

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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IN THE MATTER OF: :

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The Cafe'-Bar At 14th :

t/a M Cafe :

1634 14th Street, NW :

License #ABRA-089208 :

Retailer CR - New Application:

Case #12-PRO-00041 :

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TUESDAY, May 29, 2012

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The Alcoholic Beverage Control Board met in Alcoholic Beverage Control Hearing Room, 2000 14th Street, N.W., Suite 400S Washington, D.C., Ms. La Verne Fletcher, Agent, presiding.

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

10:26 a.m.

AGENT FLETCHER: Are the parties present in the matter of M Cafe?

MR. RAYMOND: Could you please speak up?

AGENT FLETCHER: Is anyone present in the matter of M Cafe? This is Case Number 12-PRO-00041, The Cafe'-Bar At 14th, LLC, trading as M Cafe, 1634 14th Street NW, License Number ABRA-089205. This is a Retailer CR - New Application. The protest issues are adverse impact on peace, order, and quiet and real property values.

Introductions, beginning with the Applicant.

MR. O'BRIEN: Stephen O'Brien for the Applicant.

PARTICIPANT:

AGENT FLETCHER: Thank you, Mr. O'Brien. Mr. O'Brien, my understanding is that the Applicant is out of town?

1 MR. O'BRIEN: Traveling over the  
2 holiday weekend.

3 AGENT FLETCHER: Traveling? Thank  
4 you, very much.

5 MR. O'BRIEN: Yes.

6 AGENT FLETCHER: And for the  
7 Protestant?

8 MR. RAYMOND: Pardon me?

9 AGENT FLETCHER: For the  
10 Protestant?

11 MR. RAYMOND: Yes. Matt Raymond,  
12 R-A-Y-M-O-N-D, Vice-Chair of ANC-2F.

13 AGENT FLETCHER: Thank you, Mr.  
14 Raymond. And Mr. Raymond, will you be the  
15 designated representative? I know, from your  
16 letter, that any Commissioner can be a  
17 designated representative.

18 MR. RAYMOND: Correct.

19 AGENT FLETCHER: Are you going to  
20 be it?

21 MR. RAYMOND: Correct.

22 AGENT FLETCHER: Okay. That will

1 be helpful. Then you'll be the contact person  
2 for us and for Mr. O'Brien?

3 MR. RAYMOND: Correct.

4 AGENT FLETCHER: Okay. So Mr.  
5 Raymond, if you would write your daytime  
6 number and e-mail address on that sheet?

7 MR. RAYMOND: Is this okay?

8 AGENT FLETCHER: Okay. ANC-2F is  
9 the only Protestant in this matter and does  
10 have standing as a Protestant. We need to set  
11 a date for mediation, a Status Hearing, and  
12 the Protest Hearing.

13 MR. RAYMOND: Ma'am, I believe  
14 that there was another Protestant that might  
15 have been accepted if I could call up the  
16 representative of the Matrix Condo  
17 Association. Oh, I'm sorry. I'm sorry. We  
18 have two. I keep doing this.

19 MR. O'BRIEN: He doesn't believe  
20 that.

21 MR. RAYMOND: Hopefully, he's on  
22 to the next case.

1                   AGENT FLETCHER: Okay. And we'll  
2 get to that one shortly.

3                   MR. RAYMOND: I'm dealing with  
4 Steve on both of these. So that's what he  
5 finds very confusing.

6                   AGENT FLETCHER: Well then, for  
7 this one, we'll go ahead and set up the  
8 mediation, a Status Hearing and the Protest  
9 Hearing. And I will give you the date for the  
10 Status Hearing first. The date of the Status  
11 Hearing is July 18, 2012, at 9:30 a.m. And  
12 the Protest Hearing is scheduled for October  
13 10, 2012, at 4:00 p.m.

