPERSON MILLER: Okay. We're back on the</p> <p>4 record. We have a fact finding hearing for Taste of</p> <p>5 DC. And why don't you all start by introducing</p> <p>6 yourselves for the record?</p> <p>7           MR. MARTENS: I'm Steuart Martens and this is</p> <p>8 John Leader.</p> <p>9           CHAIRPERSON MILLER: Okay. I think I'll just</p> <p>10 let you start a little bit and tell us basic overview</p> <p>11 of your event. And then we can get into the details.</p> <p>12           MR. MARTENS: Certainly. So Taste of DC was</p> <p>13 started in 1989. As you guys know it's a traditional</p> <p>14 food festival for the city showcasing 50 of the area's</p> <p>15 best restaurants, as it relates to restaurants. And</p> <p>16 then we've got musical entertainment, sponsors doing</p> <p>17 (inaudible), moon bounces, stuff for family. Pretty</p> <p>18 simple. Not really changing much this year except for</p> <p>19 the fact that we are fencing in the event for the first</p> <p>20 time.</p> <p>21           CHAIRPERSON MILLER: Okay.</p> <p>22           MR. MARTENS: We decided to do that for</p>	<p style="text-align: right;">4</p> <p>1 give the consumers, the vendors and just the community</p> <p>2 a better event by doing this.</p> <p>3           CHAIRPERSON MILLER: So where is it going to</p> <p>4 be fenced?</p> <p>5           MR. MARTENS: Just the perimeter of</p> <p>6 Pennsylvania Avenue and the North/South streets of our</p> <p>7 -- same site map last year, no different location.</p> <p>8           CHAIRPERSON MILLER: Just want to pause for a</p> <p>9 second and let our investigator introduce himself for</p> <p>10 the record.</p> <p>11           MR. GHENENE: All right. Abyie Ghenene, ABRA</p> <p>12 investigator.</p> <p>13           CHAIRPERSON MILLER: Good morning. We just</p> <p>14 started, like, a minute ago. And what -- I'm sorry,</p> <p>15 would you repeat your name?</p> <p>16           MR. MARTENS: Steuart Martens.</p> <p>17           CHAIRPERSON MILLER: Marcus [sic]? Okay.</p> <p>18 Mr. Marcus [sic] was saying that --</p> <p>19           MR. MARTENS: Steuart Martens.</p> <p>20           CHAIRPERSON MILLER: Martin [sic]?</p> <p>21           MR. MARTENS: Martens.</p> <p>22           CHAIRPERSON MILLER: Martens. Saying that</p>
<p style="text-align: right;">3</p> <p>1 security concerns and just overall safety of the event.</p> <p>2 Last year was just very crowded. We didn't have any</p> <p>3 incidents but it was very, very crowded. So we want to</p> <p>4 do some -- this is the way we -- or optimize crowd</p> <p>5 control.</p> <p>6           CHAIRPERSON MILLER: Well, that's -- wait one</p> <p>7 minute. I just want to -- sometimes we have an</p> <p>8 investigator here from the agency. And I'm wondering -</p> <p>9 - yeah, he'll be coming. Is your way of crowd control</p> <p>10 with the fencing?</p> <p>11           MR. MARTENS: Well, no. Yeah, we also we had</p> <p>12 a lot of issues last year with the Occupy protesters.</p> <p>13           CHAIRPERSON MILLER: Right. Okay.</p> <p>14           MR. MARTENS: So there were -- in the essence</p> <p>15 that they caused the event to open later because of</p> <p>16 that. And there were just security concerns as it</p> <p>17 relates to what they were going to do. Not -- we</p> <p>18 didn't know what they were going to do. The police</p> <p>19 just wanted to kind of feel things out. So we delayed</p> <p>20 opening. And this is just a way we can mitigate those</p> <p>21 things that might occur.</p> <p>22           And ultimately, our goal in doing so is to</p>	<p style="text-align: right;">5</p> <p>1 what's different so far this year from last year is</p> <p>2 that they're fencing the event.</p> <p>3           MR. GHENENE: Okay.</p> <p>4           CHAIRPERSON MILLER: And also last year they</p> <p>5 had to deal with the Occupiers. And that's not an</p> <p>6 issue this year.</p> <p>7           MR. MARTENS: Actually, believe it or not, it</p> <p>8 is.</p> <p>9           CHAIRPERSON MILLER: Is it an issue still?</p> <p>10           MR. MARTENS: They are -- they are -- they</p> <p>11 have a permit for the plaza this year.</p> <p>12           CHAIRPERSON MILLER: They have a permit</p> <p>13 starting when?</p> <p>14           MR. MARTENS: They were trying to get a</p> <p>15 permit --</p> <p>16           CHAIRPERSON MILLER: Oh</p> <p>17           MR. MARTENS: -- Taste of DC weekend. So --</p> <p>18           CHAIRPERSON MILLER: Oh</p> <p>19           MR. MARTENS: -- they will be there in some</p> <p>20 capacity. We don't know what but they will be there.</p> <p>21           CHAIRPERSON MILLER: Oh, just your luck.</p> <p>22 Okay.</p>

