DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING 

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IN THE MATTER OF:        :

M Street Entertainment, :
LLC 

 t/a To Be Determined :

 3123-3125 M Street NW :

Retailer CR - ANC 2E :

Protest 

License No. 119608 :
Case #22-PRO-00024 :

(Substantial Change :

Sports Wagering :
Endorsement) :
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Wednesday
May 25, 2022

The Alcoholic Beverage Control Board
met via WebEx videoconference, Chairperson
Donovan W. Anderson presiding.

PRESENT:
DONOVAN W. ANDERSON, Chairperson
BOBBY CATO, JR., Member
RAFI ALIYA CROCKETT, Member
EDWARD S. GRANDIS, Member
JENI HANSEN, Member
JAMES SHORT, JR., Member

ALSO PRESENT:

SARAH FASHBAUGH, DC ABRA Staff
MATHEW MINORA, Applicant Counsel
KAREN CRUSE, Citizen's Association of Georgetown
LISA PALMER, ANC 2E
P-R-O-C-E-E-D-I-N-G-S

10:52 a.m.

CHAIRPERSON ANDERSON: The next case up, Calendar Case Number 22-PRO-00024, M Street Entertainment, LLC, trade name to be determined, License Number 119608.

Ms. Fashbaugh, can you please elevate the rights of the parties in this case, please?

MS. FASHBAUGH: Please standby. Mat Minora, your rights have been elevated. Lisa Palmer, your rights -- Lisa Palmer, your rights cannot be elevated, but I will unmute you.

Karen Cruse, your rights have been elevated. Again, Lisa Palmer, you are unmuted.

That is all, Mr. Chair.

CHAIRPERSON ANDERSON: Thank you. Thank you. All right. Ms. Palmer, do you have -- I think, well Ms. Cruse, do you have a camera? I see you're on my screen twice, Ms. Cruse.

(No response)

CHAIRPERSON ANDERSON: Ms. Cruse, are you there?

(No response)

CHAIRPERSON ANDERSON: Ms. Cruse?

MS. PALMER: She appears to still be
muted.

CHAIRPERSON ANDERSON: Are you able to
-- I'm sorry, who was that speaking?

MS. PALMER: That was Lisa Palmer.

CHAIRPERSON ANDERSON: Okay, thank
you, Ms. Palmer. Ms. Fashbaugh, can you check
again to see if Ms. Cruse has been unmuted?
Because I -- she's on my screen twice, but I'm
not seeing her or hearing her.

MS. FASHBAUGH: Both of her accounts
have been unmuted.

MS. CRUSE: Can you hear me?

CHAIRPERSON ANDERSON: Yes. Who's --
who just spoke?

MS. CRUSE: Karen Cruse.

CHAIRPERSON ANDERSON: Oh, Ms. Cruse,
you appear to be on, logged on twice, because I
see you on my screen twice.

Is it -- are you logged on two
separate equipment?

MS. CRUSE: No. It's on mine, I'm
getting it -- I'm getting reverberation.

CHAIRPERSON ANDERSON: Right. So, are
you -- are you -- let me, are you -- how are you
logged onto this hearing?
MS. CRUSE: Well, this is -- I -- I don't know what the problem is.

CHAIRPERSON ANDERSON: I think you're logged -- you're logged on twice, because I'm hearing -- I'm hearing a feedback.

And so when I hear a feedback, it's because you're -- you're either on your computer and on your phone at the same time.

Are you -- are you doing that?

MS. CRUSE: I'm not on my phone. I'm just on a computer. I -- I can see where it's on twice, but I can't undo it.

CHAIRPERSON ANDERSON: Why don't you -- this is the -- why don't you just log off and log back on. And I'll ask Ms. -- are you there Ms. Cruse?

MS. CRUSE: Yes, I am.

CHAIRPERSON ANDERSON: All right. Why don't you -- please log off. And I'll have Ms. Fashbaugh see you again, to put you on.

So, I'm just asking for you to log off.

MS. CRUSE: I'm -- I'm going to try, but I'm not sure I'm good at computers. Let me try.
CHAIRPERSON ANDERSON: And Ms. Fashbaugh, can you look to see when Ms. Cruse logs back on, please?

MS. FASHBAUGH: Copy.

CHAIRPERSON ANDERSON: Are you there, Ms. Cruse?

MS. CRUSE: I'm here now. I'm back.

CHAIRPERSON ANDERSON: Okay. It's the same problem. But, we'll -- what I'll ask you to do is that, just keep your phone on mute and just -- just unmute your phone when you need to speak up. And we'll just use it, the speaker.

All right. Good morning everyone.

So, Mr. Minora, can you please spell and state your name for the record, please. And your affiliation with this case.

MR. MINORA: My name is Matthew Minora. I'm coming from -- excuse me, the law firm of Mallios O'Brien and Sandground. And we're ABC licensed counsel for the Licensee.


CHAIRPERSON ANDERSON: Good morning, Mr. Minora.
MR. MINORA: Good morning.

CHAIRPERSON ANDERSON: Ms. Palmer, can you please spell and state your name for the record, please?


