

DISTRICT OF COLUMBIA  
 + + + + +  
 ALCOHOLIC BEVERAGE CONTROL BOARD  
 + + + + +  
 MEETING

IN THE MATTER OF:

Po Box Jim, LLC	
t/a Po Boy Jim	Protest
709 H Street, NE	Hearing
Retailer CR - ANC-6C	(Status)
License No. 87903	
Case #15-PRO-00025	

(Substantial Change -  
 Entertainment Endorsement to  
 Allow Karaoke and a DJ)

June 17, 2015

The Alcoholic Beverage Control Board  
 met in the Alcoholic Beverage Control Hearing  
 Room, Reeves Building, 2000 14th Street, N.W.,  
 Suite 400S, Washington, D.C. 20009, Chairperson  
 Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson  
 NICK ALBERTI, Member  
 DONALD BROOKS, Member  
 MIKE SILVERSTEIN, Member  
 HECTOR RODRIGUEZ, Member  
 JAMES SHORT, Member

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

9:48 a.m.

CHAIRPERSON MILLER: All right. The next case is 15-PRO-00025, Po Boy Jim.

MEMBER SHORT: You're missing one for Johnson.

CHAIRPERSON MILLER: I skipped one? I'm sorry.

MEMBER ALBERTI: It's at the very bottom of the page.

CHAIRPERSON MILLER: Yes, that's right.

MEMBER ALBERTI: Yes. It's hard to find.

CHAIRPERSON MILLER: I'm going to go back to the case ahead of that. I'm sorry. You will be the next case.

(Whereupon, the above-entitled matter went off the record at 9:49 a.m. and resumed at 9:50 a.m.)

CHAIRPERSON MILLER: Okay. Now, I will call the Po Boy Jim case, that's Case No.

1 15-PRO-00025 located at 709 H Street, N.E.,  
2 License No. 87903, in ANC-6C.

3 When you are ready, would you  
4 introduce yourselves, please?

5 MS. ANTWAN: Yes, good morning. My  
6 name is Rebecca Antwan. I'm one of the owners of  
7 Po Boy Jim located at 709 H Street, N.E.

8 CHAIRPERSON MILLER: Okay.

9 MR. COURTNEY: My name is Drew  
10 Courtney. I'm the Chairman of ANC-6C's Alcoholic  
11 Beverage Licensing Committee and the designated  
12 representative for the ANC in this matter.

13 CHAIRPERSON MILLER: Okay. Is there  
14 anything you would like to tell us? Otherwise,  
15 I'm going to do my instructions for the hearing  
16 and the date of your hearing. Anything you need  
17 to bring to our attention?

18 MS. ANTWAN: Well, Drew and I spoke.  
19 We had mediation and I think there were some  
20 misunderstanding as to what we were actually  
21 doing with our request for endorsement for a DJ  
22 and karaoke. We are now ironing out those issues

1 and Drew and I just spoke and I told him I think  
2 we are just going to revise everything and  
3 present it to him, so that he can present to the  
4 ANC Board and we will try to work it out before  
5 the Protest Hearing, because we are set for July  
6 15th and I'm scheduled to leave town on that day.  
7 And if possible, I would like to -- you know, we  
8 would like to work it out before --

9 CHAIRPERSON MILLER: Okay.

10 MS. ANTWAN: -- it comes around.

11 MR. COURTNEY: Yes, I think we are  
12 optimistic that we will have a settlement  
13 agreement.

14 CHAIRPERSON MILLER: Okay.

15 MR. COURTNEY: Although we don't know  
16 yet.

17 CHAIRPERSON MILLER: Okay.

18 MS. ANTWAN: Yes.

19 CHAIRPERSON MILLER: Great. All  
20 right. So yes, your Protest Hearing is scheduled  
21 for July 15th at 1:30 p.m., as of now, but you  
22 are optimistic you will have a settlement

1 agreement and not go forward.

2 MS. ANTWAN: Yes.

3 CHAIRPERSON MILLER: But in the event  
4 that you do go forward, I just want to also bring  
5 to your attention the requirements of filing a  
6 Protest Information Form and an Exhibit Form.

7 And you will get written instructions  
8 with respect to what I'm telling you anyway, but  
9 on the record I want you to know that these forms  
10 are very important for the Board's hearings.

11 And in the Protest Information Form  
12 you will need to identify your issues as they may  
13 have been narrowed or changed for the protest and  
14 also your witnesses and file this form on the  
15 Board and on opposing parties seven days in  
16 advance of the hearing.