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6	<p>1 MR. ALBERTI: And maybe they're food lovers.  2 MR. MARTENS: All those One Percenters.  3 CHAIRPERSON MILLER: So you have a -- you  4 have a plan to deal with that?  5 MR. MARTENS: We're working on it, yes.  6 We're working with MPD on it.  7 CHAIRPERSON MILLER: Working with MPD?  8 Okay.  9 And who else are you working with, anybody else?  10 MR. MARTENS: Just internally. And our --  11 CSC is our security company that we contract with. So  12 we're working with them to understand what it is we can  13 and can't do and come up with a game plan.  14 CHAIRPERSON MILLER: Okay. So this is a  15 three- day event?  16 MR. MARTENS: Yes, ma'am.  17 CHAIRPERSON MILLER: And did I see 10,000  18 people you expect or what's your --  19 MR. MARTENS: That's the capacity of the  20 venue.  21 CHAIRPERSON MILLER: That's the capacity of  22 the venue. Do you know how many people you had last  year?</p>	8
7	<p>1 MR. MARTENS: It's pretty hard to tell. I  2 mean, it's -- last year it wasn't fenced in. So  3 anybody could walk into --  4 CHAIRPERSON MILLER: Right.  5 MR. MARTENS: -- (inaudible) and say they  6 were there. So we had no way of actually tracking how  7 many bodies were there. It was a lot. Exactly how  8 many, I'm not quite sure.  9 CHAIRPERSON MILLER: And the venue is exactly  10 what?  11 MR. MARTENS: Exactly the same. It's on  12 Pennsylvania between 14th and 9th Street.  13 CHAIRPERSON MILLER: Okay. And what's your  14 security?  15 MR. MARTENS: We're contracting with CSC.  16 CHAIRPERSON MILLER: Uh-huh.  17 MR. MARTENS: So CSC is our third-party  18 security company. And we also have MPD coming out as  19 well in the same form and fashion as they did last  20 year.  21 MR. ALBERTI: Could you --  22 CHAIRPERSON MILLER: Speak into the mike?</p>	9

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10	<p>1 purchase drinks with tickets or cash or what?  2 MR. MARTENS: So when you come in to get into  3 the event, you get an admission pass, which is good for  4 one beverage, a coke, a water, a beer, whatever you'd  5 like. And then with that, afterwards you can buy any  6 kind of beverage you'd like with cash or credit.  7 CHAIRPERSON MILLER: Okay. All right. Other  8 questions from Board members? Mr. Alberti?  9 MR. ALBERTI: I guess I'll start off. When  10 we're talking about purchasing, how many drinks can one  11 person purchase? How many beverages -- alcoholic  12 beverages can one person purchase?  13 MR. LEADER: No one person is allowed to  14 purchase more than two at a time. And there must be  15 someone else with them there physically in order to  16 purchase the second drink, who also has a wrist band.  17 MR. ALBERTI: All right. How do you prevent  18 me from buying it and then handing it off to my 19-  19 year-old nephew?  20 MR. LEADER: So part of the part of the --  21 our - - out of our 35 roaming security, between CSC and  22 MPD, you know, the issues we're giving to them are --</p>	12
11	<p>1 the issue -- the manifest, we're giving them details,  2 the color of wrist band per day. And they are  3 instructed that if they don't -- if they see a person  4 with an alcoholic drink, which will be served in clear  5 plastic cups, without a wrist band, just even holding  6 it, to go up and immediately remove the drink from the  7 person and then escort them out of the venue, where  8 then, they will be -- it'll be determined by the  9 authorities where it needs to go from there.  10 MR. ALBERTI: So you -- conjecturing from  11 your - - what you just told me that alcoholic beverages  12 are the only -- one of the only things that will be  13 served in clear plastic cups. Is that --  14 MR. LEADER: It'll all -- well, the other  15 non- alcoholic beverages, the sodas and waters, are  16 coming in the standard 20-ounce plastic bottles.  17 MR. ALBERTI: Okay.  18 MR. LEADER: So the clear -- the only  19 beverage that would be in a clear plastic cup would be  20 alcohol.  21 MR. ALBERTI: So the security guards and  22 every volunteer or whoever's working, they're</p>	13