14                   MR. RAYMOND: At 4:00 p.m.?

15                   AGENT FLETCHER: October 10, 2012,  
16 for the Protest Hearing?

17                   MR. RAYMOND: Yes.

18                   AGENT FLETCHER: October 10, 2012,  
19 at 4:00 p.m.

20                   MR. RAYMOND: At 4:00 p.m.?

21                   AGENT FLETCHER: Yes.

22                   MR. RAYMOND: Okay.

1                   AGENT FLETCHER:  October 10, 2012,  
2                   at 4:00.  And we need to set up a date for  
3                   mediation to occur prior to July 18, 2012.  So  
4                   I will give you some dates that are available  
5                   for mediation.  The first date available in  
6                   June is June 14, and then also the 15th is  
7                   available.  So that's a Thursday and Friday,  
8                   June 14th or 15th, if anyone is available on  
9                   either of those dates at 9:00 a.m., 10:00  
10                  a.m., 11:00 a.m., or 1:00 p.m.  June 14th or  
11                  15th?

12                  MR. O'BRIEN:  The 15th at 1:00  
13                  p.m.

14                  MR. RAYMOND:  I will be out of  
15                  town.

16                  MR. O'BRIEN:  Okay.

17                  MR. RAYMOND:  I will be out of  
18                  town.  I can do the 14th, if you can.

19                  MR. O'BRIEN:  The 14th is not a  
20                  good day for me.

21                  AGENT FLETCHER:  I can move on to  
22                  the next week.

1 MR. O'BRIEN: Can we move on to  
2 the next week?

3 AGENT FLETCHER: Okay. So, for the  
4 next week, June 21st and 22nd are available.  
5 That's a Thursday or a Friday at 9:00 a.m.,  
6 10:00 a.m., 11:00 a.m., or 1:00 p.m.

7 MR. RAYMOND: The 21st?

8 MR. O'BRIEN: The 22st is a  
9 Thursday, right?

10 AGENT FLETCHER: Yes.

11 MR. O'BRIEN: Okay. That could  
12 work. What time?

13 AGENT FLETCHER: 9:00 a.m., 10:00  
14 a.m., 11:00 a.m., or 1:00 p.m.

15 MR. O'BRIEN: Do you have 1:00  
16 p.m.?

17 AGENT FLETCHER: Yes.

18 MR. O'BRIEN: Would 1:00 p.m. work  
19 for you?

20 MR. RAYMOND: Sure.

21 AGENT FLETCHER: 1:00 p.m.?

22 MR. O'BRIEN: So it's 1:00 p.m. on

1 June 21st?

2 AGENT FLETCHER: Yes.

3 MR. O'BRIEN: Very well.

4 AGENT FLETCHER: Let me see, 1:00  
5 p.m. on June 21st. All right. Oh, and I  
6 should state for the record that I'm La Verne  
7 Fletcher, conducting the Roll Call Hearing on  
8 behalf of the ABC Board, pursuant to DC  
9 Official Code 1601.2. Okay. Thanks for  
10 coming. I will see you on the 21st.

11 MR. O'BRIEN: I think the next  
12 case is ours, also.

13 AGENT FLETCHER:

14 PARTICIPANT: Okay. Well then  
15 alright, that's perfect. The Roll Call  
16 Hearing is now concluded.

17 (Whereupon, the Roll Call Hearing  
18 was concluded at 10:32 a.m.)

