

Capital Reporting Company  
In the Matter of: Tacodog, LLC t/a Taqueria Nacional 09-12-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :  
 :  
Tacodog, LLC :  
t/a Taqueria Nacional :  
1407 T Street, NW :  
Retailer CR : Protest  
License No. 89558 : Hearing  
ANC 2B : (Status)  
Case No. 12-PRO-00063 :  
New Application :  
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September 12, 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

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

2 10:06 a.m.

3 CHAIRPERSON MILLER: The next case on the  
4 morning calendar is another status for protest hearing,  
5 Case No. 12-PRO-00063, Taqueria Nacional, 1407 T  
6 Street, N.W.

7 Would the parties in this case please come  
8 forward? Sign in and then, when you're ready to  
9 introduce yourselves for the record, fine.

10 MR. FULCHINO: I am John Fulchino  
11 representing Taqueria Nacional.

12 CHAIRPERSON MILLER: Okay.

13 MR. ESTRADA: Good morning, Madam Chair and  
14 Board members. Ramon Estrada, R-A-M-O-N, E-S-T-R-A-D-  
15 A, with ANC 2B09, representing the Dupont Circle ANC.

16 MR. FERRIS: Good morning. Elwyn Ferris  
17 representing the Shaw-Dupont Citizens Alliance. E-L-W-  
18 Y-N, F-E-R-R-I-S.

19 CHAIRPERSON MILLER: Okay. And are there any  
20 preliminary issues in this case that need to be brought  
21 to our attention? Okay, good. Then I'll go forward  
22 and schedule this for protest hearing on November 28th,

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1 2012 at 4:00 p.m.

2 MR. FERRIS: 4:00 p.m.?

3 CHAIRPERSON MILLER: Yes, 4:00. And I'm  
4 going to highlight the same information for you all  
5 that I did in the previous case, that you should have  
6 received a mailing from Adjudication Assistant Sarah  
7 Fashbaugh explaining the protest process, and a copy of  
8 the protest information form. If you don't have the  
9 documents, please see Ms. Fashbaugh at the conclusion  
10 of this hearing.

11 You're required to complete and submit the  
12 protest information form, also known as the PIF, seven  
13 days before the date of the hearing. It needs to be  
14 submitted to ABRA and to the opposing parties in this  
15 matter. If we don't receive a copy of your PIF, your  
16 application or your protest, whichever side you're  
17 representing, may be subject to dismissal. The form's  
18 important to the Board in narrowing the issues and  
19 facilitating the process and keeping everyone on point.

20 If you have any questions between now and the  
21 hearing, please contact Ms. Fashbaugh at 202-397-3971.  
22 Okay. Thank you very much.

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1 MR. ESTRADA: Okay. Thank you. Madam Chair,  
2 someone left file folders here. It may have been from  
3 the last party. Just --

4 CHAIRPERSON MILLER: Is anybody here from the  
5 -- from the previous case?

6 MR. ESTRADA: If I see them out in the hall,  
7 I'll let them know.

8 CHAIRPERSON MILLER: Okay. Thank you.

9 MR. ESTRADA: Thank you.

10 MR. ALBERTI: Could someone get those and so  
11 -- to make sure that they don't get lost? Well,  
12 because they're sitting out there on the --

13 (WHEREUPON, at 10:10 a.m., the hearing was  
14 concluded.)

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1 CERTIFICATE OF NOTARY PUBLIC

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3 I, ERICK McNAIR, 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.

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ERICK McNAIR

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Notary Public in and for the

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District of Columbia

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My Commission Expires: July 14, 2016

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CERTIFICATE OF TRANSCRIPTION