10	<p>1 instructed if they see anyone with a clear plastic cup  2 and they don't have a wrist band, they're to be --  3 MR. LEADER: They need to -- them to be  4 removed. Correct.  5 MR. ALBERTI: Them to be -- okay.  6 MR. MARTENS: Yeah, the Cokes are not poured  7 into a cup.  8 MR. ALBERTI: Right, right.  9 MR. MARTENS: So  10 CHAIRPERSON MILLER: Uh-huh.  11 MR. ALBERTI: Someone needs to approach them.  12 Okay. Where are the entrances and exits?  13 MR. LEADER: The entrances and exits is  14 marked on the top map -- are at 14th Street and  15 Pennsylvania Avenue, 11th Street, sort of in-between E  16 and Pennsylvania Avenue, and then at 12th Street, just  17 south of Pennsylvania Avenue leading up from the  18 Federal Triangle Metro stop.  19 MR. ALBERTI: Okay. Okay. And there's no  20 entrance behind the stage there at 9th Street?  21 MR. LEADER: No, there is not.  22 MR. ALBERTI: What kind of fencing are you</p>	13
11	<p>1 using?  2 MR. LEADER: We're using six-foot-high chain  3 link fencing.  4 MR. ALBERTI: Oh, really? All the way  5 around?  6 MR. LEADER: Uh-huh.  7 MR. ALBERTI: Okay.  8 MR. MARTENS: And that's primarily to your  9 concern. Simply being able to --  10 MR. ALBERTI: Yeah, so that people can't  11 reach over --  12 MR. MARTENS: -- take a beer and hand it over  13 a bike rack barricade is just not --  14 MR. ALBERTI: You knew exactly what I was  15 asking. I don't have any other questions right now.  16 CHAIRPERSON MILLER: Okay. Yes, Mr. Nophlin?  17 MR. NOPHLIN: One quick question. Then, the  18 illustration of the map that you gave us, where the red  19 lines are, that's the barricades -- the fence or is  20 that just where the venue's taking place?  21 MR. MARTENS: That is actually the fence  22 line.</p>	13

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<p style="text-align: right;">14</p> <p>1 MR. NOPHLIN: That's what?</p> <p>2 MR. MARTENS: The fence line.</p> <p>3 MR. NOPHLIN: Fence line. So the fence is --</p> <p>4 okay. Quite a bit of fence. Quite a bit of fence.</p> <p>5 Okay. Thank you. That's all I have.</p> <p>6 CHAIRPERSON MILLER: Other Board questions?</p> <p>7 MR. ALBERTI: Yeah, I have.</p> <p>8 CHAIRPERSON MILLER: Yeah, uh-huh.</p> <p>9 MR. ALBERTI: So you have 17 security guards</p> <p>10 roaming. MPD, where will they be stationed?</p> <p>11 MR. LEADER: That is up to their lieutenant.</p> <p>12 When I spoke with him yesterday, he had said that they</p> <p>13 were going to station them in higher concentrations</p> <p>14 near alcohol vending locations, as well as the seating</p> <p>15 areas throughout the event, which is -- they feel is</p> <p>16 the most likely location for alcohol consumption.</p> <p>17 MR. ALBERTI: Okay. So they will be in the</p> <p>18 interior, not just around the perimeter?</p> <p>19 MR. LEADER: Oh, yes. They'll certainly --</p> <p>20 MR. ALBERTI: And then you'll have 17 of your</p> <p>21 own security staff that will be roaming?</p> <p>22 MR. LEADER: Entirely in the interior, yes.</p>	<p style="text-align: right;">16</p> <p>1 bodies that are able to identify various things as it</p> <p>2 relates to overconsumption and/or underage consumption</p> <p>3 if that might be present.</p> <p>4 MR. ALBERTI: How many restaurants do you</p> <p>5 have participating?</p> <p>6 MR. MARTENS: We're getting up to about 60 at</p> <p>7 this point.</p> <p>8 MR. ALBERTI: Great.</p> <p>9 MR. LEADER: As well as food trucks.</p> <p>10 MR. MARTENS: As well as food trucks too.</p> <p>11 MR. ALBERTI: Oh, yeah. Those are popular.</p> <p>12 MR. LEADER: You got to keep those guys --</p> <p>13 MR. ALBERTI: Yes. Got to keep those guys</p> <p>14 happy.</p> <p>15 MR. LEADER: Got to keep them happy.</p> <p>16 MR. ALBERTI: All right. Thank you.</p> <p>17 MR. MARTENS: Thank you.</p> <p>18 CHAIRPERSON MILLER: I have one more</p> <p>19 question. The problem -- what kind of problems did you</p> <p>20 have last year, like, with the Occupiers?</p> <p>21 MR. MARTENS: It was more or less just not</p> <p>22 knowing what they were going to do, you know. There</p>