17 If you don't identify your witnesses  
18 and you want to present them at trial or date of  
19 the hearing, you may run into a problem because  
20 we do look at the issue of prejudice to the other  
21 side and the reason why you couldn't have them  
22 before.

1                   And also you will have to file an  
2 Exhibit Form and that Exhibit Form should  
3 identify your exhibits and then attach the  
4 exhibits to the Exhibit Form or documents can be  
5 attached and serve them on both the Board and the  
6 parties.

7                   The same thing if you don't identify  
8 an exhibit and you want to submit at the hearing,  
9 you may run into a problem with respect to  
10 whether it is prejudicial to the other side and  
11 why you didn't identify it earlier.

12                   And you may not go to hearing at all,  
13 but if you do, I think you will find that those  
14 forms actually do serve the parties very well.  
15 You all know what is going on, there are no  
16 surprises and you'll be able to prepare.

17                   So if you have any questions leading  
18 up to the hearing or with respect to your  
19 settlement agreements, you can call Janea Raines  
20 at 442-4353.

21                   MS. ANTWAN:   Okay.   442?

22                   CHAIRPERSON MILLER:   4353.

1 MS. ANTWAN: If we aren't able to  
2 reach a settlement, hopefully we can, before that  
3 protest date, July 15th, is there a possibility  
4 of maybe a week's extension?

5 MEMBER SILVERSTEIN: No.

6 MS. ANTWAN: I don't know how it's  
7 done.

8 CHAIRPERSON MILLER: Well, you would  
9 have to in advance --

10 MS. ANTWAN: Okay.

11 CHAIRPERSON MILLER: -- far enough in  
12 advance file a motion with the Board in writing,  
13 at this point, because, you know, we had a motion  
14 here like in the proceeding party, well in  
15 advance, we can deal with it.

16 Also we want to let you know and I  
17 think Mr. Silverstein may ask this, a week prior  
18 to the hearing, at least a week prior to hearing,  
19 our Investigators go out and do a ton of work  
20 interviewing and writing and all that stuff and,  
21 therefore, if you are going to ask for a  
22 continuance, you need to do that far enough in

1 advance, so that the person's work isn't wasted.

2 MEMBER SILVERSTEIN: Yes.

3 CHAIRPERSON MILLER: Go ahead. I  
4 thought you might want to add to this.

5 MEMBER SILVERSTEIN: I would like to  
6 echo our Chair's comment and ask a favor of both  
7 Ms. Antwan and Mr. Courtney and that is if you  
8 are going to have a settlement, you don't have to  
9 wait until the last moment. Our staff creates a  
10 Protest Report that is 20 or 30 pages long. It  
11 involves numerous visits to the site, taking  
12 pictures, doing a ton of work dealing with zoning  
13 and things of that sort. It's an enormous amount  
14 of work.

15 If it looks like you folks are close  
16 and you can do it, the sooner the better, so that  
17 they can then do other things. So that would be  
18 -- you know, you are entitled to the full time.  
19 you are entitled to all that, but if this is one  
20 of those cases of good feeling where you think  
21 that you are not that far, the sooner you do it,  
22 the better it is for all. Thank you very much.

1                   CHAIRPERSON MILLER: Okay. Any other  
2 questions? All right. Thank you very much.

3                   MS. ANTWAN: Thank you.

4                   (Whereupon, the Protest (Status)  
5 Hearing in the above-entitled matter was  
6 concluded at 9:56 a.m.)

