

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Green Island Heaven and
Hell, Inc.
t/a Green Island Cafe/Heaven Protest
and Hell (The) Hearing
2327 18th Street, NW (Status)
Retailer CT
License No. 74503
Case No. 13-PRO-00162
Renewal Application

February 26, 2014

The Alcoholic Beverage Control
Board met in Alcoholic Beverage Control
Hearing Room, Reeves Building, 2000 14th
Street N.W., Washington, D.C., Chairman
Ruthanne Miller, presiding.

PRESENT
RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
HERMAN JONES, Member
MICHAEL SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

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

(9:56 a.m.)

CHAIRPERSON MILLER: Next case is
Case Number 13-PRO-00162, Green Island
Cafe/Heaven and Hell located at 2327 18th
Street Northwest. License Number 74503 in ANC
1C.

This is a renewal application. Is
--

MR. GUTHRIE: Not that I've seen.

CHAIRPERSON MILLER: Hmm?

MR. GUTHRIE: I'm here for ANC but
I haven't seen --

CHAIRPERSON MILLER: Okay, why
don't you identify yourself for the record.

MR. GUTHRIE: Ted Guthrie for ANC
1C.

CHAIRPERSON MILLER: Okay. Is
anybody here for Green Island Cafe/Heaven and
Hell? Mr. Guthrie, have you heard whether --

MR. GUTHRIE: I haven't. This
isn't the one that I'm normally handling.

1 Billy Simpson is normally on it and I'm just
2 here on his behalf.

3 CHAIRPERSON MILLER: Okay.

4 MR. GUTHRIE: But I haven't heard
5 anything. It's my understanding that there
6 were association fees and --

7 MEMBER SILVERSTEIN: I'm sorry,
8 please speak up.

9 CHAIRPERSON MILLER: Could you sit
10 down? Maybe if you, because the mic is down
11 there.

12 MR. GUTHRIE: My understanding is
13 that they've been in negotiations that have
14 been fairly productive but they don't have
15 final agreement yet.

16 CHAIRPERSON MILLER: Okay. Okay,
17 what we've done in the past, if you have a few
18 minutes, is we pass the case and see if
19 they'll come in and then get back to you. Is
20 that all right with you?

21 MR. GUTHRIE: Sure.

22 CHAIRPERSON MILLER: Okay, thank

1 you.

2 (Whereupon, the foregoing matter
3 went off the record at 9:57 a.m. and went back
4 on the record at 10:18 a.m.)

5 CHAIRPERSON MILLER: I think at
6 this point then I should recall Case Number
7 13-PRO-00162, because we've completed our
8 status hearing cases. When you're ready would
9 you identify yourself for the record please?

10 MR. GUTHRIE: Ted Guthrie for ANC
11 1C.

12 CHAIRPERSON MILLER: Okay, we
13 passed this case earlier because no one was
14 here for the licensee, Green Island
15 Cafe/Heaven and Hell. It's now 10:19 and the
16 case was scheduled for 9:30.

17 Mr. Guthrie, have you heard
18 anything from --

19 MR. GUTHRIE: I haven't heard
20 anything.

21 CHAIRPERSON MILLER: Okay. So as
22 you saw in the previous case our practice is

1 to dismiss for failure to appear. Unless, you
2 know, we have good cause shown to us. Do you
3 have any comments on that or --

4 MEMBER JONES: Madam Chair?

5 MR. GUTHRIE: I did have one
6 question.

7 CHAIRPERSON MILLER: Okay.

8 MR. GUTHRIE: If it gets
9 reinstated we'd wind up getting a whole new
10 series of dates for like mediation and protest
11 hearing or not?

12 CHAIRPERSON MILLER: Well if it
13 gets reinstated, it says motion within ten
14 days, they filed that, I mean, I'm not sure
15 but I have to check with our general counsel,
16 our scheduler, but maybe they don't take the
17 dates off that quickly.

18 MR. GUTHRIE: Okay.

19 CHAIRPERSON MILLER: If it doesn't
20 get reinstated all the dates definitely come
21 off.

22 MR. GUTHRIE: Okay, thank you.

1 CHAIRPERSON MILLER: So we'll keep
2 you posted though. So, Board Members, we have
3 before us an establishment that's not here.

4 MEMBER ALBERTI: And we're
5 dismissing the application.

6 CHAIRPERSON MILLER: So I'm
7 prepared to make a motion, right, to dismiss
8 Green Island Cafe/Heaven and Hell for failure
9 to appear at status hearing pursuant to 23-
10 DCMR-1603.3. Do I have a second?

11 MEMBER SHORT: Second.

12 CHAIRPERSON MILLER: Mr. Short has
13 seconded the motion. Any comments? All those
14 then in favor of the motion say aye?

15 (Chorus of ayes)

16 CHAIRPERSON MILLER: All those
17 opposed? All those abstaining? The motion
18 passes 6-0-0 to dismiss the application.
19 Okay, thank you.

