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

9:51 a.m.

CHAIRPERSON MILLER: The next case on our calendar is another protest hearing status and that is Case Number 13-PRO-00063, Bin 1301 Wine Bar located at 1301 U Street, N.W., License Number 91682 in ANC 1B.

Good morning. When you're ready, you know, sign in and then your introductions for the record.

MS. TADESSE: Oh, my name is Sosine Tadesse. I'm representing Bin 1301.

MR. STONE: And I'm Michael Stone, a neighbor.

CHAIRPERSON MILLER: Okay. Let me start again with you. What's your name?

MS. TADESSE: Sosine Tadesse, the applicant.

CHAIRPERSON MILLER: Can you -- MS. TADESSE: Spell it?

CHAIRPERSON MILLER: Spell your last name. Yes.

1 MS. TADESSE: T as in Tom A-D as
2 in David E-S as in Sam S as in Sam E.

3 CHAIRPERSON MILLER: Tadesse?

4 MS. TADESSE: Yes.

5 CHAIRPERSON MILLER: Okay. Good
6 and who are you with?

7 MS. TADESSE: Bin 1301, SST
8 Management.

9 CHAIRPERSON MILLER: Okay. And
10 what's your relationship to Bin 1301?

11 MS. TADESSE: I'm the owner.

12 CHAIRPERSON MILLER: You're the
13 owner. Okay. And thank you.

14 All right and you are?

15 MR. STONE: Just a neighbor.

16 CHAIRPERSON MILLER: Okay. You're
17 a neighbor and what's your name?

18 MR. STONE: Michael Stone.

19 CHAIRPERSON MILLER: Stone?

20 MR. STONE: Yes.

21 CHAIRPERSON MILLER: Okay. All
22 right. For the applicant. All right and?

1 MR. FERRIS: Elwyn Ferris E-L-W-Y-
2 N last name F-E-R-R-I-S on behalf of the Shaw
3 Dupont Citizens Alliance.

4 CHAIRPERSON MILLER: Okay. All
5 right. So --

6 MEMBER ALBERTI: Do we have Mr.
7 Ferris as the designated representative? It's
8 not in our notes. So, I just want to confirm
9 that.

10 MR. FERRIS: Yes, we filed all our
11 forms and at -- I just at the -- perhaps at a
12 roll call hearing, La Verne informed us that
13 it was not longer necessary for us to bring a
14 letter of designation because I was the
15 designated representative on file.

16 MEMBER ALBERTI: Okay.

17 MR. FERRIS: I'm an officer of the
18 organization.

19 MEMBER ALBERTI: Okay. Very good.
20 As long as we have that on file. Thank you,
21 Mr. Ferris.

22 CHAIRPERSON MILLER: So, I had in

1 my notes Joan Sterling.

2 MR. FERRIS: She's our president,
3 but I'm the Chair of the ABRA Committee.

4 CHAIRPERSON MILLER: Okay.

5 MR. FERRIS: And we have on file
6 that I will be the representative from the
7 organization.

8 CHAIRPERSON MILLER: Okay. Good.
9 All right.

10 So, this is a status hearing and I
11 know there have been some changes with respect
12 to dates. As of now, the protest hearing is
13 scheduled for July 24th, 2013 at 3:30 p.m.

14 Do the parties have some issues
15 they want to raise with the Board now?

16 MR. FERRIS: I heard you say July
17 24th.

18 CHAIRPERSON MILLER: That is the
19 date that it's currently scheduled for which
20 would be next week.

21 MR. FERRIS: Which would be next
22 week?

1 CHAIRPERSON MILLER: If I'm not --
2 yes.

3 MEMBER ALBERTI: We have two next
4 week.

5 CHAIRPERSON MILLER: It's the
6 17th. Okay.

7 MR. FERRIS: For the actual
8 protest hearing?

9 CHAIRPERSON MILLER: That is the
10 schedule date as of now. I understand there
11 might be some issues with it and if there are,
12 we're willing to hear them today.

13 MR. FERRIS: Well, with legal
14 counsel -- well, your representative Mr.
15 Jackson I don't think is going to be in town
16 on that day.

17 CHAIRPERSON MILLER: If you would
18 address the Board if you're -- yes.

19 MS. TADESSE: I think to just give
20 a little background. We met with -- where
21 we --

22 CHAIRPERSON MILLER: Met with Mr.

1 Ferris?

2 MS. TADESSE: Yes.

3 CHAIRPERSON MILLER: Okay.

4 MS. TADESSE: And we looked at the
5 agreements and we made some change, amended.
6 We asked -- I think this happened about three
7 weeks ago. We asked them we agree with the
8 changes. Send it to us so we can sign. He
9 then send me an email and we haven't heard
10 anything since.

11 CHAIRPERSON MILLER: Okay. So,
12 you're working on negotiating. Correct?

13 MR. FERRIS: Yes, I think that
14 after -- I think we have pretty much come to
15 terms. We just haven't had the opportunity to
16 put it down on paper.

17 CHAIRPERSON MILLER: Okay.

18 MR. FERRIS: I would like to state
19 for the record that it's been kind of a
20 nightmare for us with the changes in the
21 scheduling for these various hearing.

22 There's been a plethora of emails

1 with information vastly conflicting with those
2 terms that were established at the roll call
3 hearing and verified in writing from ABRA.