<p style="text-align: center;"><b>A</b></p> <p>a.m 2:2,19,20 9:6  <b>able</b> 6:16 7:1  <b>above-entitled</b> 2:18 9:5  <b>add</b> 8:4  <b>advance</b> 5:16 7:9,12,15 8:1  <b>agreement</b> 4:13 5:1  <b>agreements</b> 6:19  <b>ahead</b> 2:16 8:3  <b>ALBERTI</b> 1:17 2:9,13  <b>Alcoholic</b> 1:2,13,13 3:10  <b>Allow</b> 1:10  <b>amount</b> 8:13  <b>ANC</b> 3:12 4:4  <b>ANC-6C</b> 1:7 3:2  <b>ANC-6C's</b> 3:10  <b>Antwan</b> 3:5,6,18 4:10 4:18 5:2 6:21 7:1,6,10 8:7 9:3  <b>anyway</b> 5:8  <b>attach</b> 6:3  <b>attached</b> 6:5  <b>attention</b> 3:17 5:5</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>back</b> 2:16  <b>better</b> 8:16,22  <b>Beverage</b> 1:2,13,13 3:11  <b>Board</b> 1:2,13 4:4 5:15 6:5 7:12  <b>Board's</b> 5:10  <b>bottom</b> 2:10  <b>Box</b> 1:6  <b>Boy</b> 1:6 2:4,22 3:7  <b>bring</b> 3:17 5:4  <b>BROOKS</b> 1:18  <b>Building</b> 1:14</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>call</b> 2:22 6:19  <b>case</b> 1:8 2:4,16,17,22 2:22  <b>cases</b> 8:20  <b>Chair's</b> 8:6  <b>Chairman</b> 3:10  <b>Chairperson</b> 1:14,17 2:3,7,11,15,21 3:8,13 4:9,14,17,19 5:3 6:22 7:8,11 8:3 9:1  <b>Change</b> 1:9  <b>changed</b> 5:13  <b>close</b> 8:15  <b>COLUMBIA</b> 1:1  <b>comes</b> 4:10  <b>comment</b> 8:6</p>	<p><b>Committee</b> 3:11  <b>concluded</b> 9:6  <b>continuance</b> 7:22  <b>Control</b> 1:2,13,13  <b>Courtney</b> 3:9,10 4:11 4:15 8:7  <b>CR</b> 1:7  <b>creates</b> 8:9</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D.C</b> 1:14  <b>date</b> 3:16 5:18 7:3  <b>day</b> 4:6  <b>days</b> 5:15  <b>deal</b> 7:15  <b>dealing</b> 8:12  <b>designated</b> 3:11  <b>DISTRICT</b> 1:1  <b>DJ</b> 1:10 3:21  <b>documents</b> 6:4  <b>doing</b> 3:21 8:12  <b>DONALD</b> 1:18  <b>Drew</b> 3:9,18 4:1</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>earlier</b> 6:11  <b>echo</b> 8:6  <b>endorsement</b> 1:10 3:21  <b>enormous</b> 8:13  <b>Entertainment</b> 1:10  <b>entitled</b> 8:18,19  <b>event</b> 5:3  <b>exhibit</b> 5:6 6:2,2,4,8  <b>exhibits</b> 6:3,4  <b>extension</b> 7:4</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>far</b> 7:11,22 8:21  <b>favor</b> 8:6  <b>feeling</b> 8:20  <b>file</b> 5:14 6:1 7:12  <b>filing</b> 5:5  <b>find</b> 2:14 6:13  <b>folks</b> 8:15  <b>form</b> 5:6,6,11,14 6:2,2,4  <b>forms</b> 5:9 6:14  <b>forward</b> 5:1,4  <b>full</b> 8:18</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>go</b> 2:15 5:1,4 6:12 7:19 8:3  <b>going</b> 2:15 3:15 4:2 6:15 7:21 8:8  <b>good</b> 3:5 8:20  <b>Great</b> 4:19</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>H</b> 1:7 3:1,7  <b>hard</b> 2:13  <b>hearing</b> 1:7,13 3:15,16 4:5,20 5:16,19 6:8,12 6:18 7:18,18 9:5  <b>hearings</b> 5:10  <b>HECTOR</b> 1:19  <b>hopefully</b> 7:2</p>	<p>4:17,19 5:3 6:22 7:8 7:11 8:3 9:1  <b>missing</b> 2:5  <b>misunderstanding</b> 3:20  <b>moment</b> 8:9  <b>morning</b> 3:5  <b>motion</b> 7:12,13</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>N.E</b> 3:1,7  <b>N.W</b> 1:14  <b>name</b> 3:6,9  <b>narrowed</b> 5:13  <b>NE</b> 1:7  <b>need</b> 3:16 5:12 7:22  <b>NICK</b> 1:17  <b>numerous</b> 8:11</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>Okay</b> 2:21 3:8,13 4:9,14 4:17 6:21 7:10 9:1  <b>opposing</b> 5:15  <b>optimistic</b> 4:12,22  <b>owners</b> 3:6</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>P-R-O-C-E-E-D-I-N-G-S</b> 2:1  <b>p.m</b> 4:21  <b>page</b> 2:10  <b>pages</b> 8:10  <b>parties</b> 5:15 6:6,14  <b>party</b> 7:14  <b>person's</b> 8:1  <b>pictures</b> 8:12  <b>please</b> 3:4  <b>Po</b> 1:6,6 2:4,22 3:7  <b>point</b> 7:13  <b>possibility</b> 7:3  <b>possible</b> 4:7  <b>prejudice</b> 5:20  <b>prejudicial</b> 6:10  <b>prepare</b> 6:16  <b>present</b> 1:16 4:3,3 5:18  <b>presiding</b> 1:15  <b>prior</b> 7:17,18  <b>problem</b> 5:19 6:9  <b>proceeding</b> 7:14  <b>protest</b> 1:6 4:5,20 5:6 5:11,13 7:3 8:10 9:4</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>questions</b> 6:17 9:2</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>Raines</b> 6:19  <b>reach</b> 7:2  <b>ready</b> 3:3</p>
