

Capital Reporting Company  
In the Matter of: Taste Group, Inc. t/a Hush Restaurant and Lounge 08-15-2012

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DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE CONTROL BOARD

MEETING

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IN THE MATTER OF: :  
 :  
Taste Group, Inc. :  
t/a Hush Restaurant and Lounge :  
2121 New York Avenue, NE :  
Retailer CT : Protest  
License No. 89332 : Hearing  
ANC 5B : (Status)  
Case No. 12-PRO-00059 :  
New Application :  
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August 15, 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

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

2 10:07 a.m.

3 CHAIRPERSON MILLER: Okay. The next case is  
4 another protest status hearing, Case No. 12-PRO-00059,  
5 Hush Restaurant and Lounge, 2121 New York Avenue, N.E.,  
6 in ANC 5E. And when you're ready, have a seat, sir.

7 Introduce yourselves for the record and then  
8 sign in.

9 MR. NWAENZE: Yes, I'm Christopher Nwaeze.  
10 I'm the president of Taste Group, trading as Hush  
11 Restaurant and Lounge.

12 CHAIRPERSON MILLER: Okay. And if the  
13 protestants could introduce themselves for the record  
14 for this case?

15 MS. MANNING: Jacqueline Manning, chair for  
16 ANC 5B, also representative of 5B09, the single-member  
17 district.

18 CHAIRPERSON MILLER: Okay.

19 MR. PADOU: Don Padou.

20 CHAIRPERSON MILLER: And you are  
21 representing?

22 MR. PADOU: Seventy-eight or seventy-nine

1 people.

2 CHAIRPERSON MILLER: Okay.

3 MR. PADOU: Depends on how things turn out.

4 CHAIRPERSON MILLER: Okay.

5 MR. COLLINS: Chris Collins with Holland &  
6 Knight representing the Schaeffer entities.

7 CHAIRPERSON MILLER: Okay.

8 MR. CHANDLER: Randall Chandler, Arboretum  
9 Neighborhood Association president.

10 CHAIRPERSON MILLER: Great. Oh, thank you  
11 very much.

12 MR. BENNETT: I'm Vaughn Bennett, ANC 5B.

13 CHAIRPERSON MILLER: Great. Okay.

14 MR. COLLINS: And Mr. Schaeffer's also here  
15 for the Schaeffer entities.

16 CHAIRPERSON MILLER: Okay. Very good. All  
17 right. Are there preliminary matters in this case?

18 (No audible response.)

19 CHAIRPERSON MILLER: Okay. I have a note  
20 that there -- at least the Board has a preliminary  
21 matter with respect to the Salvation Army's standing in  
22 this case. I believe that they were dismissed. And we

1 may have made an error and intend to reinstate them as  
2 part of a group of five. Does anybody want to just  
3 speak to that issue? Is the Salvation Army here?

4 MR. PADOU: Madam Chair, Don Padou. I  
5 represent the Salvation Army.

6 CHAIRPERSON MILLER: Okay.

7 MR. PADOU: We've filed our papers with the  
8 Board.

9 CHAIRPERSON MILLER: Right.

10 MR. PADOU: I don't think I have much to add  
11 to this.

12 CHAIRPERSON MILLER: Okay. So would it be --  
13 it is your motion that the Salvation Army be  
14 reinstated, correct?

15 MR. PADOU: Yeah, that is the motion that we  
16 filed. We moved for a reinstatement.

17 CHAIRPERSON MILLER: Okay. And is there any  
18 opposition to that? No? Okay. Then I would move that  
19 the Salvation Army be reinstated as part of the group  
20 of five as a protestant in this case.

21 Is there a second?

22 MR. NOPHLIN: Second.

1 CHAIRPERSON MILLER: Any comments?

2 (No audible response.)

3 CHAIRPERSON MILLER: Okay. All those in  
4 favor of the motion, say aye?

5 (Chorus of ayes.)

6 CHAIRPERSON MILLER: All those opposed?

7 (No audible response.)

8 CHAIRPERSON MILLER: All those abstaining?

9 (No audible response.)

10 CHAIRPERSON MILLER: Okay. Then the vote is  
11 6- 0-0 to reinstate the Salvation Army as a party with  
12 the group of five. Okay. Are there any other  
13 preliminary issues?

14 (No audible response.)

15 CHAIRPERSON MILLER: Okay. I'm going to  
16 briefly just address the key points in the instructions  
17 for a protest hearing. It is set for October 17th,  
18 2012 at 1:30 p.m. And you should receive a mailing  
19 from Adjudication Assistant Sarah Fashbaugh explaining  
20 the protest process and a copy of the protest  
21 information form, also known as a PIF. If you don't  
22 have these documents, please see Ms. Fashbaugh at the

1 conclusion of the hearing.

2           You're required to complete and submit the  
3 PIF seven days before the date of the hearing. It  
4 needs to be submitted to ABRA and to the opposing  
5 parties in this matter. If we do not receive a copy of  
6 your PIF, your application or your protest, whichever  
7 side you're representing may be subject to dismissal.  
8 This form is important in assisting the Board in  
9 narrowing the protest issues, facilitating the process,  
10 and keeping the parties on point during the hearing.

11           So if you have any questions after this  
12 hearing, please feel free to contact Ms. Fashbaugh at  
13 202-397- 3971. Okay. Then that concludes this  
14 hearing.

