

GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE REGULATION

ADMINISTRATION BOARD

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IN THE MATTER OF:

Riot Act DC, LLC

t/a Penn Social

801 E Street, N.W.

License # ABRA-086808

Retailer CR

Case No. 13-PRO-00084

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: License Renewal  
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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 10:06 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: Are the parties  
4 present in the matter of Penn Social, Case No.  
5 13-PRO-00084? This is Riot Act DC, LLC,  
6 trading as Penn Social, 801 E Street, N.W.,  
7 License No. ABRA-086808. This is a Retailer CR  
8 license renewal.

9 The protest issues are adverse  
10 impact on peace, order, and quiet.

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

15 Introductions. Excuse me one  
16 second. Are you gentlemen by chance here in  
17 the matter of Penn Social?

18 MR. FONSECA: Good morning.

19 MS. FLETCHER: Good morning.  
20 Introductions, please, beginning with the  
21 licensee.

22 MR. FONSECA: Michael Fonseca on

1       behalf of the licensee. With me is one of its  
2       principals, Geoff Dawson. Geoffrey Dawson.

3               MR. FONSECA: With a g.

4               MS. FLETCHER: With a g?

5               MR. FONSECA: Yes. Geoffrey with a  
6       g.

7               MS. FLETCHER: Is that D-a-w-s-o-  
8       n? D-a-w-s-o-n. Dawson?

9               MR. TINPE: No. My name is John  
10      Tinpe.

11              MR. FONSECA: Oh. I thought Geoff  
12      was--

13              MR. TINPE: No. My name is John  
14      Tinpe. I'm the ANC for 2C-01.

15              MS. FLETCHER: Okay. You know  
16      what? Thank you.

17              MR. FONSECA: You should be over  
18      there.

19              MS. FLETCHER: Okay. Yes.

20              MR. FONSECA: You know, I was  
21      looking, cause I hadn't met with the client,  
22      but I saw him sit here. I said okay.

1 MS. FLETCHER: You never know;  
2 right? Okay.

3 [Seating rearranged]

4 MS. FLETCHER: Okay. Thank you.  
5 Mr. Tinpe, if you will spell your name for the  
6 court reporter.

7 MR. TINPE My name is John Tinpe,  
8 spelled, first name, J-o-h-n, last name, T-i-n  
9 for Normal, P for Paul, e.

10 MS. FLETCHER: And you're here on  
11 behalf of ANC 2C?

12 MR. TINPE: That's correct. Thank  
13 you.

14 MS. FLETCHER: And Mr. Fonseca,  
15 would you spell your name for the court  
16 reporter.

17 MR. FONSECA: Yes. F like Frank,  
18 o-n-s-e-c-a.

19 MS. FLETCHER: ANC 2C does have  
20 standing as a Protestant. We need to set a  
21 date for mediation, a status hearing, and a  
22 protest hearing. I'll give you the dates for

1 the status and protest hearings first.

2 The status hearing is set for  
3 August 7, 2013, at 9:30 a.m. And the protest  
4 hearing is set for September the 18th, 2013,  
5 at 5:00 o'clock p.m. We need to set a date  
6 for mediation to occur, prior to August 7. So  
7 let me give you some dates.

8 Okay. There are not dates  
9 available in June. So I'm moving to July.

10 MR. FONSECA: If we may get Geoff  
11 Dawson on the record as appearing now.

12 MS. FLETCHER: Hi, Mr. Dawson.

13 MR. DAWSON: Good morning. A  
14 challenge to get in this morning.

15 MS. FLETCHER: Mr. Dawson, would  
16 you please spell your name for the court  
17 reporter.

18 MR. DAWSON: G-e-o-f-f-r-e-y D-a-w-  
19 s-o-n.

20 MS. FLETCHER: Thank you very  
21 much. We're looking at dates for mediation in  
22 the month of July.

1                   The first available date in July.  
2                   The earliest in July is Tuesday, July 2nd, at  
3                   9:00, 10:00--at 9:00 or 10:00. That's the  
4                   earliest.