<p style="text-align: center;"><b>A</b></p> <p>a.m 2:2,19,20 9:6  <b>able</b> 6:16 7:1  <b>above-entitled</b> 2:18 9:5  <b>add</b> 8:4  <b>advance</b> 5:16 7:9,12,15 8:1  <b>agreement</b> 4:13 5:1  <b>agreements</b> 6:19  <b>ahead</b> 2:16 8:3  <b>ALBERTI</b> 1:17 2:9,13  <b>Alcoholic</b> 1:2,13,13 3:10  <b>Allow</b> 1:10  <b>amount</b> 8:13  <b>ANC</b> 3:12 4:4  <b>ANC-6C</b> 1:7 3:2  <b>ANC-6C's</b> 3:10  <b>Antwan</b> 3:5,6,18 4:10 4:18 5:2 6:21 7:1,6,10 8:7 9:3  <b>anyway</b> 5:8  <b>attach</b> 6:3  <b>attached</b> 6:5  <b>attention</b> 3:17 5:5</p> <hr/> <p style="text-align: center;"><b>B</b></p> <p><b>back</b> 2:16  <b>better</b> 8:16,22  <b>Beverage</b> 1:2,13,13 3:11  <b>Board</b> 1:2,13 4:4 5:15 6:5 7:12  <b>Board's</b> 5:10  <b>bottom</b> 2:10  <b>Box</b> 1:6  <b>Boy</b> 1:6 2:4,22 3:7  <b>bring</b> 3:17 5:4  <b>BROOKS</b> 1:18  <b>Building</b> 1:14</p> <hr/> <p style="text-align: center;"><b>C</b></p> <p><b>call</b> 2:22 6:19  <b>case</b> 1:8 2:4,16,17,22 2:22  <b>cases</b> 8:20  <b>Chair's</b> 8:6  <b>Chairman</b> 3:10  <b>Chairperson</b> 1:14,17 2:3,7,11,15,21 3:8,13 4:9,14,17,19 5:3 6:22 7:8,11 8:3 9:1  <b>Change</b> 1:9  <b>changed</b> 5:13  <b>close</b> 8:15  <b>COLUMBIA</b> 1:1  <b>comes</b> 4:10  <b>comment</b> 8:6</p>	<p><b>Committee</b> 3:11  <b>concluded</b> 9:6  <b>continuance</b> 7:22  <b>Control</b> 1:2,13,13  <b>Courtney</b> 3:9,10 4:11 4:15 8:7  <b>CR</b> 1:7  <b>creates</b> 8:9</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D.C</b> 1:14  <b>date</b> 3:16 5:18 7:3  <b>day</b> 4:6  <b>days</b> 5:15  <b>deal</b> 7:15  <b>dealing</b> 8:12  <b>designated</b> 3:11  <b>DISTRICT</b> 1:1  <b>DJ</b> 1:10 3:21  <b>documents</b> 6:4  <b>doing</b> 3:21 8:12  <b>DONALD</b> 1:18  <b>Drew</b> 3:9,18 4:1</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>earlier</b> 6:11  <b>echo</b> 8:6  <b>endorsement</b> 1:10 3:21  <b>enormous</b> 8:13  <b>Entertainment</b> 1:10  <b>entitled</b> 8:18,19  <b>event</b> 5:3  <b>exhibit</b> 5:6 6:2,2,4,8  <b>exhibits</b> 6:3,4  <b>extension</b> 7:4</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>far</b> 7:11,22 8:21  <b>favor</b> 8:6  <b>feeling</b> 8:20  <b>file</b> 5:14 6:1 7:12  <b>filing</b> 5:5  <b>find</b> 2:14 6:13  <b>folks</b> 8:15  <b>form</b> 5:6,6,11,14 6:2,2,4  <b>forms</b> 5:9 6:14  <b>forward</b> 5:1,4  <b>full</b> 8:18</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>go</b> 2:15 5:1,4 6:12 7:19 8:3  <b>going</b> 2:15 3:15 4:2 6:15 7:21 8:8  <b>good</b> 3:5 8:20  <b>Great</b> 4:19</p> <hr/> <p style="text-align: center;"><b>H</b></p> <p><b>H</b> 1:7 3:1,7  <b>hard</b> 2:13  <b>hearing</b> 1:7,13 3:15,16 4:5,20 5:16,19 6:8,12 6:18 7:18,18 9:5  <b>hearings</b> 5:10  <b>HECTOR</b> 1:19  <b>hopefully</b> 7:2</p>	<p>4:17,19 5:3 6:22 7:8 7:11 8:3 9:1  <b>missing</b> 2:5  <b>misunderstanding</b> 3:20  <b>moment</b> 8:9  <b>morning</b> 3:5  <b>motion</b> 7:12,13</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>N.E</b> 3:1,7  <b>N.W</b> 1:14  <b>name</b> 3:6,9  <b>narrowed</b> 5:13  <b>NE</b> 1:7  <b>need</b> 3:16 5:12 7:22  <b>NICK</b> 1:17  <b>numerous</b> 8:11</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>Okay</b> 2:21 3:8,13 4:9,14 4:17 6:21 7:10 9:1  <b>opposing</b> 5:15  <b>optimistic</b> 4:12,22  <b>owners</b> 3:6</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>P-R-O-C-E-E-D-I-N-G-S</b> 2:1  <b>p.m</b> 4:21  <b>page</b> 2:10  <b>pages</b> 8:10  <b>parties</b> 5:15 6:6,14  <b>party</b> 7:14  <b>person's</b> 8:1  <b>pictures</b> 8:12  <b>please</b> 3:4  <b>Po</b> 1:6,6 2:4,22 3:7  <b>point</b> 7:13  <b>possibility</b> 7:3  <b>possible</b> 4:7  <b>prejudice</b> 5:20  <b>prejudicial</b> 6:10  <b>prepare</b> 6:16  <b>present</b> 1:16 4:3,3 5:18  <b>presiding</b> 1:15  <b>prior</b> 7:17,18  <b>problem</b> 5:19 6:9  <b>proceeding</b> 7:14  <b>protest</b> 1:6 4:5,20 5:6 5:11,13 7:3 8:10 9:4</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>questions</b> 6:17 9:2</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>Raines</b> 6:19  <b>reach</b> 7:2  <b>ready</b> 3:3</p>