<p style="text-align: right;">15</p> <p>1 MR. ALBERTI: In addition to those people, is</p> <p>2 there -- well, is it clear to your security staff that</p> <p>3 part of their duties is to monitor public intoxication</p> <p>4 and underage drinking?</p> <p>5 MR. LEADER: Yes, that is. And also included</p> <p>6 in our volunteer welcome pack is a sheet from the TIPS</p> <p>7 training manual that details the obvious signs of</p> <p>8 intoxication so that volunteers are capable of</p> <p>9 identifying someone who may have been overserved. And</p> <p>10 then it gives them instructions of how to contact a</p> <p>11 Taste of DC staff member and security in order to help</p> <p>12 assist that person in being removed from the venue and</p> <p>13 not served any more alcohol.</p> <p>14 MR. ALBERTI: So you have volunteers working</p> <p>15 this event?</p> <p>16 MR. LEADER: Yes, we have those as well.</p> <p>17 MR. ALBERTI: How many volunteers?</p> <p>18 MR. MARTENS: Two hundred a day.</p> <p>19 MR. ALBERTI: Pardon?</p> <p>20 MR. MARTENS: Two hundred per day.</p> <p>21 MR. ALBERTI: Oh, okay. Great.</p> <p>22 MR. MARTENS: So there will be a lot of other</p>	<p style="text-align: right;">17</p> <p>1 was -- there was thoughts that -- or there were</p> <p>2 concerns that they had things they were going to thrown</p> <p>3 on people, from paint to -- there were a lot of rumors</p> <p>4 about what their intentions were. So --</p> <p>5 MR. LEADER: They didn't do any of it.</p> <p>6 MR. MARTENS: They didn't do any of it.</p> <p>7 CHAIRPERSON MILLER: They didn't do anything.</p> <p>8 So --</p> <p>9 MR. LEADER: They are --</p> <p>10 MR. MARTENS: I think more or less it was</p> <p>11 just a concern of --</p> <p>12 CHAIRPERSON MILLER: Unknown?</p> <p>13 MR. MARTENS: -- unknown.</p> <p>14 CHAIRPERSON MILLER: Uh-huh. Okay.</p> <p>15 MR. MARTENS: And it kind of sprung up on us.</p> <p>16 I mean, we thought they were just going to sit up there</p> <p>17 and hang out and do their thing. And that didn't --</p> <p>18 that didn't occur. I mean, they still came into the --</p> <p>19 into the festival, beating their drums and had their</p> <p>20 signs and did their thing but nothing malicious in</p> <p>21 effect.</p> <p>22 CHAIRPERSON MILLER: Okay. Good.</p>

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18	1 MR. ALBERTI: They're not going to be able to 2 do that this year, right? 3 MR. MARTENS: They're not. They'd have to 4 buy a ticket. 5 MR. ALBERTI: Right. That was my point. 6 MR. MARTENS: Makes it a little bit more 7 difficult. 8 CHAIRPERSON MILLER: Okay. Mr. Ghenene, do 9 you have any questions or -- 10 MR. GHENENE: I only have two questions. 11 CHAIRPERSON MILLER: Okay. 12 MR. GHENENE: I worked the event last year so 13 I know it went pretty smoothly. 14 CHAIRPERSON MILLER: Yeah, great. 15 MR. GHENENE: I just couldn't remember. Are 16 patrons that purchase alcohol -- are they allowed to 17 walk the entire (inaudible) or they have to stay inside 18 of the -- 19 MR. MARTENS: So last year we had them in 20 those -- the pens, so to speak. We had bike rack -- we 21 -- actually, no. 22 MR. GHENENE: Yeah.	20	1 MR. MARTENS: -- local bands throughout the 2 day. And then Saturday we have Sean Paul -- 3 MR. GHENENE: Uh-huh. 4 MR. MARTENS: -- at 2:00 p.m. And on Sunday 5 it's Andy Grammer. That's our headliners. 6 MR. GHENENE: When you say, "Local bands," do 7 you know any of them off the top of your head? 8 MR. MARTENS: No. For the most -- I don't 9 personally. 10 MR. GHENENE: Okay, okay. 11 MR. MARTENS: It's nothing -- we are -- we 12 have been told to be very careful with our music choice 13 selection -- 14 MR. GHENENE: Okay. 15 MR. MARTENS: -- i.e., we were instructed no 16 urban music. 17 MR. GHENENE: Okay. 18 MR. MARTENS: And that was followed to the T. 19 MR. GHENENE: Okay. 20 CHAIRPERSON MILLER: Okay. Good. All right. 21 MR. ALBERTI: And just out of curiosity -- 22 CHAIRPERSON MILLER: Uh-huh.
