

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

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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 10:07 a.m.</p> <p>3 CHAIRPERSON MILLER: Okay. The next case is</p> <p>4 another protest status hearing, Case No. 12-PRO-00059,</p> <p>5 Hush Restaurant and Lounge, 2121 New York Avenue, N.E.,</p> <p>6 in ANC 5E. And when you're ready, have a seat, sir.</p> <p>7 Introduce yourselves for the record and then</p> <p>8 sign in.</p> <p>9 MR. NWAEZE: Yes, I'm Christopher Nwaeze.</p> <p>10 I'm the president of Taste Group, trading as Hush</p> <p>11 Restaurant and Lounge.</p> <p>12 CHAIRPERSON MILLER: Okay. And if the</p> <p>13 protestants could introduce themselves for the record</p> <p>14 for this case?</p> <p>15 MS. MANNING: Jacqueline Manning, chair for</p> <p>16 ANC 5B, also representative of 5B09, the single-member</p> <p>17 district.</p> <p>18 CHAIRPERSON MILLER: Okay.</p> <p>19 MR. PADOU: Don Padou.</p> <p>20 CHAIRPERSON MILLER: And you are</p> <p>21 representing?</p> <p>22 MR. PADOU: Seventy-eight or seventy-nine</p>	<p style="text-align: right;">4</p> <p>1 may have made an error and intend to reinstate them as</p> <p>2 part of a group of five. Does anybody want to just</p> <p>3 speak to that issue? Is the Salvation Army here?</p> <p>4 MR. PADOU: Madam Chair, Don Padou. I</p> <p>5 represent the Salvation Army.</p> <p>6 CHAIRPERSON MILLER: Okay.</p> <p>7 MR. PADOU: We've filed our papers with the</p> <p>8 Board.</p> <p>9 CHAIRPERSON MILLER: Right.</p> <p>10 MR. PADOU: I don't think I have much to add</p> <p>11 to this.</p> <p>12 CHAIRPERSON MILLER: Okay. So would it be --</p> <p>13 it is your motion that the Salvation Army be</p> <p>14 reinstated, correct?</p> <p>15 MR. PADOU: Yeah, that is the motion that we</p> <p>16 filed. We moved for a reinstatement.</p> <p>17 CHAIRPERSON MILLER: Okay. And is there any</p> <p>18 opposition to that? No? Okay. Then I would move that</p> <p>19 the Salvation Army be reinstated as part of the group</p> <p>20 of five as a protestant in this case.</p> <p>21 Is there a second?</p> <p>22 MR. NOPHLIN: Second.</p>
<p style="text-align: right;">3</p> <p>1 people.</p> <p>2 CHAIRPERSON MILLER: Okay.</p> <p>3 MR. PADOU: Depends on how things turn out.</p> <p>4 CHAIRPERSON MILLER: Okay.</p> <p>5 MR. COLLINS: Chris Collins with Holland &</p> <p>6 Knight representing the Schaeffer entities.</p> <p>7 CHAIRPERSON MILLER: Okay.</p> <p>8 MR. CHANDLER: Randall Chandler, Arboretum</p> <p>9 Neighborhood Association president.</p> <p>10 CHAIRPERSON MILLER: Great. Oh, thank you</p> <p>11 very much.</p> <p>12 MR. BENNETT: I'm Vaughn Bennett, ANC 5B.</p> <p>13 CHAIRPERSON MILLER: Great. Okay.</p> <p>14 MR. COLLINS: And Mr. Schaeffer's also here</p> <p>15 for the Schaeffer entities.</p> <p>16 CHAIRPERSON MILLER: Okay. Very good. All</p> <p>17 right. Are there preliminary matters in this case?</p> <p>18 (No audible response.)</p> <p>19 CHAIRPERSON MILLER: Okay. I have a note</p> <p>20 that there -- at least the Board has a preliminary</p> <p>21 matter with respect to the Salvation Army's standing in</p> <p>22 this case. I believe that they were dismissed. And we</p>	<p style="text-align: right;">5</p> <p>1 CHAIRPERSON MILLER: Any comments?</p> <p>2 (No audible response.)</p> <p>3 CHAIRPERSON MILLER: Okay. All those in</p> <p>4 favor of the motion, say aye?</p> <p>5 (Chorus of ayes.)</p> <p>6 CHAIRPERSON MILLER: All those opposed?</p> <p>7 (No audible response.)</p> <p>8 CHAIRPERSON MILLER: All those abstaining?</p> <p>9 (No audible response.)</p> <p>10 CHAIRPERSON MILLER: Okay. Then the vote is</p> <p>11 6- 0-0 to reinstate the Salvation Army as a party with</p> <p>12 the group of five. Okay. Are there any other</p> <p>13 preliminary issues?</p> <p>14 (No audible response.)</p> <p>15 CHAIRPERSON MILLER: Okay. I'm going to</p> <p>16 briefly just address the key points in the instructions</p> <p>17 for a protest hearing. It is set for October 17th,</p> <p>18 2012 at 1:30 p.m. And you should receive a mailing</p> <p>19 from Adjudication Assistant Sarah Fashbaugh explaining</p> <p>20 the protest process and a copy of the protest</p> <p>21 information form, also known as a PIF. If you don't</p> <p>22 have these documents, please see Ms. Fashbaugh at the</p>

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