5                   MR. FONSECA: For us, we need to  
6                   move to no sooner than the following week.

7                   MS. FLETCHER: Sooner than the--  
8                   okay. Let's see. Sooner than the following  
9                   week.

10                  MR. FONSECA: No. In other words,  
11                  start at--

12                  MS. FLETCHER: No sooner than--

13                  MR. FONSECA: Start the week of  
14                  Monday the 8th.

15                  MS. FLETCHER: Of the 8th. Okay.  
16                  Let's see. Well, Monday, the 8th, we can do  
17                  1:00 o'clock on Monday, July 8th. Or we can  
18                  move to an earlier date later--earlier time  
19                  later in the week. We have 9:00 and 10:00 on  
20                  Friday, July 12th.

21                  MR. FONSECA: On the 8th, what was  
22                  the time?

1 MS. FLETCHER: 1:00 o'clock.

2 MR. FONSECA: I'm pretty sure my  
3 partner, Mr. O'Brien will be handling this. I  
4 think the afternoon mediations are easier for  
5 him. I don't know about the Commissioner.

6 MS. FLETCHER: That work for you,  
7 Mr. Tinpe?

8 MR. TINPE: Yes.

9 MS. FLETCHER: Okay. Then  
10 mediation is set for Monday, July 8th, at  
11 1:00.

12 And Mr. Tinpe, did you write your  
13 contact information on this sheet?

14 MR. TINPE: I did.

15 MS. FLETCHER: Thank you. Then  
16 we're done.

17 MR. FONSECA: Thank you. I want to  
18 remain seated. I have the next matter also.

19 MS. FLETCHER: Okay. Then this  
20 roll call hearing is concluded.

21 [Whereupon, at 10:13 a.m., the  
22 roll call hearing was concluded.]