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22

<b>A</b>	<b>coming</b> 8:10 <b>Commissioner</b> 3:16 <b>concluded</b> 8:16,18 <b>Condo</b> 4:16 <b>conducting</b> 8:7 <b>confusing</b> 5:5 <b>contact</b> 4:1 <b>Control</b> 1:3,18,19 <b>Correct</b> 3:18,21 4:3 <b>CR</b> 1:12 2:12	4:11,12 5:8,9,10 5:11,12,16 8:7,16 8:17 <b>helpful</b> 4:1 <b>holiday</b> 3:2 <b>Hopefully</b> 4:21	<b>occur</b> 6:3 <b>October</b> 5:12,15,18 6:1 <b>Official</b> 8:9 <b>Oh</b> 4:17 8:5 <b>okay</b> 3:22 4:4,7,8 5:1,22 6:16 7:3,11 8:9,14 <b>order</b> 2:13 <b>O'Brien</b> 2:17,17,21 2:21 3:1,5 4:2,19 6:12,16,19 7:1,8 7:11,15,18,22 8:3 8:11	<b>real</b> 2:14 <b>record</b> 8:6 <b>representative</b> 3:15 3:17 4:16 <b>Retailer</b> 1:12 2:12 <b>right</b> 7:9 8:5 <b>Roll</b> 1:5 8:7,15,17 <b>Room</b> 1:20 <b>R-A-Y-M-O-N-D</b> 3:12
<b>ABC</b> 8:8 <b>ABRA-089205</b> 2:11 <b>ABRA-089208</b> 1:12 <b>accepted</b> 4:15 <b>address</b> 4:6 <b>adverse</b> 2:13 <b>Agent</b> 1:22 2:3,7,20 3:3,6,9,13,19,22 4:4,8 5:1,6,15,18 5:21 6:1,21 7:3,10 7:13,17,21 8:2,4 8:13 <b>ahead</b> 5:7 <b>Alcoholic</b> 1:3,18,19 <b>alright</b> 8:15 <b>ANC-2F</b> 3:12 4:8 <b>Applicant</b> 2:16,18 2:22 <b>Application</b> 1:12 2:12 <b>Association</b> 4:17 <b>available</b> 6:4,5,7,8 7:4 <b>a.m</b> 2:2 5:11 6:9,10 6:10 7:5,6,6,13,14 7:14 8:18	<b>D</b>	<b>I</b>	<b>P</b>	<b>S</b>
<b>ahead</b> 5:7 <b>Alcoholic</b> 1:3,18,19 <b>alright</b> 8:15 <b>ANC-2F</b> 3:12 4:8 <b>Applicant</b> 2:16,18 2:22 <b>Application</b> 1:12 2:12 <b>Association</b> 4:17 <b>available</b> 6:4,5,7,8 7:4 <b>a.m</b> 2:2 5:11 6:9,10 6:10 7:5,6,6,13,14 7:14 8:18	<b>date</b> 4:11 5:9,10 6:2,5 <b>dates</b> 6:4,9 <b>day</b> 6:20 <b>daytime</b> 4:5 <b>DC</b> 8:8 <b>dealing</b> 5:3 <b>designated</b> 3:15,17 <b>DISTRICT</b> 1:1 <b>doing</b> 4:18 <b>D.C</b> 1:21	<b>impact</b> 2:13 <b>Introductions</b> 2:15 <b>issues</b> 2:13	<b>Pardon</b> 3:8 <b>PARTICIPANT</b> 2:19 8:14 <b>parties</b> 2:3 <b>peace</b> 2:13 <b>perfect</b> 8:15 <b>person</b> 4:1 <b>please</b> 2:5 <b>present</b> 2:4,7 <b>presiding</b> 1:22 <b>prior</b> 6:3 <b>property</b> 2:14 <b>protest</b> 2:12 4:12 5:8,12,16 <b>Protestant</b> 3:7,10 4:9,10,14 <b>pursuant</b> 8:8 <b>P-R-O-C-E-E-D-...</b> 2:1 <b>p.m</b> 5:13,14,19,20 6:10,13 7:6,14,16 7:18,21,22 8:5	<b>scheduled</b> 5:12 <b>see</b> 8:4,10 <b>set</b> 4:10 5:7 6:2 <b>sheet</b> 4:6 <b>shortly</b> 5:2 <b>sorry</b> 4:17,17 <b>speak</b> 2:6 <b>standing</b> 4:10 <b>state</b> 8:6 <b>Status</b> 4:11 5:8,10 5:10 <b>Stephen</b> 2:17 <b>Steve</b> 5:4 <b>Street</b> 1:11,20 2:10 <b>Suite</b> 1:20 <b>Sure</b> 7:20
<b>B</b>	<b>E</b>	<b>J</b>	<b>K</b>	<b>T</b>
<b>Bar</b> 1:10 2:9 <b>beginning</b> 2:15 <b>behalf</b> 8:8 <b>believe</b> 4:13,19 <b>Beverage</b> 1:3,18,19 <b>Board</b> 1:3,19 8:8	<b>e</b> 4:6 <b>either</b> 6:9	<b>July</b> 5:11 6:3 <b>June</b> 6:6,6,8,10 7:4 8:1,5	<b>keep</b> 4:18 <b>know</b> 3:15	<b>Thank</b> 2:20 3:3,13 <b>Thanks</b> 8:9 <b>think</b> 8:11 <b>Thursday</b> 6:7 7:5,9 <b>time</b> 7:12 <b>town</b> 2:22 6:15,18 <b>trading</b> 2:10 <b>Traveling</b> 3:1,3 <b>TUESDAY</b> 1:15 <b>two</b> 4:18 <b>t/a</b> 1:10
<b>C</b>	<b>F</b>	<b>L</b>	<b>M</b>	<b>U</b>
<b>Cafe</b> 1:10,10 2:4,8 2:9,10 <b>call</b> 1:5 4:15 8:7,15 8:17 <b>case</b> 1:13 2:8 4:22 8:12 <b>Code</b> 8:9 <b>COLUMBIA</b> 1:1	<b>finds</b> 5:5 <b>first</b> 5:10 6:5 <b>Fletcher</b> 1:22 2:3,7 2:20 3:3,6,9,13,19 3:22 4:4,8 5:1,6 5:15,18,21 6:1,21 7:3,10,13,17,21 8:2,4,7,13 <b>Friday</b> 6:7 7:5	<b>La</b> 1:21 8:6 <b>letter</b> 3:16 <b>License</b> 1:12 2:11 <b>LLC</b> 2:9	<b>M</b> 1:10 2:4,8,10 <b>mail</b> 4:6 <b>Matrix</b> 4:16 <b>Matt</b> 3:11 <b>matter</b> 1:9 2:4,8 4:9 <b>Ma'am</b> 4:13 <b>mediation</b> 4:11 5:8 6:3,5 <b>met</b> 1:19 <b>move</b> 6:21 7:1	<b>understanding</b> 2:21
<b>G</b>	<b>H</b>	<b>N</b>	<b>O</b>	<b>V</b>
<b>give</b> 5:9 6:4 <b>go</b> 5:7 <b>going</b> 3:19 <b>good</b> 6:20	<b>Hearing</b> 1:5,20	<b>need</b> 4:10 6:2 <b>New</b> 1:12 2:12 <b>number</b> 2:8,11 4:6 <b>NW</b> 1:11 2:10 <b>N.W</b> 1:20	<b>quiet</b> 2:14	<b>values</b> 2:14
<b>R</b>			<b>Q</b>	
			<b>Raymond</b> 2:5 3:8 3:11,11,14,14,18 3:21 4:3,5,7,13,21 5:3,14,17,20,22 6:14,17 7:7,20	