20 (Whereupon, the hearing in the
21 above-mentioned matter was concluded at 10:21
22 a.m.)

<hr/> <p style="text-align: center;">A</p> <hr/> <p>a.m 2:2 4:3,4 6:22 above-mentioned 6:21 abstaining 6:17 agreement 3:15 ALBERTI 1:16 6:4 Alcoholic 1:2,12,13 ANC 2:6,12,16 4:10 anybody 2:19 appear 5:1 6:9 application 1:10 2:8 6:5,18 association 3:6 aye 6:14 eyes 6:15</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>back 3:19 4:3 behalf 3:2 Beverage 1:2,12,13 Billy 3:1 Board 1:2,13 6:2 BROOKS 1:17 Building 1:13</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>Cafe/Heaven 1:7 2:5,19 4:15 6:8 case 1:9 2:3,4 3:18 4:6,13,16,22 cases 4:8 cause 5:2 Chair 5:4 Chairman 1:14 Chairperson 1:16 2:3,11,14,18 3:3,9 3:16,22 4:5,12,21 5:7,12,19 6:1,6,12 6:16 check 5:15 Chorus 6:15 COLUMBIA 1:1 come 3:19 5:20 comments 5:3 6:13</p>	<p>completed 4:7 concluded 6:21 Control 1:2,12,13 counsel 5:15 CT 1:8</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D.C 1:14 dates 5:10,17,20 days 5:14 DCMR-1603.3 6:10 definitely 5:20 dismiss 5:1 6:7,18 dismissing 6:5 DISTRICT 1:1 DONALD 1:17</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>earlier 4:13 establishment 6:3</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>failure 5:1 6:8 fairly 3:14 favor 6:14 February 1:11 fees 3:6 filed 5:14 final 3:15 foregoing 4:2</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>general 5:15 getting 5:9 good 5:2 Green 1:6,7 2:4,19 4:14 6:8 Guthrie 2:10,12,16 2:16,20,21 3:4,12 3:21 4:10,10,17 4:19 5:5,8,18,22</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>handling 2:22 heard 2:20 3:4 4:17 4:19</p>	<p>hearing 1:7,13 4:8 5:11 6:9,20 Heaven 1:6 HECTOR 1:18 Hell 1:6,7 2:5,20 4:15 6:8 HERMAN 1:17 Hmm 2:11</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>identify 2:15 4:9 Island 1:6,7 2:4,19 4:14 6:8</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>JAMES 1:19 JONES 1:17 5:4</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>keep 6:1 know 5:2</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>License 1:9 2:6 licensee 4:14 located 2:5</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>Madam 5:4 matter 1:5 4:2 6:21 mean 5:14 mediation 5:10 MEETING 1:3 Member 1:16,17,17 1:18,18,19 3:7 5:4 6:4,11 Members 6:2 met 1:13 mic 3:10 MICHAEL 1:18 Miller 1:14,16 2:3 2:11,14,18 3:3,9 3:16,22 4:5,12,21 5:7,12,19 6:1,6,12 6:16 minutes 3:18 motion 5:13 6:7,13</p>	<p>6:14,17</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N.W 1:14 negotiations 3:13 new 5:9 NICK 1:16 normally 2:22 3:1 Northwest 2:6 Number 2:4,6 4:6 NW 1:8</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>Okay 2:14,18 3:3 3:16,16,22 4:12 4:21 5:7,18,22 6:19 opposed 6:17</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>P-R-O-C-E-E-D-... 2:1 pass 3:18 passed 4:13 passes 6:18 please 3:8 4:9 point 4:6 posted 6:2 practice 4:22 prepared 6:7 PRESENT 1:15,20 presiding 1:14 previous 4:22 productive 3:14 protest 1:7 5:10 pursuant 6:9</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>question 5:6 quickly 5:17</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>ready 4:8 recall 4:6 record 2:15 4:3,4,9 Reeves 1:13 reinstated 5:9,13</p>	<p>5:20 renewal 1:10 2:8 Retailer 1:8 right 3:20 6:7 RODRIGUEZ 1:18 Room 1:13 Ruthanne 1:14,16</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>saw 4:22 says 5:13 scheduled 4:16 scheduler 5:16 second 6:10,11 seconded 6:13 see 3:18 seen 2:10,13 series 5:10 Short 1:19 6:11,12 shown 5:2 SILVERSTEIN 1:18 3:7 Simpson 3:1 sit 3:9 sorry 3:7 speak 3:8 status 1:8 4:8 6:9 Street 1:8,14 2:6 sure 3:21 5:14</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>t/a 1:7 take 5:16 Ted 2:16 4:10 ten 5:13 thank 3:22 5:22 6:19 think 4:5</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>understanding 3:5 3:12</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>Washington 1:14</p>
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