CHAIRPERSON ANDERSON: And your affiliation with this case is?

MS. PALMER: ANC 2E.

CHAIRPERSON ANDERSON: Ms. Cruse, can you please spell and state your name for the record, please?


And if I may, I'd like to say that I am going to let Commissioner Palmer speak for us, since we're having this audio problem.

CHAIRPERSON ANDERSON: Well, I know that. But, before she can speak for you, there's something I need to do.

Mr. Minora, it's my understanding that the Citizens Association of Georgetown does not have standing to participate in this hearing.

And so, I -- so, it says that there's a standing issue with them having standing to
participate in this hearing.

Do you have -- did -- on behalf of your client, do you consent to the Citizens Association having standing for participation in this hearing?

MR. MINORA: Yes. Yes, we understand that it was due too just a miscommunication as to why they weren't at the roll call hearing.

So, of course, we consent to them having standing.

CHAIRPERSON ANDERSON: All right.

Then I make a motion that the -- without objection, that I make a motion that ABC Board grant standing to the Citizen Association of Georgetown to participate in this matter.

Is there a second?

MEMBER GRANDIS: Ed Grandis will second.

CHAIRPERSON ANDERSON: Mr. Grandis has seconded the motion. We'll now have a roll call vote on the motion.

Mr. Short?

MEMBER SHORT: Mr. Short, I agree.

CHAIRPERSON ANDERSON: Mr. Cato?

MEMBER CATO: Bobby Cato, I agree.
CHAIRPERSON ANDERSON: Ms. Crockett?
MEMBER CROCKETT: Rafi Crockett, I agree.

CHAIRPERSON ANDERSON: Ms. Hansen?
MEMBER HANSEN: Jeni Hansen, I agree.

CHAIRPERSON ANDERSON: Mr. Grandis?
MEMBER GRANDIS: Edward Grandis, I agree.

CHAIRPERSON ANDERSON: Mr. Anderson, I agree. And the matter passes six, zero, zero.
So, the Citizens Association of Georgetown has been granted standing to participate in this hearing as a party.

Mr. Minora, are there any other preliminary matters that need to be brought to the attention of the Board?

MR. MINORA: None. We have none.

CHAIRPERSON ANDERSON: All right.

Thank you. Ms. Palmer, are there any preliminary matters that need to be brought to the attention of the Board?

MS. PALMER: No, sir.

CHAIRPERSON ANDERSON: And I know that Ms. Cruse had stated that you should speak for her. But, I just need to find out from her, does
the Citizens Association of Georgetown, do they have any preliminary matters that need to be brought to the attention of the Board, to the Board?

MS. CRUSE: No sir, thank you.

CHAIRPERSON ANDERSON: All right.

Thank you. All right, this matter has been scheduled -- if this matter goes to a show cause hearing this -- I'm sorry, a protest hearing, this matter is scheduled for a show cause -- I'm sorry, a protest hearing on June 13, 2022 at 1:30 p.m.

The Agency --

MS. PALMER: I'm sorry?

CHAIRPERSON ANDERSON: I'm sorry, you had a question?

MS. PALMER: You said June 13 or July 13?

CHAIRPERSON ANDERSON: July 13. I apologize, July 13, 2022 at 1:30 p.m. Is that information that the party has?

MS. PALMER: Yes, sir.

CHAIRPERSON ANDERSON: That's right.

All right. Now, the Board supports settlement agreements if the parties can settle this matter.
I think this is a, this is a substantial change request, I think on a sports wager endorsement. So, if the parties can settle this matter, I -- the Board supports settlement. But, if the parties are unable to settle this matter, then we'll have a hearing on July 13 at 1:30 p.m.

Do I need to provide directions on a protest hearing? Or are all the parties familiar with the process?

MR. MINORA: We're familiar.

MS. PALMER: If the directions are the same as those you just shared with the previous applicants, then we are familiar.

CHAIRPERSON ANDERSON: Thank you. Who was -- who was just speaking, please?

MS. PALMER: Lisa Palmer.

CHAIRPERSON ANDERSON: Thank you, Ms. Palmer. The reason I -- we have a court reporter, and also because I can't see you. So, I'm not sure who was speaking.

All right, so that's --

MS. PALMER: Sorry.

CHAIRPERSON ANDERSON: All right. All right, so the instructions are the same. And I
would hope I -- well, as I stated before the
Board supports settling, settlement if the
parties can settle this matter.

But, if it cannot be settled, we will
see you July 13, 2022 at 1:30 p.m. for a protest
hearing. Okay.

All right. Thank you everyone. Thank
you for all your presentations today, your
appearance today. And have a great day, thank
you.

MS. PALMER: Thank you.

MR. MINORA: Thank you.

(Whereupon, the above-entitled matter
went off the record at 11:02 a.m.)
CERTIFICATE

This is to certify that the foregoing transcript

In the matter of: M Street Entertainment

Before: DC ABRA

Date: 05-25-22

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate complete record of the proceedings.

[Signature]
Court Reporter