19	1 MR. LEADER: No, six foot. 2 MR. MARTENS: It was six foot. It was six- 3 foot fencing. But our biggest complaints from 4 consumers were they felt caged in. And a lot of people 5 -- even just generic beverage pods, you know, that's 6 where the seating was. So they had to go get their 7 food. Then they had to go into this caged-in area. 8 CHAIRPERSON MILLER: Uh-huh. 9 MR. MARTENS: So this year, with fencing all 10 along the perimeters, we're going to allow people to 11 roam. 12 MR. GHENENE: Okay. 13 MR. MARTENS: And I think it's just going to 14 be easy -- fairly easy for us to monitor this year as 15 well with just our security staff and the police -- 16 MR. GHENENE: Okay. 17 MR. MARTENS: -- as well. 18 MR. GHENENE: And then what bands have you 19 contracted with? 20 MR. MARTENS: The majority of our talent's 21 local -- 22 MR. GHENENE: Uh-huh.	21	1 MR. ALBERTI: -- entertainment's just at that 2 stage or is there other places where -- 3 MR. MARTENS: There's the main stage, which 4 you can see is at the base -- 5 MR. ALBERTI: At 9th Street. 6 MR. MARTENS: -- right by 9th -- 7 MR. ALBERTI: Yeah. 8 MR. MARTENS: -- and 10. And then there's 9 the culinary stage, which has no music on it. And then 10 there's the smaller stage right at the base of 11th 11 Street. 12 MR. ALBERTI: Okay. Oh, yeah. That little, 13 small, pink square. 14 MR. MARTENS: So the music is heavily 15 contained to this area, as you remember last year. 16 MR. GHENENE: Uh-huh. 17 MR. MARTENS: And that was a pretty 18 controlled - - you know, that's a heavy alcohol 19 environment. 20 MR. ALBERTI: Uh-huh. 21 MR. MARTENS: So a majority of our resources 22 are applied there to make sure that that's secure.

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22	<p>1 CHAIRPERSON MILLER: Okay.</p> <p>2 MR. ALBERTI: Thank you.</p> <p>3 CHAIRPERSON MILLER: Any other question from</p> <p>4 the Board members?</p> <p>5 MR. NOPHLIN: I have one question, please.</p> <p>6 CHAIRPERSON MILLER: Uh-huh.</p> <p>7 MR. NOPHLIN: You mentioned the music and no</p> <p>8 urban music. Please give me the definition of urban</p> <p>9 music.</p> <p>10 MR. MARTENS: I'd love for someone else to</p> <p>11 help me define that too. I was basically -- as we</p> <p>12 understood it from MSETG, they wanted to reduce the rap</p> <p>13 artists that were out there. They just felt that the</p> <p>14 crowd a rap artist would bring is not necessarily a</p> <p>15 safe or secure as they would want and feel comfortable</p> <p>16 with. So we said, "Okay."</p> <p>17 MR. NOPHLIN: Yes, thank you.</p> <p>18 CHAIRPERSON MILLER: Who said this, MSDG</p> <p>19 [sic]? Who's that?</p> <p>20 MR. MARTENS: Yes. We were sitting in our</p> <p>21 MSETG meeting and they used the term, "No urban music."</p> <p>22 MR. NOPHLIN: The only thing I would suggest,</p>	24	<p>1 CHAIRPERSON MILLER: So it's urban versus</p> <p>2 family friendly, right?</p> <p>3 MR. MARTENS: We've selected family-friendly</p> <p>4 artists.</p> <p>5 CHAIRPERSON MILLER: Okay.</p> <p>6 MR. MARTENS: Yes, sir.</p> <p>7 CHAIRPERSON MILLER: Well, can I ask you, did</p> <p>8 -- was that -- was that requested last year or no?</p> <p>9 MR. MARTENS: It was.</p> <p>10 CHAIRPERSON MILLER: Same thing? Okay.</p> <p>11 MR. MARTENS: Yeah.