

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Superclub Ibiza, LLC
t/a Ibiza
1222 1st Street, NE
Retailer CN - ANC-6C
License No. 74456
Case #13-PRO-00150

Protest
Hearing
(Status)

(Renewal Application)

March 5, 2014

The Alcoholic Beverage Control Board met in the Alcoholic Beverage Control Hearing Room, Reeves Building, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

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

(9:37 a.m.)

CHAIRPERSON MILLER: Okay. Good morning, everyone. I would like to welcome you to the regularly scheduled meeting of the District of Columbia's Alcoholic Beverage Control Board. Today is March 5, 2014.

My name is Ruthanne Miller. I'm the Chairperson. And to my far right is Mr. Donald Brooks. To my immediate right is Mr. Hector Rodriguez. To my immediate left is Mr. Mike Silverstein and next to Mr. Silverstein is Mr. James Short. We have five Members in attendance right now for business and three constitutes a quorum.

Copies of today's hearing calendar and agenda are available at the receptionist desk. Please be aware that these proceedings are being recorded by a court reporter. Accordingly, we must ask you to refrain from any disruptive noises or actions in the hearing room.

1 If you have any cell phones or
2 electronic devices, please, make certain they
3 are turned off to avoid any interruption of
4 the proceedings.

5 When I call your case, please,
6 come forward and take a seat at the table.
7 You will notice that there is a piece of paper
8 on each table for you to sign-in. This is to
9 ensure the correct spelling of your name for
10 the record.

11 The Open Meetings Act requires
12 that the public hearing on each case be open
13 to the public. The Board may, consistent with
14 Section 405(b) of the Open Meetings Act, enter
15 a closed meeting during or after the public
16 hearing on a case to consult with an attorney
17 to obtain legal advice, discuss settlement
18 agreements or deliberate upon a decision in an
19 adjudication proceeding.

20 Okay. I'm now going to start with
21 this morning's calendar.

22 The first case is Case No. 13-PRO-

1 00150, Ibiza located at 1222 1st Street, N.E.,
2 License No. 74456, in ANC-6C. Good morning.
3 This is a Protest Hearing (Status) case for a
4 renewal application.

5 When you are ready, if you could
6 sign-in and also then identify yourselves for
7 the record. Okay. Why don't we start over
8 here?

9 MR. TRUONG: Yes. My name is Aldo
10 Truong and I'm with Ibiza Nightclub.

11 CHAIRPERSON MILLER: Okay.

12 MR. FIRSTENBIRG: My name is Doug
13 Firstenbirg. I'm the designated
14 representative for a group of property owners
15 protesting the renewal of the license.

16 CHAIRPERSON MILLER: Okay. So --
17 oh, go ahead. Let's see who else is with you.

18 MS. MISRE: My name is Sanjukta
19 Misre. I'm also a designated representative
20 with that group of five protestants.

21 CHAIRPERSON MILLER: All right.

22 MR. COURTNEY: And my name is Drew

1 Courtney. I'm the designated representative
2 of ANC-6C.

3 CHAIRPERSON MILLER: Okay. I have
4 in my notes that for the group of 10, one more
5 than the others who appeared at the Roll Call
6 Hearing needs to be here.

7 MS. MISRE: Yes. And we have Mr.
8 Chris Smith here.

9 CHAIRPERSON MILLER: Is he here?

10 MS. MISRE: He's right here.

11 CHAIRPERSON MILLER: Oh, can you
12 come forward and identify yourself on the
13 record?

14 MR. SMITH: Sure. It's Chris
15 Smith with William C. Smith & Company.

16 CHAIRPERSON MILLER: Okay. You're
17 with the group of 10?

18 MR. SMITH: (No audible answer.)

19 CHAIRPERSON MILLER: Okay. So
20 that was the one person who was missing.
21 Okay. Are there any other issues you need to
22 bring to my attention? Otherwise, I'll set

1 your Protest Hearing date and give you the
2 instructions.

3 MS. MISRE: Should I add Mr.
4 Smith's name to your sign-in sheet?

5 CHAIRPERSON MILLER: Yeah, thank
6 you. Definitely, yes, definitely. Okay.
7 Anything else?

8 All right. Your Protest Hearing
9 date is April 30, 2014 at 4:30 p.m. And I
10 just want to give you a few instructions with
11 respect to the Protest Hearing.

12 The purpose of a Protest Hearing
13 is to determine the appropriateness of the
14 establishment in the section of the District
15 where the establishment is located. And
16 that's based on our regs and it's 23-1607.

17 So that is to be the focus. The
18 Board isn't going to hear testimony on matters
19 that aren't relevant to that general focus.
20 Also though, we -- the Agency should have
21 mailed to you already a Protest Information
22 Form and an exhibit form. If you don't have

1 that yet, you might want to check with Tesha
2 Anderson. You don't need them yet, but you
3 will.

4 These are required to be submitted
5 seven days before the hearing, the date of the
6 hearing and to be served on all parties in the
7 case. If we don't receive a copy of your
8 Protest Information Form, also known as a PIF,
9 your application or your protest could be
10 dismissed.

11 Okay. So these are really very
12 important for the hearing and for the Board
13 and for all the parties to be focused at the
14 hearing. So please be aware of that.

15 Okay. If you have any questions
16 today or leading up to the hearing, you can
17 contact Ms. Anderson at 442-6492 or contact
18 our General Counsel, Martha Jenkins.

19 And I do want to say that since
20 Mr. Smith did appear here today, that the
21 group of 10 is granted full standing.

22 MR. FIRSTENBIRG: Thank you.

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CHAIRPERSON MILLER: All right.

Are there any other questions? Okay. All right then. That concludes this case. Thank you very much.

MR. FIRSTENBIRG: Thank you.

MS. MISRE: Thank you.

(Whereupon, the Protest (Status) Hearing in the above-entitled matter was concluded at 9:43 a.m.)

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