

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD

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MEETING

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IN THE MATTER OF: :

Case# 12-PRO-00038 :

Black Salt Fish, LLC :

t/a Black Salt Fish & Market : Protest

4883 MacArthur Blvd. NW : Hearing

License #60748 : (Status)

Retailer CR :

ANC-3D :

Renewal Application :

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July 10, 2013

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

PRESENT

RUTHANNE MILLER, Chairperson

NICK ALBERTI, Member

DONALD BROOKS, Member

MIKE SILVERSTEIN, Member

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

9:49 a.m.

CHAIRPERSON MILLER: Next case on the calendar is Case No. 13-PRO-00038, Black Salt Fish & Market located at 4883 MacArthur Boulevard, N.W., License No. 60748 in ANC-3D.

Okay. You've signed in. Would you introduce yourselves for the record, please.

MR. WHELAN: Good morning. My name is Stephen Whelan from Veritas Law on behalf of Black Salt.

MR. SOLE: I'm Jim Sole, the general manager of Black Salt Fish Market Restaurant.

CHAIRPERSON MILLER: Okay. I notice that there isn't anyone here from the protesting side. Do you have any --

MR. WHELAN: My understanding is that they were withdrawing their protest. I don't know if the withdrawal actually got in. It sounds like it may have gotten in last

1 night late so we didn't expect them to be here
2 today but we appeared out of an abundance of
3 caution in case that they did.

4 CHAIRPERSON MILLER: Okay. My
5 understanding is that they do intend to
6 dismiss. We did get a letter but it wasn't
7 signed but it expressed their intent.

8 I think based on the fact that we
9 got that letter and they are not here and are
10 required to be here, I would move that we
11 dismissed the protest pursuant to 1603.3,
12 failure to appear in person or through a
13 designated representative may result in denial
14 of license application or dismissal of a
15 protest, particularly since we have all
16 indication they do intend to protest.

17 Do I have a second on that motion?

18 MEMBER BROOKS: Second.

19 CHAIRPERSON MILLER: Any other
20 comments? Okay. Then all those in favor of
21 the motion to dismiss the protest say aye.

22 MEMBERS: Aye.

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CHAIRPERSON MILLER: All those
opposed? All those abstaining? The motion
passes 4-0-0. Thank you very much.

(Whereupon, at 9:52 a.m. the
hearing was adjourned.)

<p style="text-align: center;">A</p> <p>abstaining 4:2 abundance 3:2 adjourned 4:5 ALBERTI 1:21 Alcoholic 1:3,16,17 ANC-3D 1:12 2:6 appear 3:12 appeared 3:2 application 1:13 3:14 aye 3:21,22 a.m 2:2 4:4</p> <hr/> <p style="text-align: center;">B</p> <p>based 3:8 behalf 2:12 Beverage 1:3,16,17 Black 1:9,10 2:4,12 2:14 Blvd 1:10 Board 1:3,17 Boulevard 2:6 BROOKS 1:22 3:18</p> <hr/> <p style="text-align: center;">C</p> <p>calendar 2:4 case 1:9 2:3,4 3:3 caution 3:3 Chairperson 1:18 1:21 2:3,16 3:4,19 4:1 COLUMBIA 1:1 comments 3:20 Control 1:3,16,17 CR 1:12</p> <hr/> <p style="text-align: center;">D</p> <p>denial 3:13 designated 3:13 dismissal 3:6,21 dismissed 3:14 dismissed 3:11 DISTRICT 1:1 DONALD 1:22 D.C 1:18</p>	<p style="text-align: center;">E</p> <p>expect 3:1 expressed 3:7</p> <hr/> <p style="text-align: center;">F</p> <p>fact 3:8 failure 3:12 favor 3:20 Fish 1:9,10 2:5,14</p> <hr/> <p style="text-align: center;">G</p> <p>general 2:14 Good 2:10 gotten 2:22</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:10,17 4:5</p> <hr/> <p style="text-align: center;">I</p> <p>indication 3:16 intend 3:5,16 intent 3:7 introduce 2:8</p> <hr/> <p style="text-align: center;">J</p> <p>Jim 2:13 July 1:15</p> <hr/> <p style="text-align: center;">K</p> <p>know 2:21</p> <hr/> <p style="text-align: center;">L</p> <p>late 3:1 Law 2:11 letter 3:6,9 license 1:11 2:6 3:14 LLC 1:9 located 2:5</p> <hr/> <p style="text-align: center;">M</p> <p>MacArthur 1:10 2:5 manager 2:14 Market 1:10 2:5,14 MATTER 1:8 MEETING 1:5 Member 1:21,22</p>	<p>1:22 3:18 MEMBERS 3:22 met 1:17 MIKE 1:22 Miller 1:18,21 2:3 2:16 3:4,19 4:1 morning 2:10 motion 3:17,21 4:2 move 3:10</p> <hr/> <p style="text-align: center;">N</p> <p>name 2:11 NICK 1:21 night 3:1 notice 2:17 NW 1:10 N.W 1:17 2:6</p> <hr/> <p style="text-align: center;">O</p> <p>Okay 2:7,16 3:4,20 opposed 4:2</p> <hr/> <p style="text-align: center;">P</p> <p>particularly 3:15 passes 4:3 person 3:12 please 2:9 PRESENT 1:19 presiding 1:18 protest 1:10 2:20 3:11,15,16,21 protesting 2:18 pursuant 3:11 P-R-O-C-E-E-D-... 2:1</p> <hr/> <p style="text-align: center;">R</p> <p>record 2:8 Renewal 1:13 representative 3:13 required 3:10 Restaurant 2:15 result 3:13 Retailer 1:12 Room 1:17 Ruthanne 1:18,21</p> <hr/> <p style="text-align: center;">S</p>	<p>Salt 1:9,10 2:5,12 2:14 second 3:17,18 side 2:18 signed 2:7 3:7 SILVERSTEIN 1:22 Sole 2:13,13 sounds 2:22 Status 1:11 Stephen 2:11 Street 1:17 Suite 1:17</p> <hr/> <p style="text-align: center;">T</p> <p>Thank 4:3 think 3:8 today 3:2 t/a 1:10</p> <hr/> <p style="text-align: center;">U</p> <p>understanding 2:19 3:5</p> <hr/> <p style="text-align: center;">V</p> <p>Veritas 2:11</p> <hr/> <p style="text-align: center;">W</p> <p>Washington 1:18 wasn't 3:6 Whelan 2:10,11,19 withdrawal 2:21 withdrawing 2:20</p> <hr/> <p style="text-align: center;">P</p> <p>p 1:7,14</p> <hr/> <p style="text-align: center;">#</p> <p>#60748 1:11</p> <hr/> <p style="text-align: center;">1</p> <p>10 1:15 12-PRO-00038 1:9 13-PRO-00038 2:4 14th 1:17 1603.3 3:11</p> <hr/> <p style="text-align: center;">2</p> <p>2000 1:17</p>	<p>20009 1:18 2013 1:15</p> <hr/> <p style="text-align: center;">4</p> <p>4-0-0 4:3 400S 1:18 4883 1:10 2:5</p> <hr/> <p style="text-align: center;">6</p> <p>60748 2:6</p> <hr/> <p style="text-align: center;">9</p> <p>9:49 2:2 9:52 4:4</p>
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