</p> <p>12 CHAIRPERSON MILLER: Mr. Silverstein has a</p> <p>13 question.</p> <p>14 MR. SILVERSTEIN: So just you're -- you are</p> <p>15 not -- it is not your decision? You did not -- you</p> <p>16 were not the ones who initiated this request, correct?</p> <p>17 MR. MARTENS: Correct.</p> <p>18 MR. SILVERSTEIN: And you're not -- you're</p> <p>19 not banning any such music?</p> <p>20 MR. MARTENS: Absolutely not.</p> <p>21 MR. SILVERSTEIN: You're simply --</p> <p>22 MR. MARTENS: No. We have an --</p>
23	<p>1 Madam Chair -- and I had some concerns about</p> <p>2 definitions, particularly as it pertains to inner-city</p> <p>3 groups --</p> <p>4 CHAIRPERSON MILLER: Yeah.</p> <p>5 MR. NOPHLIN: -- I would like to know what</p> <p>6 the definition of urban music would be.</p> <p>7 CHAIRPERSON MILLER: And who is it? Who --</p> <p>8 I'm just -- we're just not -- I'm not following this</p> <p>9 whole --</p> <p>10 MR. LEADER: The -- MSETG, the Mayor's</p> <p>11 Special Events Task Group.</p> <p>12 CHAIRPERSON MILLER: It is the Special Events</p> <p>13 Task Group?</p> <p>14 MR. LEADER: Yes.</p> <p>15 MR. MARTENS: I think they're concerned about</p> <p>16 the type of group that's present at their festivals.</p> <p>17 Why, I don't -- I mean --</p> <p>18 MR. ALBERTI: So we can certainly contact</p> <p>19 them and have that discussion.</p> <p>20 MR. MARTENS: We were asked to choose more</p> <p>21 family-friendly music artists. And we said, "Fine."</p> <p>22 MR. NOPHLIN: Thank you.</p>	25	<p>1 MR. SILVERSTEIN: -- acquiescing to a request</p> <p>2 by a -</p> <p>3 MR. MARTENS: -- open application process.</p> <p>4 MR. SILVERSTEIN: -- by a city official that</p> <p>5 little -- which on one hand, I can understand what</p> <p>6 they're trying to get to. They want an open crowd --</p> <p>7 MR. MARTENS: Sure.</p> <p>8 MR. SILVERSTEIN: -- and they want a family</p> <p>9 crowd. On the other hand, I feel profoundly</p> <p>10 uncomfortable just even talking about such things,</p> <p>11 excluding people. But if it's not something that you</p> <p>12 guys started, then we're certainly not going to put it</p> <p>13 back on you.</p> <p>14 MR. MARTENS: We have an open application</p> <p>15 process. So how it works is you can get on our website</p> <p>16 and apply if you're any artist or musician or just</p> <p>17 about anything that you want to do. I mean, we have a</p> <p>18 form for sponsors, for talent, you know, from jugglers</p> <p>19 all the way to whatever you're -- whatever you're act</p> <p>20 may be. And we get hundreds of requests to come</p> <p>21 participate in the festival.</p> <p>22 And we examine every one of them and make</p>

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<p style="text-align: right;">26</p> <p>1 sure that it's something that would be -- would -- that  2 Taste of DC consumers would want to do and that also,  3 it's a safe act that wouldn't bring any potential harm.  4 Like, fire eaters, probably not a great idea at the  5 festival.  6 MR. LEADER: They also have a concern about  7 the content of their lyrics, that there's no profanity  8 coming from the stages. So we do request that all of  9 our performers perform the clean versions of their  10 songs. I think that was one of the things they were  11 also getting to as well, is they wanted to make sure  12 that just the sound that comes out on Pennsylvania  13 Avenue is not inappropriate in any way in terms of  14 swearing or profanity.  