

Capital Reporting Company
In the Matter of: Love Des, LLC t/a Love 08-01-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :
 :
Love Des, LLC :
t/a Love :
1350 Okie Street, NE :
Retailer CN : Show Cause
License No. 84726 : Hearing
ANC 5B : (Status)
Case No. 12-251-00100 :
Allowed the Establishment to be :
Used for an Unlawful or :
Disorderly Purpose, Failed to :
Comply with Security Plan :
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August 1, 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

MICHAEL STERN, OAG

(866) 448 - DEPO

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

2 9:36 a.m.

3 CHAIRPERSON MILLER: Good morning, ladies and
4 gentlemen. I'd like to welcome you to the regularly
5 scheduled meeting of the District of Columbia Alcoholic
6 Beverage Control Board. Today is August 1, 2012. My
7 name is Ruthanne Miller. I'm the chairperson. Joining
8 me today to my far right is Mr. Calvin Nophlin. To his
9 immediately left is Mr. Donald Brooks. To my immediate
10 right is Mr. Nick Alberti. And to my immediate left is
11 Mr. Mike Silverstein.

12 The Board has five members in attendance for
13 the conduct of business today with three constituting a
14 quorum. Copies of today's hearing calendar and agenda
15 are available at the receptionist's desk. Please be
16 aware that these proceedings are being recorded by a
17 court reporter. Accordingly, we must ask you to
18 refrain from any disruptive noises or actions in the
19 hearing room.

20 If you have any electronic devices, pagers,
21 cell phones or such, please make certain that they're
22 turned off to avoid any interruption of the

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1 proceedings. Please note that there's a piece of paper
2 on each table in the front. When you come forward, as
3 your case is called, please take a seat at the table
4 and sign in. This is to ensure the correct spelling of
5 your name for the record.

6 The Open Meetings Act requires that the
7 public hearing on each case be open to the public. The
8 Board may, consistent with Section 405(b) of the Open
9 Meetings Act, enter a closed meeting during or after
10 the public hearing on a case to consult with an
11 attorney, to obtain legal advice, discuss settlement
12 agreements or deliberate upon a decision in an
13 adjudication proceeding.

14 We'll now proceed with this morning's
15 calendar. The first case on the calendar is a show
16 cause status hearing. It's Case No. 12-251-00100,
17 Love, located at 1350 Okie Street, N.E., License No.
18 84726, in ANC 5B.

19 Would the parties come forward and take a
20 seat at the table? Sign in, please.

21 MR. STERN: Good morning. Michael Stern
22 representing the District of Columbia.

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1 CHAIRPERSON MILLER: Good morning.

2 MR. MPRAS: Good morning. Emanuel Mpras
3 representing Love.

4 MR. SMOTHERS: Good morning. Dean Smothers,
5 Love Nightclub.

6 CHAIRPERSON MILLER: Good morning.

7 MS. LATIMER: Tina Latimer, Love Nightclub.

8 CHAIRPERSON MILLER: Good morning. Okay.
9 This is a show cause status hearing. I want to ask
10 you, did the Licensee receive notice of this hearing?

11 MR. MPRAS: We did.

12 CHAIRPERSON MILLER: Okay. Did you read it?

13 MR. MPRAS: We did.

14 CHAIRPERSON MILLER: Understand it?

15 MR. MPRAS: Yes.

16 CHAIRPERSON MILLER: Okay. And do you waive
17 the Board's reading of the notice into the record?

18 MR. MPRAS: We do.

19 CHAIRPERSON MILLER: Okay. Mr. Stern, are
20 there any preliminary matters?

21 MR. STERN: No. Negotiations are ongoing.
22 This time we're going to set it. So

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1 CHAIRPERSON MILLER: Okay.

2 MR. STERN: Have to try --

3 MR. MPRAS: Yes. We concur, Mr. Stern.

4 CHAIRPERSON MILLER: Negotiation --

5 MR. BROOKS: Madam Chair?

6 CHAIRPERSON MILLER: Yes?

7 MR. BROOKS: If the attorney would talk

8 louder?

9 CHAIRPERSON MILLER: Yeah.

10 MR. BROOKS: I can't hear well.

11 CHAIRPERSON MILLER: Could you just speak a
12 little louder? Is -- are your mikes on?

13 MR. ALBERTI: Could you move the mike a
14 little closer to y'all?

15 MR. BROOKS: Move the mike. Okay. Right
16 there.

17 MR. ALBERTI: That's it.

18 MR. BROOKS: Thank you very much.

19 MR. ALBERTI: Thank you.

20 MR. MPRAS: We agree with Mr. Stern.

21 MR. BROOKS: Much better.

22 CHAIRPERSON MILLER: Okay. So if there are

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1 no preliminary matters, then this matter is set for a
2 show cause hearing on October 24, 2012 at 11:00 a.m.

