

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

(9:43 a.m.)

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2
3 CHAIR MILLER: Good morning, ladies
4 and gentleman. I would like to welcome you to
5 the regularly scheduled meeting of the District
6 of Columbia Alcoholic Beverage Control Board.

7 Today is May 13, 2015. My name is
8 Ruthanne Miller, I'm the Chairperson. Joining me
9 to my far right is Mr. Donald Brooks. Next to
10 Mr. Brooks is Mr. Nick Alberti. And next to Mr.
11 Alberti is Mr. Hector Rodriguez.

12 To my left is Mr. Mike Silverstein,
13 and next to Mr. Silverstein is Mr. James Short.
14 We have six members in attendance for the conduct
15 of business this morning, and three constitutes a
16 quorum.

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

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

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

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

19 That concludes my preliminary remarks.
20 So we can now move to this morning's calendar.
21 First item on the calendar is Case number 15-PRO-
22 00016. This is Panda Gourmet.

1 We received a call this morning that
2 the Respondent was stuck in traffic. But is the
3 Respondent here? I mean, not the Respondent, the
4 Licensee.

5 FEMALE PARTICIPANT: Protestants.

6 CHAIR MILLER: Protestants. Yes,
7 Protestants. Okay, everybody's here, good. When
8 you're ready, if you could sign in and introduce
9 yourselves for the record.

10 MS. MANNING: Good morning, I'm
11 Commissioner Jacqueline Manning for ANC 5C.

12 MR. JONES: Good morning, Mark Jones
13 for T&L Investments and Panda Gourmet.

14 CHAIR MILLER: Okay, great. All
15 right, I'm going to give you some guidance for
16 the hearing, but first ask you if there is
17 anything you want to bring to our attention with
18 respect to your issue?

19 MS. MANNING: Yes, because the
20 mediation is tomorrow.

21 CHAIR MILLER: Right, you haven't had
22 mediation.

1 MS. MANNING: Right.

2 CHAIR MILLER: I know, I see that in
3 our notes. So you probably don't have too much
4 to report.

5 MS. MANNING: Correct.

6 CHAIR MILLER: Okay. What I want to
7 tell you is that, you know, if you don't resolve
8 this by mediation, it would be great if you do
9 but if you don't, you will be going to a protest
10 hearing before the Board.

11 And I just wanted to let you know one
12 of the key points for that is that you will get
13 in the mail a protest information form and
14 exhibit forms. And these forms are very
15 important for the structure of the hearing and
16 putting the parties on notice and putting the
17 Board on notice as to what the issues are.

18 So you need to fill those forms out
19 and provide them to counsel, opposing counsel
20 and/or parties and the Board seven days ahead of
21 the hearing, and attach any exhibits that you
22 intend to put in in your case to make your case,

1 and share those with the Board and the other
2 party.

3 Okay, this isn't done by surprise. If
4 we don't receive a copy of your PIF, your
5 application or your protest could be dismissed.

6 And likewise if you don't provide the
7 identification of the exhibits and the exhibits
8 themselves, it's possible that they will be
9 excluded at the hearing. And the same with an
10 identification of witnesses, which the PIF asks
11 for.

12 Okay. So if you have any questions in
13 between now and if you actually do go to hearing,
14 you can contact our assistant general counsel,
15 Janea Raines at 442-4353. Okay?

16 MR. JONES: Thank you.

17 MS. MANNING: All right, thank you.

18 CHAIR MILLER: All right, thank you
19 very much.

20 (Whereupon, the hearing in the above-
21 entitled matter was concluded at 9:47.)
22

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