15 MR. MARTENS: Maybe their terminology's being  16 taken slightly out of context but that's how we took --  17 they asked us and we obliged.  18 CHAIRPERSON MILLER: Okay.  19 MR. SILVERSTEIN: No further questions, Madam  20 Chair.  21 CHAIRPERSON MILLER: Okay. Anybody else?  22 Anybody else? Okay. Well, it sounds like you have</p>	<p style="text-align: right;">28</p> <p>1 PARTICIPANT: Did you --  2 CHAIRPERSON MILLER: No, we're fine. Okay.  3 Thank you very much. Have a great event.  4 MR. LEADER: Thank you.  5 CHAIRPERSON MILLER: And we'll, I think,  6 recess, right? Ten minutes. Our next hearing is  7 scheduled for  8 11:30.  9 MR. SILVERSTEIN: And I'm behind you on your  10 application.  11 MR. MARTENS: All right. Thank you.  12 MR. SILVERSTEIN: Signed, sealed and  13 delivered.  14 MR. MARTENS: Take care everybody.  15 CHAIRPERSON MILLER: You too.  16 (WHEREUPON, at 11:19 a.m., the hearing was  17 concluded.)  18  19  20  21  22</p>
<p style="text-align: right;">27</p> <p>1 things very much under control here. So we'll be  2 signing off.  3 MR. ALBERTI: What is the cost of admission,  4 just for my own curiosity?  5 MR. MARTENS: Presales, \$5. You can get your  6 Living Social for \$5.  7 MR. ALBERTI: Okay.  8 MR. MARTENS: Presale on our website's \$8.99  9 and then at the door, \$10.  10 MR. SILVERSTEIN: Here's hoping for good  11 weather.  12 CHAIRPERSON MILLER: You have a different --  13 MR. MARTENS: Yes, definitely.  14 CHAIRPERSON MILLER: You have a different  15 price for kids or no?  16 MR. MARTENS: Kids under 12 are free.  17 CHAIRPERSON MILLER: Oh  18 MR. MARTENS: Anything else for us?  19 CHAIRPERSON MILLER: No.  20 MR. MARTENS: All right.  21 CHAIRPERSON MILLER: Oh, well, we probably  22 want your sign-in.</p>	<p style="text-align: right;">29</p> <p>1 CERTIFICATE OF NOTARY PUBLIC  2  3 I, BRADLEY ANGLIN, the officer before whom the  4 foregoing hearing was taken, do hereby certify that the  5 testimony appearing in the foregoing transcript was  6 recorded by me and thereafter reduced to typewriting  7 under my direction; that said transcription is a true  8 record of the testimony given by said parties; that I  9 am neither counsel for, related to, nor employed by any  10 of the parties to the action in which this 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 _____  20 BRADLEY ANGLIN  21 Notary Public in and for the  22 District of Columbia</p>

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1 CERTIFICATE OF TRANSCRIPTION

2

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

10

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14 Date MIRANDA PENNACHI

15 Transcriptionist