3 MR. MPRAS: Thank you.

4 CHAIRPERSON MILLER: Okay. Thank you.

5 (WHEREUPON, at 9:40 a.m., the hearing was
6 concluded.)

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<p style="text-align: center;"><u>1</u></p> <p>1 1:13 2:6 11:00 6:2 12-251-00100 1:9 3:16 1350 1:7 3:17 14th 1:16</p> <hr/> <p style="text-align: center;"><u>2</u></p> <p>2000 1:16 2012 1:13 2:6 6:2 24 6:2</p> <hr/> <p style="text-align: center;"><u>4</u></p> <p>405(b) 3:8</p> <hr/> <p style="text-align: center;"><u>5</u></p> <p>5B 1:8 3:18</p> <hr/> <p style="text-align: center;"><u>8</u></p> <p>84726 1:8 3:18</p> <hr/> <p style="text-align: center;"><u>9</u></p> <p>9:36 2:2 9:40 6:5</p> <hr/> <p style="text-align: center;"><u>A</u></p> <p>a.m 2:2 6:2,5 Accordingly 2:17 Act 3:6,9 actions 2:18 adjudication 3:13 advice 3:11 agenda 2:14 agreements 3:12 Alberti 1:19 2:10 5:13,17,19</p>	<p>Alcoholic 1:2,14,15 2:5</p> <p>Allowed 1:9</p> <p>ANC 1:8 3:18</p> <p>attendance 2:12</p> <p>attorney 3:11 5:7</p> <p>August 1:13 2:6</p> <p>available 2:15</p> <p>avoid 2:22</p> <p>aware 2:16</p> <hr/> <p style="text-align: center;"><u>B</u></p> <p>better 5:21</p> <p>Beverage 1:2,14,15 2:6</p> <p>Board 1:2,15 2:6,12 3:8</p> <p>Board's 4:17</p> <p>Brooks 1:19 2:9 5:5,7,10,15,18,2 1</p> <p>Building 1:16</p> <p>business 2:13</p> <hr/> <p style="text-align: center;"><u>C</u></p> <p>calendar 2:14 3:15</p> <p>Calvin 1:20 2:8</p> <p>case 1:9 3:3,7,10,15,16</p> <p>cause 1:7 3:16 4:9 6:2</p> <p>cell 2:21</p> <p>certain 2:21</p> <p>Chair 5:5</p> <p>chairperson 1:16,18 2:3,7 4:1,6,8,12,14,16,</p>	<p>19 5:1,4,6,9,11,22 6:4</p> <p>closed 3:9</p> <p>closer 5:14</p> <p>CN 1:7</p> <p>Columbia 1:1 2:5 3:22</p> <p>Comply 1:11</p> <p>concluded 6:6</p> <p>concur 5:3</p> <p>conduct 2:13</p> <p>consistent 3:8</p> <p>constituting 2:13</p> <p>consult 3:10</p> <p>Control 1:2,14,15 2:6</p> <p>Copies 2:14</p> <p>correct 3:4</p> <p>court 2:17</p> <hr/> <p style="text-align: center;"><u>D</u></p> <p>D.C 1:16</p> <p>Dean 4:4</p> <p>decision 3:12</p> <p>deliberate 3:12</p> <p>Des 1:6</p> <p>desk 2:15</p> <p>devices 2:20</p> <p>discuss 3:11</p> <p>Disorderly 1:10</p> <p>disruptive 2:18</p> <p>District 1:1 2:5 3:22</p> <p>Donald 1:19 2:9</p>	<p>during 3:9</p> <hr/> <p style="text-align: center;"><u>E</u></p> <p>electronic 2:20</p> <p>Emanuel 4:2</p> <p>ensure 3:4</p> <p>enter 3:9</p> <p>Establishment 1:9</p> <hr/> <p style="text-align: center;"><u>F</u></p> <p>Failed 1:10</p> <p>first 3:15</p> <p>five 2:12</p> <p>forward 3:2,19</p> <p>front 3:2</p> <hr/> <p style="text-align: center;"><u>G</u></p> <p>gentlemen 2:4</p> <hr/> <p style="text-align: center;"><u>H</u></p> <p>hear 5:10</p> <p>hearing 1:8,15 2:14,19 3:7,10,16 4:9,10 6:2,5</p> <p>HERMAN 1:20</p> <hr/> <p style="text-align: center;"><u>I</u></p> <p>I'd 2:4</p> <p>I'm 2:7</p> <p>immediate 2:9,10</p> <p>immediately 2:9</p> <p>interruption 2:22</p> <p>It's 3:16</p> <hr/> <p style="text-align: center;"><u>J</u></p> <p>Joining 2:7</p>
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