<p style="text-align: center;"><b>A</b></p> <p><b>above-entitled</b> 1:17  <b>ABRA</b> 1:14  <b>ABRA-086808</b> 1:9  2:7  <b>Act</b> 1:8 2:5  <b>Administration</b> 1:4  1:18  <b>adverse</b> 2:9  <b>afternoon</b> 7:4  <b>agent</b> 1:22 2:13  <b>Alcoholic</b> 1:3,18  <b>ANC</b> 3:14 4:11,19  <b>appearing</b> 5:11  <b>August</b> 5:3,6  <b>available</b> 5:9 6:1  <b>a.m</b> 1:17 2:2 5:3  7:21</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>beginning</b> 2:20  <b>behalf</b> 3:1 4:11  <b>Beverage</b> 1:3,18  <b>Board</b> 1:4,18,22  <b>Board's</b> 2:13</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>C</b> 2:1  <b>call</b> 2:12 7:20,22  <b>Case</b> 1:10 2:4  <b>cause</b> 3:21  <b>Center</b> 1:14  <b>challenge</b> 5:14  <b>chance</b> 2:16  <b>client</b> 3:21  <b>Code</b> 2:14  <b>Columbia</b> 1:1,17  <b>Commissioner</b> 7:5  <b>concluded</b> 7:20,22  <b>conducting</b> 2:12  <b>contact</b> 7:13  <b>convened</b> 1:17  <b>correct</b> 4:12  <b>court</b> 4:6,15 5:16  <b>CR</b> 1:10 2:7</p> <hr/> <p style="text-align: center;"><b>D</b></p>	<p><b>D</b> 2:1  <b>date</b> 4:21 5:5 6:1  6:18  <b>dates</b> 4:22 5:7,8,21  <b>Dawson</b> 3:2,2,8  5:11,12,13,15,18  <b>DC</b> 1:8 2:5  <b>District</b> 1:1,17  <b>D-a-w</b> 5:18  <b>D-a-w-s-o</b> 3:7  <b>D-a-w-s-o-n</b> 3:8  <b>D.C</b> 1:15 2:13</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>e</b> 1:9 2:1,1,6 4:9  <b>earlier</b> 6:18,18  <b>earliest</b> 6:2,4  <b>easier</b> 7:4  <b>Excuse</b> 2:15</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>F</b> 4:17  <b>first</b> 4:8 5:1 6:1  <b>Fletcher</b> 1:22 2:3  2:11,19 3:4,7,15  3:19 4:1,4,10,14  4:19 5:12,15,20  6:7,12,15 7:1,6,9  7:15,19  <b>following</b> 6:6,8  <b>Fonseca</b> 2:18,22,22  3:3,5,11,17,20  4:14,17 5:10 6:5  6:10,13,21 7:2,17  <b>Frank</b> 4:17  <b>Friday</b> 6:20</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>g</b> 2:1 3:3,4,6  <b>gentlemen</b> 2:16  <b>Geoff</b> 3:2,11 5:10  <b>Geoffrey</b> 3:2,5  <b>give</b> 4:22 5:7  <b>Good</b> 2:18,19 5:13  <b>GOVERNMENT</b>  1:1  <b>G-e-o-f-f-r-e-y</b> 5:18</p>	<p style="text-align: center;"><b>H</b></p> <p><b>handling</b> 7:3  <b>hearing</b> 1:14 2:12  4:21,22 5:2,4 7:20  7:22  <b>hearings</b> 5:1  <b>Hi</b> 5:12</p> <hr/> <p style="text-align: center;"><b>I</b></p> <p><b>impact</b> 2:10  <b>information</b> 7:13  <b>Introductions</b> 2:15  2:20  <b>issues</b> 2:9</p> <hr/> <p style="text-align: center;"><b>J</b></p> <p><b>John</b> 3:9,13 4:7  <b>July</b> 5:9,22 6:1,2,2  6:17,20 7:10  <b>June</b> 1:13 5:9  <b>J-o-h-n</b> 4:8</p> <hr/> <p style="text-align: center;"><b>K</b></p> <p><b>know</b> 3:15,20 4:1  7:5</p> <hr/> <p style="text-align: center;"><b>L</b></p> <p><b>La</b> 1:22 2:11  <b>Let's</b> 6:8,16  <b>license</b> 1:8,9 2:7,8  <b>licensee</b> 2:21 3:1  <b>LLC</b> 1:8 2:5  <b>looking</b> 3:21 5:21</p> <hr/> <p style="text-align: center;"><b>M</b></p> <p><b>matter</b> 1:6,17 2:4  2:17 7:18  <b>mediation</b> 4:21 5:6  5:21 7:10  <b>mediations</b> 7:4  <b>met</b> 3:21  <b>Michael</b> 2:22  <b>Monday</b> 1:12 6:14  6:16,17 7:10  <b>month</b> 5:22  <b>morning</b> 2:18,19  5:13,14  <b>move</b> 6:6,18</p>	<p><b>moving</b> 5:9  <b>Municipal</b> 1:14</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>n</b> 2:1 3:8  <b>name</b> 2:11 3:9,13  4:5,7,8,8,15 5:16  <b>need</b> 4:20 