<p><b>Verne</b> 1:21 8:6  <b>Vice-Chair</b> 3:12</p>	<hr/> <p style="text-align: center;"><b>9</b></p> <hr/> <p><b>9:00</b> 6:9 7:5,13  <b>9:30</b> 5:11</p>			
<hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>Washington</b> 1:21  <b>week</b> 6:22 7:2,4  <b>weekend</b> 3:2  <b>we'll</b> 5:1,7  <b>work</b> 7:12,18  <b>write</b> 4:5</p>				
<hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>p</b> 1:8,13</p>				
<hr/> <p style="text-align: center;"><b>#</b></p> <hr/> <p><b>#12-PRO-00041</b>  1:13</p>				
<hr/> <p style="text-align: center;"><b>1</b></p> <hr/> <p><b>1:00</b> 6:10,12 7:6,14  7:15,18,21,22 8:4  <b>10</b> 5:13,15,18 6:1  <b>10:00</b> 6:9 7:6,13  <b>10:26</b> 2:2  <b>10:32</b> 8:18  <b>11:00</b> 6:10 7:6,14  <b>12-PRO-00041</b> 2:9  <b>14</b> 6:6  <b>14th</b> 1:10,11,20 2:9  2:10 6:8,10,18,19  <b>15th</b> 6:6,8,11,12  <b>1601.2</b> 8:9  <b>1634</b> 1:11 2:10  <b>18</b> 5:11 6:3</p>				
<hr/> <p style="text-align: center;"><b>2</b></p> <hr/> <p><b>2000</b> 1:20  <b>2012</b> 1:15 5:11,13  5:15,18 6:1,3  <b>21st</b> 7:4,7 8:1,5,10  <b>22nd</b> 7:4  <b>22st</b> 7:8  <b>29</b> 1:15</p>				
<hr/> <p style="text-align: center;"><b>4</b></p> <hr/> <p><b>4:00</b> 5:19,20 6:2  <b>4:00</b> 5:13,14  <b>400S</b> 1:21</p>				