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

\_\_\_\_\_

Date

\_\_\_\_\_

MIRANDA PENNACHI

Transcriptionist

<p><u>1</u>  <b>10:06</b> 2:2  <b>10:10</b> 4:13  <b>12</b> 1:11  <b>12-PRO-00063</b> 1:8              2:5  <b>14</b> 5:22  <b>1407</b> 1:6 2:5  <b>14th</b> 1:13</p> <hr/> <p><u>2</u>  <b>2000</b> 1:13  <b>2012</b> 1:11 3:1  <b>2016</b> 5:22  <b>202-397-3971</b> 3:21  <b>28th</b> 2:22  <b>2B</b> 1:8  <b>2B09</b> 2:15</p> <hr/> <p><u>4</u>  <b>4:00</b> 3:1,2,3</p> <hr/> <p><u>8</u>  <b>89558</b> 1:7</p> <hr/> <p><u>A</u>  <b>a.m</b> 2:2 4:13  <b>ABRA</b> 3:14  <b>action</b> 5:10,14  <b>Adjudication</b> 3:6  <b>ALBERTI</b> 1:17              4:10  <b>Alcoholic</b>              1:2,12,13  <b>Alliance</b> 2:17  <b>am</b> 2:10 5:9,11 6:3</p>	<p><b>ANC</b> 1:8 2:15  <b>anybody</b> 4:4  <b>appearing</b> 5:5  <b>application</b> 1:9              3:16  <b>Assistant</b> 3:6  <b>attention</b> 2:21  <b>attorney</b> 5:12</p> <hr/> <p><u>B</u>  <b>Beverage</b>              1:2,12,13  <b>Board</b> 1:2,13 2:14              3:18  <b>BROOKS</b> 1:17  <b>brought</b> 2:20  <b>Building</b> 1:13</p> <hr/> <p><u>C</u>  <b>calendar</b> 2:4  <b>CALVIN</b> 1:18  <b>case</b> 1:8 2:3,5,7,20              3:5 4:5  <b>CERTIFICATE</b>              5:1 6:1  <b>certify</b> 5:4 6:3  <b>Chair</b> 2:13 4:1  <b>Chairperson</b>              1:14,16              2:3,12,19 3:3              4:4,8  <b>Circle</b> 2:15  <b>Citizens</b> 2:17  <b>Columbia</b> 1:1 5:21  <b>Commission</b> 5:22  <b>complete</b> 3:11 6:8</p>	<p><b>concluded</b> 4:14  <b>conclusion</b> 3:9  <b>contact</b> 3:21  <b>Control</b> 1:2,12,13  <b>copy</b> 3:7,15  <b>correct</b> 6:8  <b>counsel</b> 5:9,12  <b>Court</b> 6:4,6  <b>CR</b> 1:7</p> <hr/> <p><u>D</u>  <b>D.C</b> 1:14  <b>date</b> 3:13 6:13  <b>days</b> 3:13  <b>direction</b> 5:7  <b>dismissal</b> 3:17  <b>District</b> 1:1 5:21  <b>documents</b> 3:9  <b>DONALD</b> 1:17  <b>Dupont</b> 2:15</p> <hr/> <p><u>E</u>  <b>E-L-W</b> 2:17  <b>Elwyn</b> 2:16  <b>employed</b> 5:9,12  <b>employee</b> 5:11  <b>ERICK</b> 5:3,19  <b>E-S-T-R-A-D</b> 2:14  <b>Estrada</b> 2:13,14              4:1,6,9  <b>everyone</b> 3:19  <b>Expires</b> 5:22  <b>explaining</b> 3:7</p> <hr/> <p><u>F</u></p>	<p><b>facilitating</b> 3:19  <b>Fashbaugh</b>              3:7,9,21  <b>Ferris</b> 2:16 3:2  <b>F-E-R-R-I-S</b> 2:18  <b>file</b> 4:2  <b>financially</b> 5:13  <b>fine</b> 2:9  <b>folders</b> 4:2  <b>foregoing</b> 5:4,5  <b>foregoing/              attached</b> 6:7  <b>form</b> 3:8,12  <b>form's</b> 3:17  <b>forward</b> 2:8,21  <b>Fulchino</b> 2:10</p> <hr/> <p><u>G</u>  <b>given</b> 5:8</p> <hr/> <p><u>H</u>  <b>hall</b> 4:6  <b>hearing</b> 1:7,13              2:4,22              3:10,13,21 4:13              5:4  <b>hereby</b> 5:4 6:3  <b>hereto</b> 5:12  <b>HERMAN</b> 1:18  <b>highlight</b> 3:4</p> <hr/> <p><u>I</u>  <b>I'll</b> 2:21 4:7  <b>I'm</b> 3:3  <b>important</b> 3:18  <b>information</b></p>