5:5 6:5  <b>never</b> 4:1  <b>Normal</b> 4:9  <b>N.W</b> 1:9,15 2:6</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>O</b> 2:1  <b>occur</b> 5:6  <b>Official</b> 2:13  <b>Oh</b> 3:11  <b>okay</b> 3:15,19,22 4:2  4:4 5:8 6:8,15 7:9  7:19  <b>order</b> 2:10  <b>O'Brien</b> 7:3  <b>o'clock</b> 5:5 6:17 7:1  <b>o-n-s-e-c-a</b> 4:18</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>P</b> 2:1 4:9  <b>parties</b> 2:3  <b>partner</b> 7:3  <b>Paul</b> 4:9  <b>peace</b> 2:10  <b>Penn</b> 1:8 2:4,6,17  <b>please</b> 2:20 5:16  <b>present</b> 2:4  <b>pretty</b> 7:2  <b>principals</b> 3:2  <b>prior</b> 5:6  <b>protest</b> 2:9 4:22 5:1  5:3  <b>Protestant</b> 4:20  <b>pursuant</b> 2:13  <b>p.m</b> 5:5</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>quiet</b> 2:10</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>R</b> 2:1</p>	<p><b>rearranged</b> 4:3  <b>record</b> 5:11  <b>Reeves</b> 1:14  <b>Regulation</b> 1:3,18  <b>remain</b> 7:18  <b>renewal</b> 1:8 2:8  <b>reporter</b> 4:6,16  5:17  <b>Retailer</b> 1:10 2:7  <b>right</b> 4:2  <b>Riot</b> 1:8 2:5  <b>roll</b> 2:12 7:20,22  <b>Room</b> 1:14</p> <hr/> <p style="text-align: center;"><b>S</b></p> <p><b>S</b> 2:1  <b>saw</b> 3:22  <b>seated</b> 7:18  <b>Seating</b> 4:3  <b>second</b> 2:16  <b>see</b> 6:8,16  <b>September</b> 5:4  <b>set</b> 4:20 5:2,4,5  7:10  <b>sheet</b> 7:13  <b>sit</b> 3:22  <b>Social</b> 1:8 2:4,6,17  <b>sooner</b> 6:6,7,8,12  <b>South</b> 1:14  <b>spell</b> 4:5,15 5:16  <b>spelled</b> 4:8  <b>standing</b> 4:20  <b>start</b> 6:11,13  <b>status</b> 4:21 5:1,2  <b>Street</b> 1:9,15 2:6  <b>sure</b> 7:2  <b>s-o-n</b> 5:19</p> <hr/> <p style="text-align: center;"><b>T</b></p> <p><b>Thank</b> 3:16 4:4,12  5:20 7:15,17  <b>think</b> 7:4  <b>thought</b> 3:11  <b>time</b> 6:18,22  <b>Tinpe</b> 3:9,10,13,14  4:5,7,7,12 7:7,8  7:12,14  <b>trading</b> 2:6</p>
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<p><b>Tuesday</b> 6:2  <b>T-i-n</b> 4:8  <b>t/a</b> 1:8</p>	<hr/> <p style="text-align: center;"><b>8</b></p> <hr/> <p><b>8th</b> 6:14,15,16,17          6:21 7:10  <b>801</b> 1:9 2:6</p>			
<hr/> <p style="text-align: center;"><b>V</b></p> <hr/> <p><b>Verne</b> 1:22 2:11</p>	<hr/> <p style="text-align: center;"><b>9</b></p> <hr/> <p><b>9:00</b> 6:3,3,19  <b>9:30</b> 5:3</p>			
<hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p><b>want</b> 7:17  <b>Washington</b> 1:15  <b>week</b> 6:6,9,13,19  <b>we're</b> 5:21 7:16  <b>words</b> 6:10  <b>work</b> 7:6  <b>write</b> 7:12</p>				
<hr/> <p style="text-align: center;"><b>P</b></p> <hr/> <p><b>p</b> 1:5,11</p>				
<hr/> <p style="text-align: center;"><b>1</b></p> <hr/> <p><b>1:00</b> 6:17 7:1,11  <b>10:00</b> 6:3,3,19  <b>10:06</b> 1:17  <b>10:13</b> 2:2 7:21  <b>12th</b> 6:20  <b>13-PRO-00084</b>          1:10 2:5  <b>14th</b> 1:15  <b>1601.2</b> 2:14  <b>17</b> 1:13  <b>18th</b> 5:4</p>				
<hr/> <p style="text-align: center;"><b>2</b></p> <hr/> <p><b>2C</b> 4:11,19  <b>2C-01</b> 3:14  <b>2nd</b> 6:2  <b>2000</b> 1:15  <b>20009</b> 1:15  <b>2013</b> 1:13 5:3,4</p>				
<hr/> <p style="text-align: center;"><b>4</b></p> <hr/> <p><b>400</b> 1:14</p>				
<hr/> <p style="text-align: center;"><b>5</b></p> <hr/> <p><b>5:00</b> 5:5</p>				
<hr/> <p style="text-align: center;"><b>7</b></p> <hr/> <p><b>7</b> 5:3,6</p>				