

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE REGULATION

ADMINISTRATION BOARD

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IN THE MATTER OF:

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| Seaton Motor Company | : | License Renewal |
| t/a Red Hen | : | |
| 1822 1st Street, N.W. | : | |
| License # ABRA-090832 | : | |
| Retailer CR | : | |
| Case No. 13-PRO-00086 | : | |

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Monday,
 June 17, 2013
 ABRA Hearing Room 400 South
 Reeves Municipal Center
 2000 14th Street, N.W.
 Washington, D.C. 20009

The above-entitled matter convened
 at 10:14 a.m., before the District of Columbia
 Alcoholic Beverage Regulation Administration
 Board.

BEFORE:

LA VERNE FLETCHER, Board Agent

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

2 [10:13 a.m.]

3 MS. FLETCHER: Would the parties
4 present in the matter of Red Hen please come
5 forward. The parties in the matter of Red Hen.

6 This is Case No. 13-PRO-00086,
7 Seaton Motor Company, LLC, trading as Red Hen,
8 1822 1st Street, N.W., License No. ABRA
9 090832. This is a Retailer CR license renewal.

10 The protest issues are adverse
11 impact on peace, order, and quiet, and
12 parking.

13 My name is La Verne Fletcher and
14 I'll be conducting the roll call hearing as
15 the Board's agent, pursuant to D.C. Official
16 Code 1601.2.

17 Introductions, beginning with the
18 licensee.

19 MR. FONSECA: Michael Fonseca on
20 behalf of the licensee, Jonathan Zutant.

21 MS. FLETCHER: Oh. I'm sorry.
22 John, did you say?

1 MR. ZUTANT: Jonathan.

2 MS. FLETCHER: And what's the last
3 name?

4 MR. ZUTANT: Z as in zebra, u as
5 in uncle, t as in Thomas, a as in apple, n as
6 in Nancy, t as in Thomas. Zutant.

7 MS. FLETCHER: I'm writing too
8 slow. Did you say Z...

9 MR. ZUTANT: Z-u-t as in Thomas.

10 MS. FLETCHER: T.

11 MR. ZUTANT: A as in apple, n as
12 in Nancy, t as in Thomas. Z-u-t-a-n-t.

13 MS. FLETCHER: I got it. Thank
14 you.

15 MR. ZUTANT: Sure.

16 MS. FLETCHER: And your name,
17 please.

18 MS. HOLLIDAY: I'm Bertha
19 Holliday, the designated representative for
20 the neighbors of the Unit Block of T Street,
21 N.W.

22 MS. FLETCHER: Thank you, Ms.

1 Holliday. Would you spell your name for the
2 court reporter.

3 MS. HOLLIDAY: First name is
4 Bertha, B as in boy, e-r-t as in Tom, h-a.
5 Last name is Holliday, H-o-l-l-i-d as in
6 David, a-y.

7 MS. FLETCHER: Ms. Holliday, are
8 there any other individuals from your group
9 present today?

10 MS. HOLLIDAY: No.

11 MS. FLETCHER: That's fine. I know
12 you're the designated representative and it's
13 fine that you're here on their behalf today.

14 I'm going to give you a date for a
15 status hearing, shortly. At least four other
16 individuals from your group will need to
17 appear at the status hearing. So today's
18 conditional standing is being granted.

19 The four additional people must
20 appear at the status hearing in order for the
21 group to maintain standing. Okay. I need to
22 give you a date for mediation.

1 MR. FONSECA: Just for the record,
2 are there designations in your file?

3 MS. FLETCHER: Yes.

4 MR. FONSECA: If you could just
5 send them on to me.

6 MS. FLETCHER: Okay.

7 MR. FONSECA: And they may have
8 been sent by Ms. Fachpa, but Mr. O'Brien, in
9 my office, was handling this. So in case we
10 don't have those.

11 MS. FLETCHER: Okay.

12 MR. FONSECA: Thank you.

13 MS. FLETCHER: The date for the
14 status hearing is set for August 7, 2013, at
15 9:30. August 7.

16 MS. HOLLIDAY: August 7th?

17 MS. FLETCHER: Yes.

18 MS. HOLLIDAY: What time?

19 MS. HOLLIDAY: At 9:30.

20 MS. HOLLIDAY: 9:30.

21 MS. FLETCHER: Yes. The protest
22 hearing is set for September the 18th at 5:00

1 o'clock p.m. We need to set a date for the
2 mediation to occur prior to August 7.