15           Is there any questions?

16           (No audible response.)

17           CHAIRPERSON MILLER: Okay. Thank you very  
18 much.

19           MR. PADOU: Thank you, Madam Chair.

20           (WHEREUPON, at 10:12 a.m., the hearing was  
21 concluded.)

22

<hr/> <p style="text-align: center;">0</p> <hr/> <p><b>0-0</b> 5:11</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p><b>1:30</b> 5:18</p> <p><b>10:07</b> 2:2</p> <p><b>10:12</b> 6:20</p> <p><b>12-PRO-00059</b> 1:9 2:4</p> <p><b>14th</b> 1:14</p> <p><b>15</b> 1:12</p> <p><b>17th</b> 5:17</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p><b>2000</b> 1:14</p> <p><b>2012</b> 1:12 5:18</p> <p><b>202-397</b> 6:13</p> <p><b>2121</b> 1:7 2:5</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p><b>3971</b> 6:13</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p><b>5B</b> 1:8 2:16 3:12</p> <p><b>5B09</b> 2:16</p> <p><b>5E</b> 2:6</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p><b>6</b> 5:11</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p><b>89332</b> 1:8</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p><b>a.m</b> 2:2 6:20</p> <p><b>ABRA</b> 6:4</p> <p><b>abstaining</b> 5:8</p>	<p><b>add</b> 4:10</p> <p><b>address</b> 5:16</p> <p><b>Adjudication</b> 5:19</p> <p><b>ALBERTI</b> 1:18</p> <p><b>Alcoholic</b> 1:2,13,14</p> <p><b>ANC</b> 1:8 2:6,16 3:12</p> <p><b>anybody</b> 4:2</p> <p><b>application</b> 1:9 6:6</p> <p><b>Arboretum</b> 3:8</p> <p><b>Army</b> 4:3,5,13,19 5:11</p> <p><b>Army's</b> 3:21</p> <p><b>Assistant</b> 5:19</p> <p><b>assisting</b> 6:8</p> <p><b>Association</b> 3:9</p> <p><b>audible</b> 3:18 5:2,7,9,14 6:16</p> <p><b>August</b> 1:12</p> <p><b>Avenue</b> 1:7 2:5</p> <p><b>aye</b> 5:4</p> <p><b>eyes</b> 5:5</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p><b>believe</b> 3:22</p> <p><b>Bennett</b> 3:12</p> <p><b>Beverage</b> 1:2,13,14</p> <p><b>Board</b> 1:2,14 3:20 4:8 6:8</p> <p><b>briefly</b> 5:16</p> <p><b>BROOKS</b> 1:18</p> <p><b>Building</b> 1:14</p> <hr/> <p style="text-align: center;">C</p> <hr/>	<p><b>CALVIN</b> 1:19</p> <p><b>case</b> 1:9 2:3,4,14 3:17,22 4:20</p> <p><b>chair</b> 2:15 4:4 6:19</p> <p><b>Chairperson</b> 1:15,17 2:3,12,18,20 3:2,4,7,10,13,16, 19 4:6,9,12,17 5:1,3,6,8,10,15 6:17</p> <p><b>Chandler</b> 3:8</p> <p><b>Chorus</b> 5:5</p> <p><b>Chris</b> 3:5</p> <p><b>Christopher</b> 2:9</p> <p><b>Collins</b> 3:5,14</p> <p><b>COLUMBIA</b> 1:1</p> <p><b>comments</b> 5:1</p> <p><b>complete</b> 6:2</p> <p><b>concluded</b> 6:21</p> <p><b>concludes</b> 6:13</p> <p><b>conclusion</b> 6:1</p> <p><b>contact</b> 6:12</p> <p><b>Control</b> 1:2,13,14</p> <p><b>copy</b> 5:20 6:5</p> <p><b>correct</b> 4:14</p> <p><b>CT</b> 1:7</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p><b>D.C</b> 1:15</p> <p><b>date</b> 6:3</p> <p><b>days</b> 6:3</p> <p><b>Depends</b> 3:3</p> <p><b>dismissal</b> 6:7</p> <p><b>dismissed</b> 3:22</p> <p><b>district</b> 1:1 2:17</p>	<p><b>documents</b> 5:22</p> <p><b>Don</b> 2:19 4:4</p> <p><b>DONALD</b> 1:18</p> <p><b>during</b> 6:10</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p><b>entities</b> 3:6,15</p> <p><b>error</b> 4:1</p> <p><b>explaining</b> 5:19</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p><b>facilitating</b> 6:9</p> <p><b>Fashbaugh</b> 5:19,22 6:12</p> <p><b>favor</b> 5:4</p> <p><b>feel</b> 6:12</p> <p><b>filed</b> 4:7,16</p> <p><b>five</b> 4:2,20 5:12</p> <p><b>form</b> 5:21 6:8</p> <p><b>free</b> 6:12</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p><b>Great</b> 3:10,13</p> <p><b>group</b> 1:6 2:10 4:2,19 5:12</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p><b>hearing</b> 1:8,14 2:4 5:17 6:1,3,10,12,14,2 0</p> <p><b>HERMAN</b> 1:19</p> <p><b>Holland</b> 3:5</p> <p><b>Hush</b> 1:6 2:5,10</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p><b>I'm</b> 2:9,10 3:12</p>
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