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<p><u>        </u> \$ <u>        </u></p> <p><b>\$10</b> 27:9</p> <p><b>\$5</b> 27:5,6</p> <p><b>\$8.99</b> 27:8</p> <p><u>        </u></p> <p><u>        </u> 1 <u>        </u></p> <p><b>10</b> 21:8</p> <p><b>10,000</b> 6:16</p> <p><b>10:59</b> 2:2</p> <p><b>11:19</b> 28:16</p> <p><b>11:30</b> 28:8</p> <p><b>11th</b> 12:15 21:10</p> <p><b>12</b> 8:14 27:16</p> <p><b>12th</b> 12:16</p> <p><b>14th</b> 1:6,13 7:12 12:14</p> <p><b>17</b> 8:13,19 14:9,20</p> <p><b>18</b> 8:16</p> <p><b>19</b> 1:11 10:18</p> <p><b>1989</b> 2:13</p> <p><u>        </u></p> <p><u>        </u> 2 <u>        </u></p> <p><b>2:00</b> 20:4</p> <p><b>20</b> 8:16</p> <p><b>2000</b> 1:13</p> <p><b>2012</b> 1:9,11</p> <p><b>20-ounce</b> 11:16</p> <p><b>21</b> 9:8,9</p> <p><b>24/7</b> 8:14</p> <p><b>25</b> 9:19</p> <p><u>        </u></p> <p><u>        </u> 3 <u>        </u></p> <p><b>35</b> 10:21</p> <p><u>        </u></p> <p><u>        </u> 5 <u>        </u></p>	<p><b>50</b> 2:14</p> <p><u>        </u></p> <p><u>        </u> 6 <u>        </u></p> <p><b>6</b> 1:9</p> <p><b>60</b> 16:6</p> <p><u>        </u></p> <p><u>        </u> 7 <u>        </u></p> <p><b>7</b> 1:9</p> <p><u>        </u></p> <p><u>        </u> 8 <u>        </u></p> <p><b>8</b> 1:9</p> <p><u>        </u></p> <p><u>        </u> 9 <u>        </u></p> <p><b>9th</b> 1:6 7:12 12:20 21:5,6</p> <p><u>        </u></p> <p><u>        </u> A <u>        </u></p> <p><b>a.m</b> 2:2 28:16</p> <p><b>ability</b> 9:13,15</p> <p><b>able</b> 13:9 16:1 18:1</p> <p><b>ABRA</b> 1:20 4:11</p> <p><b>Absolutely</b> 24:20</p> <p><b>Abyie</b> 1:20 4:11</p> <p><b>acquiescing</b> 25:1</p> <p><b>act</b> 25:19 26:3</p> <p><b>action</b> 29:10,14</p> <p><b>actually</b> 5:7 7:6 13:21 18:21</p> <p><b>addition</b> 15:1</p> <p><b>admission</b> 10:3 27:3</p> <p><b>afterwards</b> 10:5</p> <p><b>age</b> 9:19</p> <p><b>agency</b> 3:8</p> <p><b>ago</b> 4:14</p> <p><b>Alberti</b> 1:17 6:1</p>	<p>7:21 8:1,4,6 10:8,9,17 11:10,17,21 12:5,8,11,19,22 13:4,7,10,14 14:7,9,17,20 15:1,14,17,19,21 16:4,8,11,13,16 18:1,5 20:21 21:1,5,7,12,20 22:2 23:18 27:3,7</p> <p><b>alcohol</b> 11:20 14:14,16 15:13 18:16 21:18</p> <p><b>alcoholic</b> 1:2,12,13 9:1 10:11 11:4,11,15</p> <p><b>allow</b> 19:10</p> <p><b>allowed</b> 10:13 18:16</p> <p><b>am</b> 29:9,11 30:3</p> <p><b>and/or</b> 16:2</p> <p><b>Andy</b> 20:5</p> <p><b>ANGLIN</b> 29:3,19</p> <p><b>answer</b> 8:11</p> <p><b>anybody</b> 6:8 7:3 26:21,22</p> <p><b>anyone</b> 12:1</p> <p><b>anything</b> 17:7 25:17 27:18</p> <p><b>appearing</b> 29:5</p> <p><b>appears</b> 9:18</p> <p><b>application</b> 1:7 25:3,14 28:10</p> <p><b>applied</b> 21:22</p> <p><b>apply</b> 25:16</p> <p><b>approach</b> 9:5,10</p>	<p>12:11</p> <p><b>approved</b> 9:8</p> <p><b>area</b> 19:7 21:15</p> <p><b>areas</b> 14:15</p> <p><b>area's</b> 2:14</p> <p><b>artist</b> 22:14 25:16</p> <p><b>artists</b> 22:13 23:21 24:4</p> <p><b>assist</b> 15:12</p> <p><b>attorney</b> 29:12</p> <p><b>authorities</b> 11:9</p> <p><b>Avenue</b> 1:6 4:6 12:15,16,17 26:13</p> <p><b>aware</b> 8:18</p> <p><u>        </u></p> <p><u>        </u> B <u>        </u></p> <p><b>band</b> 9:3,11,18 10:16 11:2,5 12:2</p> <p><b>banding</b> 9:8</p> <p><b>bands</b> 9:12,14 19:18 20:1,6</p> <p><b>banning</b> 24:19</p> <p><b>bar</b> 9:18</p> <p><b>barricade</b> 13:13</p> <p><b>barricades</b> 13:19</p> <p><b>bartenders</b> 9:17</p> <p><b>base</b> 21:4,10</p> <p><b>basic</b> 2:10</p> <p><b>basically</b> 22:11</p> <p><b>beating</b> 17:19</p> <p><b>beer</b> 9:10,16 10:4 13:12</p> <p><b>behind</b> 12:20 28:9</p>
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