3 Mr. Fonseca, would you prefer 1:00
4 o'clock in the afternoon? Or does it matter
5 for this one?

6 MR. FONSECA: If it's for my
7 partner, yes. I will be--he's in town through
8 the early party of July. I'm out of town after
9 the 4th until the 17th.

10 MS. FLETCHER: Okay.

11 MR. FONSECA: So it just depends
12 on what your--

13 MS. FLETCHER: Which day it is?

14 MR. FONSECA: What's convenience
15 for Ms. Holliday.

16 MS. FLETCHER: Okay.

17 MR. FONSECA: And then I do
18 mornings, cause I live in town.

19 MS. FLETCHER: Well, the next
20 available date is actually in the morning, at--
21 --on July the 18th, which is a Thursday, at
22 10:00 or 11:00.

1 MS. HOLLIDAY: This was what?
2 Mediation?

3 MS. FLETCHER: Yes.

4 MS. HOLLIDAY: So that -- that;
5 right?

6 MS. FLETCHER: Yes. That's the
7 next available date, at 10:00 or 11:00. If
8 everyone's available at one of those times.

9 Do you have a preference?

10 MR. FONSECA: The 18th is good
11 for--

12 MS. FLETCHER: Is that good?

13 MR. FONSECA: --10:00 a.m.

14 MS. FLETCHER: Is that good for
15 you, Ms. Holliday? 10:00 a.m. on the 18th?

16 MS. HOLLIDAY: Yes.

17 MS. FLETCHER: Okay. Then
18 mediation is set for July 18 at 10:00. Okay.

19 MS. HOLLIDAY: Now do five people
20 need to be present at the mediation?

21 MS. FLETCHER: No.

22 MS. HOLLIDAY: Okay. The

1 designated representative?

2 MS. FLETCHER: Exactly. So you
3 appear as the designated representative for
4 mediation. That'll be fine. If the parties are
5 able to resolve the matter during mediation,
6 and the status hearing is canceled, then that
7 would also be fine.

8 But if it's necessary to show up
9 for the status hearing, then the other four
10 people would need to appear.

11 MS. HOLLIDAY: Thank you very much.

12 MS. FLETCHER: You're welcome.
13 Ms. Holliday, is your contact information on
14 that sheet? Did you--

15 MS. HOLLIDAY: I wrote it on this
16 sheet.

17 MS. FLETCHER: Okay. Thank you.
18 Thank you very much. Okay. Well, then the roll
19 call hearing is concluded.

20 MR. FONSECA: Thank you.

21 [Whereupon, at 10:20 a.m., the
22 roll call hearing was concluded.]