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<p>3:4,8,12  <b>interested</b> 5:13  <b>introduce</b> 2:9  <b>issues</b> 2:20 3:18</p> <hr/> <p style="text-align: center;"><b>J</b></p> <hr/> <p><b>John</b> 2:10  <b>JONES</b> 1:18  <b>July</b> 5:22</p> <hr/> <p style="text-align: center;"><b>K</b></p> <hr/> <p><b>known</b> 3:12</p> <hr/> <p style="text-align: center;"><b>L</b></p> <hr/> <p><b>last</b> 4:3  <b>License</b> 1:7  <b>LLC</b> 1:5  <b>lost</b> 4:11</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p><b>Madam</b> 2:13 4:1  <b>mailing</b> 3:6  <b>matter</b> 1:4 3:15  <b>may</b> 3:17 4:2  <b>McNAIR</b> 5:3,19  <b>MEETING</b> 1:3  <b>Member</b>      1:17,18,19  <b>members</b> 2:14  <b>met</b> 1:13  <b>MIKE</b> 1:19  <b>Miller</b> 1:14,16      2:3,12,19 3:3      4:4,8  <b>MIRANDA</b> 6:3,13  <b>morning</b> 2:4,13,16</p>	<hr/> <p style="text-align: center;"><b>N</b></p> <hr/> <p><b>N.W</b> 1:13 2:6  <b>Nacional</b> 1:6      2:5,11  <b>narrowing</b> 3:18  <b>neither</b> 5:9  <b>NICK</b> 1:17  <b>NOPHLIN</b> 1:18  <b>nor</b> 5:9,13  <b>Notary</b> 5:1,20  <b>notes</b> 6:6  <b>November</b> 2:22  <b>NW</b> 1:6</p> <hr/> <p style="text-align: center;"><b>O</b></p> <hr/> <p><b>officer</b> 5:3  <b>opposing</b> 3:14  <b>otherwise</b> 5:13  <b>outcome</b> 5:13</p> <hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>p.m</b> 3:1,2  <b>parties</b> 2:7 3:14      5:8,10,12  <b>party</b> 4:3  <b>PENNACHI</b>      6:3,13  <b>PIF</b> 3:12,15  <b>please</b> 2:7 3:9,21  <b>point</b> 3:19  <b>preliminary</b> 2:20  <b>PRESENT</b> 1:16  <b>presiding</b> 1:14  <b>previous</b> 3:5 4:5</p>	<p><b>proceeding</b> 6:5,6,9  <b>process</b> 3:7,19  <b>protest</b> 1:7 2:4,22      3:7,8,12,16  <b>Public</b> 5:1,20</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <hr/> <p><b>questions</b> 3:20</p> <hr/> <p style="text-align: center;"><b>R</b></p> <hr/> <p><b>Ramon</b> 2:14  <b>R-A-M-O-N</b> 2:14  <b>ready</b> 2:8  <b>receive</b> 3:15  <b>received</b> 3:6  <b>record</b> 2:9 5:8  <b>recorded</b> 5:6  <b>recordings</b> 6:7  <b>reduced</b> 5:6  <b>Reeves</b> 1:13  <b>related</b> 5:9  <b>relative</b> 5:11  <b>reported</b> 6:4  <b>Reporter</b> 6:4  <b>Reporter's</b> 6:6  <b>representing</b>      2:11,15,17 3:17  <b>required</b> 3:11  <b>Retailer</b> 1:7  <b>Room</b> 1:13  <b>Ruthanne</b> 1:14,16</p> <hr/> <p style="text-align: center;"><b>S</b></p> <hr/> <p><b>Sarah</b> 3:6  <b>schedule</b> 2:22</p>	<p><b>September</b> 1:11  <b>seven</b> 3:12  <b>Shaw-Dupont</b>      2:17  <b>Sign</b> 2:8  <b>SILVERSTEIN</b>      1:19  <b>sitting</b> 4:12  <b>someone</b> 4:2,10  <b>status</b> 1:8 2:4  <b>Street</b> 1:6,13 2:6  <b>subject</b> 3:17  <b>submit</b> 3:11  <b>submitted</b> 3:14  <b>sure</b> 4:11</p> <hr/> <p style="text-align: center;"><b>T</b></p> <hr/> <p><b>t/a</b> 1:6  <b>Tacodog</b> 1:5  <b>Taqueria</b> 1:6      2:5,11  <b>testimony</b> 5:5,8  <b>Thank</b> 3:22      4:1,8,9  <b>thereafter</b> 5:6  <b>they're</b> 4:12  <b>transcript</b> 5:5      6:5,7  <b>transcription</b> 5:7      6:1,8  <b>Transcriptionist</b>      6:14  <b>true</b> 5:7 6:8  <b>typed</b> 6:5  <b>typewriting</b> 5:6</p>
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<p>_____</p> <p>W</p> <p>_____</p> <p><b>Washington</b> 1:14</p> <p><b>WHEREUPON</b></p> <p>4:13</p> <p><b>whichever</b> 3:16</p> <p><b>whom</b> 5:3</p> <p>_____</p> <p>Y</p> <p>_____</p> <p><b>Y-N</b> 2:18</p> <p><b>yourselves</b> 2:9</p>			
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(866) 448 - DEPO