4 So, that has caused a great deal
5 of confusion for us. I just wanted to state
6 that for the record.

7 But, I am very confident that
8 we've come to terms. We just have to get it
9 down on paper and I can't see any reason why
10 we wouldn't be able to do that before the 24th
11 if Mr. Jackson is available.

12 CHAIRPERSON MILLER: Okay.

13 MR. FERRIS: Is that a day for
14 you?

15 MS. TADESSE: The document, if
16 it's ready for -- ready to sign it even
17 without him.

18 MR. FERRIS: Without him.

19 MS. TADESSE: Yes.

20 MR. FERRIS: Okay. So, I would
21 say then we could agree to the protest hearing
22 being held on the 24th.

1 MS. TADESSE: Yes.

2 MR. FERRIS: That date. We would
3 hope to avoid that. It's likely we will.

4 CHAIRPERSON MILLER: Okay. All
5 right. So, then from what I hear from the
6 parties is that they're willing to keep the
7 protest hearing date of July 24th, 2013 at
8 3:30 p.m. and hopeful that you'll have an
9 agreement before then though. So, it won't be
10 -- won't go forward, but as of now, it is on
11 the calendar. Okay.

12 Well, glad to hear that
13 negotiations are going well and I will need to
14 just for the record in the event that there
15 actually is a hearing, just read to you a
16 couple of the items that I've been reading in
17 the previous case.

18 And that is that you should have
19 received in the mailing a letter explaining
20 the protest process and a copy of the protest
21 information form. If you don't have that,
22 please contact Ms. Anderson at 442-6942.

1 You're required to complete and
2 submit this protest information form also
3 known as a PIF seven days before the date of
4 the hearing. Now, that would be as of now
5 today. The document needs to be submitted to
6 ABRA and to the opposing parties in this
7 matter.

8 If we don't receive a copy of your
9 PIF, your application or your protest,
10 whichever side you're representing, might be
11 subject to dismissal. This form greatly
12 assists the Board in narrowing the protest
13 issues, facilitating the process and keeping
14 the parties on point during the hearing.

15 So, take a look at that form.
16 It's pretty basic. Just, you know, what your
17 are.

18 And if you have any questions, you
19 can contact Ms. Anderson. I gave you the
20 telephone number I believe. Okay. Great.

21 MS. TADESSE: Thank you.

22 CHAIRPERSON MILLER: Thank you

1 very much.

2 MEMBER SILVERSTEIN: One more
3 thing.

4 CHAIRPERSON MILLER: Oh, Mr.
5 Silverstein wants to say something.

6 MEMBER SILVERSTEIN: I think we do
7 owe both sides in this case, sit down for a
8 second, a bit of an apology and an
9 explanation.

10 We are required to follow the law
11 and this is a new application and it falls
12 under the Omnibus Act that was passed last
13 year. There were time constraints that are
14 put on us that we must act quickly according
15 to that law and inadvertently, it was
16 scheduled later on because we had a lot of
17 things on our schedule as you know.

18 We're sorry that you were both
19 inconvenienced, but we have to operate within
20 the law and we apologize that put everybody in
21 a difficult situation and we hope that this
22 can end well.

1 MR. FERRIS: I appreciate that
2 very much and I would like to express my
3 appreciation to the Board for agreeing to
4 continue this hearing until today because I
5 understood that it was last week, but nobody
6 knew about it and nobody was here. So, I
7 appreciate that you did take the initiative to
8 continue it until today. So, I thank you for
9 that.

10 CHAIRPERSON MILLER: Okay. Well,
11 thank you. I'm proud it's working out.

12 MS. TADESSE: Thank you very much.
13 Thanks a lot.

14 MEMBER SILVERSTEIN: Thank you and
15 good luck.

16 MR. FERRIS: Thank you.

17 (Whereupon, at 9:59 a.m., the
18 hearing was adjourned.)
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nightmare 7:20 notes 4:8 5:1 number 2:5,7 10:20 N.W 1:8,15 2:7	questions 10:18 quickly 11:14	situation 11:21 sorry 11:18 Sosine 2:12,17 Spell 2:20,21 SST 1:6 3:7 start 2:16 state 7:18 8:5 status 1:8 2:5 5:10 Sterling 5:1 Stone 2:13,13 3:15 3:18,18,19,20 Street 1:8,15 2:6 subject 10:11 submit 10:2 submitted 10:5	V	4
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paper 7:16 8:9 parties 5:14 9:6 10:6,14 passed 11:12 PIF 10:3,9 please 9:22 plethora 7:22 point 10:14 PRESENT 1:17 president 5:2 presiding 1:15 pretty 7:14 10:16 previous 9:17 process 9:20 10:13 protest 1:7 2:4 5:12 6:8 8:21 9:7,20,20 10:2,9,12 proud 12:11 put 7:16 11:14,20 P-R-O-C-E-E-D-... 2:1 p.m 5:13 9:8	S 3:2 Sam 3:2,2 schedule 6:10 11:17 scheduled 5:13,19 11:16 scheduling 7:21 second 11:8 see 8:9 send 7:8,9 seven 10:3 Shaw 4:2 side 10:10 sides 11:7 sign 2:9 7:8 8:16 Silverstein 1:22 11:2,5,6 12:14 sit 11:7	U	Y	
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