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|---|---|---|--|--|
| <p>A</p> <p>able 8:5 above-entitled 1:17 ABRA 1:14 2:8 ABRA-090832 1:9 additional 4:19 Administration 1:4 1:18 adverse 2:10 afternoon 6:4 agent 1:22 2:15 Alcoholic 1:3,18 appear 4:17,20 8:3 8:10 apple 3:5,11 August 5:14,15,16 6:2 available 6:20 7:7,8 a-y 4:6 a.m 1:17 2:2 7:13 7:15 8:21</p> | <p>contact 8:13 convened 1:17 convenience 6:14 court 4:2 CR 1:10 2:9</p> <hr/> <p>D</p> <p>D 2:1 date 4:14,22 5:13 6:1,20 7:7 David 4:6 day 6:13 depends 6:11 designated 3:19 4:12 8:1,3 designations 5:2 District 1:1,17 D.C 1:15 2:15</p> <hr/> <p>E</p> <p>E 2:1,1 early 6:8 everyone's 7:8 Exactly 8:2 e-r-t 4:4</p> | <p>give 4:14,22 going 4:14 good 7:10,12,14 GOVERNMENT 1:1 granted 4:18 group 4:8,16,21</p> <hr/> <p>H</p> <p>handling 5:9 hearing 1:14 2:14 4:15,17,20 5:14 5:22 8:6,9,19,22 Hen 1:8 2:4,5,7 Holliday 3:18,19 4:1,3,5,7,10 5:16 5:18,19,20 6:15 7:1,4,15,16,19,22 8:11,13,15 h-a 4:4 H-o-l-l-i-d 4:5</p> <hr/> <p>I</p> <p>impact 2:11 individuals 4:8,16 information 8:13 Introductions 2:17 issues 2:10</p> | <p>6:4 8:5 mediation 4:22 6:2 7:2,18,20 8:4,5 Michael 2:19 Monday 1:12 morning 6:20 mornings 6:18 Motor 1:8 2:7 Municipal 1:14</p> <hr/> <p>N</p> <p>n 2:1 3:5,11 name 2:13 3:3,16 4:1,3,5 Nancy 3:6,12 necessary 8:8 need 4:16,21 6:1 7:20 8:10 neighbors 3:20 N.W 1:9,15 2:8 3:21</p> <hr/> <p>O</p> <p>O 2:1 occur 6:2 office 5:9 Official 2:15 Oh 2:21 Okay 4:21 5:6,11 6:10,16 7:17,18 7:22 8:17,18 order 2:11 4:20 O'Brien 5:8 o'clock 6:1,4</p> | <p>7:20 prior 6:2 protest 2:10 5:21 pursuant 2:15 p.m 6:1</p> <hr/> <p>Q</p> <p>quiet 2:11</p> <hr/> <p>R</p> <p>R 2:1 record 5:1 Red 1:8 2:4,5,7 Reeves 1:14 Regulation 1:3,18 renewal 1:8 2:9 reporter 4:2 representative 3:19 4:12 8:1,3 resolve 8:5 Retailer 1:10 2:9 right 7:5 roll 2:14 8:18,22 Room 1:14</p> |
| <p>B</p> <p>B 4:4 beginning 2:17 behalf 2:20 4:13 Bertha 3:18 4:4 Beverage 1:3,18 Block 3:20 Board 1:4,18,22 Board's 2:15 boy 4:4</p> <hr/> <p>C</p> <p>C 2:1 call 2:14 8:19,22 canceled 8:6 case 1:10 2:6 5:9 cause 6:18 Center 1:14 Code 2:16 Columbia 1:1,17 come 2:4 Company 1:8 2:7 concluded 8:19,22 conditional 4:18 conducting 2:14</p> | <p>F</p> <p>Fachpa 5:8 file 5:2 fine 4:11,13 8:4,7 First 4:3 five 7:19 Fletcher 1:22 2:3 2:13,21 3:2,7,10 3:13,16,22 4:7,11 5:3,6,11,13,17,21 6:10,13,16,19 7:3 7:6,12,14,17,21 8:2,12,17 Fonseca 2:19,19 5:1,4,7,12 6:3,6 6:11,14,17 7:10 7:13 8:20 forward 2:5 four 4:15,19 8:9</p> | <p>J</p> <p>John 2:22 Jonathan 2:20 3:1 July 6:8,21 7:18 June 1:13</p> <hr/> <p>K</p> <p>know 4:11</p> <hr/> <p>L</p> <p>La 1:22 2:13 license 1:8,9 2:8,9 licensee 2:18,20 live 6:18 LLC 2:7</p> <hr/> <p>M</p> <p>maintain 4:21 matter 1:6,17 2:4,5</p> | <p>P</p> <p>P 2:1 parking 2:12 parties 2:3,5 8:4 partner 6:7 party 6:8 peace 2:11 people 4:19 7:19 8:10 please 2:4 3:17 prefer 6:3 preference 7:9 present 2:4 4:9</p> | <p>S</p> <p>S 2:1 Seaton 1:8 2:7 send 5:5 sent 5:8 September 5:22 set 5:14,22 6:1 7:18 sheet 8:14,16 shortly 4:15 show 8:8 slow 3:8 sorry 2:21 South 1:14 spell 4:1 standing 4:18,21 status 4:15,17,20 5:14 8:6,9 Street 1:9,15 2:8 3:20 Sure 3:15</p> |
| <p>G</p> <p>G 2:1</p> | <p>G</p> <p>G 2:1</p> | <p>M</p> <p>maintain 4:21 matter 1:6,17 2:4,5</p> | <p>P</p> <p>P 2:1 parking 2:12 parties 2:3,5 8:4 partner 6:7 party 6:8 peace 2:11 people 4:19 7:19 8:10 please 2:4 3:17 prefer 6:3 preference 7:9 present 2:4 4:9</p> | <p>T</p> <p>t 3:5,6,10,12,20</p> |

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