

PEARL DIVE OYSTER PALACE/BLACK JACK

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GOVERNMENT OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ALCOHOLIC BEVERAGE CONTROL BOARD

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IN THE MATTER OF: :

Black 14th Street NW, LLC

t/a Pearl Dive Oyster Palace/Black Jack

1612 14th Street NW Case Number 16-PRO-00071

License Number 85382

Retailer CR

ANC 2F

PROTEST HEARING (STATUS)

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Wednesday July 27, 2016

Whereupon, the above referenced matter came on for hearing at the Alcoholic Beverage Control Board, Reeves Center, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009.

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2 CHAIRPERSON:

3 DONOVAN W. ANDERSON, Presiding

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5 OTHER PERSONS PRESENT:

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7 RUTHANNE MILLER, BOARD MEMBER

8 MIKE SILVERSTEIN, BOARD MEMBER

9 NICK ALBERTI, BOARD MEMBER

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

2 CHAIRPERSON ANDERSON: Our next case on our
3 protest hearing status calendar is Case Number
4 16-PRO-00071, Pearl Oyster -- Oyster Palace/Blackjack,
5 License Number 85382. Will the parties please approach
6 and identify themselves for the record.

7 MR. KLINE: Good morning. Andrew Kline on
8 behalf of the applicant. Joining me at the table is
9 Jeff Black of -- the applicant and Katherine Kerr (ph)
10 who's the manager of the establishment.

11 MR. BLACK: The owner.

12 CHAIRPERSON ANDERSON: Good morning.

13 MR. KLINE: What do I call you?

14 MR. BLACK: I'm the owner.

15 MR. KLINE: All right. You're the owner.

16 MR. BLACK: I write the checks.

17 CHAIRPERSON ANDERSON: All right. Is there
18 anyone from ANC 2F here? What I normally do I will --
19 anyone heard from them? What I will do -- and is this
20 is something that I will do. I will -- I'm going to
21 recall this case. I think the -- the matter was
22 scheduled for 9:30. So I will -- I'll give them until

1 10:00. We'll move through our calendar. So I will call
2 their case, and if -- if they are not here by 10:00,
3 then we'll do whatever we need to do. Okay. So thank
4 you. I will recall this case. So I'll go through the
5 calendar, and we have basically status things. So prior
6 to doing any substantial cases I will recall this case.
7 So it should be recalled between now and 10:00. Okay.
8 You can have a seat.

9 MR. KLINE: Mr. Chair.

10 CHAIRPERSON ANDERSON: Yes. Yes, sir.

11 MR. KLINE: Sorry. Mr. Chairman, given that
12 it's a status may the applicant and the -- and his
13 manager leave, or would you prefer that they stay?

14 CHAIRPERSON ANDERSON: Okay. That's fine as
15 long as you're here. Since I know that they were --

16 MR. KLINE: Okay.

17 CHAIRPERSON ANDERSON: -- and as long as
18 you're here, Mr. Kline, then it's even fine if they --
19 if they wish to leave. I thought they wanted to listen
20 to me and my wonderful schpeel. But if they decide that
21 they want to leave, it is -- it is acceptable.

22 MR. KLINE: All right. Thank you.

1 CHAIRPERSON ANDERSON: All right. Thank
2 you.

3 (Whereupon, the above-entitled matter was
4 recalled.)

5 CHAIRPERSON ANDERSON: All right. I -- I --
6 although I said I'll give half an hour, but the -- the
7 court -- we need to move with our calendar. So I am
8 going to call -- I'm going to recall Case Number
9 16-PRO-007 -- 00071, Pearl Dive Oyster Palace/Blackjack,
10 License Number 8 -- 85382. Will the parties approach
11 and identify themselves for the record.

12 MR. KLINE: For the record Andrew Kline on
13 behalf of the licensee.

14 CHAIRPERSON ANDERSON: Good morning again,
15 Mr. Kline.

16 MR. KLINE: Good morning.

17 CHAIRPERSON ANDERSON: And there's -- I
18 don't see that the ANC is here. This matter was
19 scheduled for a 9:30 show cause hearing status. The --
20 I called the case. It's now 9:54. I've recalled the
21 case, and the protestant is not here. So this matter --
22 did I need to vote on it?

1 MR. ALBERTI: This is --

2 CHAIRPERSON ANDERSON: A protest.

3 MR. ALBERTI: Yeah. Yeah. You need to move
4 that we dismiss this case.

5 CHAIRPERSON ANDERSON: Then I -- I make a
6 motion that we dismiss -- dismiss this matter because
7 the protestant is not there -- is not here. Is there a
8 second?

9 MR. ALBERTI: Second.

10 CHAIRPERSON ANDERSON: Mr. Alberti has
11 seconded the motion. All those in favor say aye.
12 [Chorus of ayes]. Those opposed. [No audible
13 response]. The matter passed 5-zero-zero.

14 This matter is dismissed unless the
15 protestant files an order requesting a -- that they be
16 reinstated. All right.

17 MR. MATHEWS: All right.

18 CHAIRPERSON ANDERSON: Thank you.

19 MR. KLINE: Thank you very much.

20 (Whereupon the above-entitled matter was
21 concluded.)

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