reason 5:21	trial 5:18	<b>7</b>
Rebecca 3:6	try 4:4	709 1:7 3:1,7
record 2:19 5:9	<b>U</b>	<b>8</b>
Reeves 1:14	<b>V</b>	87903 1:8 3:2
Report 8:10	visits 8:11	<b>9</b>
representative 3:12	<b>W</b>	
request 3:21	wait 8:9	
requirements 5:5	want 5:4,9,18 6:8 7:16	
respect 5:8 6:9,18	8:4	
resumed 2:19	Washington 1:14	
Retailer 1:7	wasted 8:1	
revise 4:2	week 7:17,18	
right 2:3,12 4:20 9:2	week's 7:4	
<b>RODRIGUEZ</b> 1:19	went 2:19	
Room 1:14	witnesses 5:14,17	
run 5:19 6:9	work 4:4,8 7:19 8:1,12	
Ruthanne 1:15,17	8:14	
<b>S</b>	writing 7:12,20	
scheduled 4:6,20	written 5:7	
serve 6:5,14	<b>X</b>	
set 4:5	<b>Y</b>	
settlement 4:12,22 6:19	<b>Z</b>	
7:2 8:8	zoning 8:12	
seven 5:15	<b>0</b>	
SHORT 1:19 2:5	<b>1</b>	
side 5:21 6:10	1:30 4:21	
Silverstein 1:18 7:5,17	14th 1:14	
8:2,5	15-PRO-00025 1:8 2:4	
site 8:11	3:1	
skipped 2:7	15th 4:6,21 7:3	
sooner 8:16,21	17 1:12	
sorry 2:8,16	<b>2</b>	
sort 8:13	20 8:10	
spoke 3:18 4:1	2000 1:14	
staff 8:9	20009 1:14	
Status 1:7 9:4	2015 1:12	
Street 1:7,14 3:1,7	<b>3</b>	
stuff 7:20	30 8:10	
submit 6:8	<b>4</b>	
Substantial 1:9	400S 1:14	
Suite 1:14	4353 6:22	
surprises 6:16	442 6:21	
<b>T</b>	442-4353 6:20	
t/a 1:6	<b>5</b>	
tell 3:14	<b>6</b>	
telling 5:8		
Thank 8:22 9:2,3		
thing 6:7		
things 8:13,17		
think 3:19 4:1,11 6:13		
7:17 8:20		
thought 8:4		
time 8:18		
told 4:1		
ton 7:19 8:12		
town 4:6		