

DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE CONTROL BOARD

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ROLL CALL HEARING

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 IN THE MATTER OF: *
 *
 District Distilling Co., Inc. *
 t/a District Distilling Co. *
 1414 & 1418 U Street, NW *
 Retailer CT - ANC-2B *
 License No. ABRA-098271 *
 Case #15-PRO-00077 *
 *
 (New Application) *

August 24, 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, Ms. LaVerne Fletcher, Agent, presiding.

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

2 10:05 a.m.

3 AGENT FLETCHER: Would the parties in
4 the matter of District Distilling Company,
5 please, come forward? The parties in the matter
6 of District Distilling Company?

7 This is Case No. 15-PRO-00077,
8 District Distilling Company, Inc. t/a District
9 Distilling Company, 1414 & 1418 U Street, N.W,
10 License No. ABRA-098271. This is a Retailer CT
11 new application.

12 The protest issues are adverse impact
13 on peace, order and quiet; residential parking;
14 vehicular and pedestrian safety and over-
15 concentration.

16 My name is LaVerne Fletcher and I'm
17 conducting the Roll Call Hearing as the Board's
18 Agent pursuant to D.C. Official Code 1601.2.

19 Introductions beginning with the
20 applicant, please.

21 MR. BROWN: Hi, good morning. Patrick
22 Brown from Greenstein, DeLorme and Luchs on

1 behalf of the applicant.

2 AGENT FLETCHER: Thank you, Mr. Brown.

3 And your name, sir?

4 MR. HADDAD: I am Said Haddad. I'll
5 be the general manager.

6 AGENT FLETCHER: And would you spell
7 your name for the record?

8 MR. HADDAD: S-A-I-D H-A-D-D-A-D.

9 AGENT FLETCHER: Thank you very much.
10 Present on behalf of ANC-2B?

11 MR. FELDSTEIN: Mike Feldstein, F-E-L-
12 D-S-T-E-I-N. M-I-K-E.

13 AGENT FLETCHER: Thank you, Mr.
14 Feldstein. And present on behalf of the Shaw
15 Dupont Citizens Alliance?

16 MR. FERRIS: Elwyn Ferris.

17 AGENT FLETCHER: Mr. Ferris, would you
18 spell your name for the record, please?

19 MR. FERRIS: First name is E-L-W-Y-N
20 last name F-E-R-R-I-S.

21 AGENT FLETCHER: And present on behalf
22 of the Meridian Hill Neighborhood Association?

1 MR. YOUNG: Christopher Young.

2 AGENT FLETCHER: Thank you, Mr. Young.

3 And who is present on behalf of the group of 19
4 individuals?

5 MS. RICHMOND: Glenda Richmond.

6 AGENT FLETCHER: Ms. Richmond, could
7 you spell Glenda?

8 MS. RICHMOND: G-L-E-N-D-A.

9 AGENT FLETCHER: Thank you very much.

10 MS. RICHMOND: Richmond.

11 AGENT FLETCHER: Okay.

12 MS. RICHMOND: R -- okay. R-I-C-H-M-
13 O-N-D.

14 AGENT FLETCHER: Thank you. Are there
15 any other individuals present from your group
16 today?

17 MS. RICHMOND: No, ma'am.

18 AGENT FLETCHER: So you are the
19 designated representative for your group?

20 MS. RICHMOND: I have not collected
21 the letters, but, yes.

22 AGENT FLETCHER: What was that?

1 MS. RICHMOND: I have not collected
2 the letters, but I am the representative. They
3 have agreed to allow me to be the representative.
4 I live in the senior building and some of them
5 had appointments today. Also, it is the time
6 that they have breakfast. Many of my seniors are
7 on medication, so, you know, they have to have
8 their breakfast, which is a feeding program
9 downstairs, so they aren't able, you know, to
10 make it. Five of them were unable to make it.

11 So I'm asking if it's appropriate, at
12 this time, that I collect the signatures later
13 today and get them in?

14 AGENT FLETCHER: Well, I know that you
15 hand-delivered the petition on behalf of the
16 group of 19.

17 MS. RICHMOND: Yes.

18 AGENT FLETCHER: ANC-2B has standing
19 as a protestant.

20 The Shaw Dupont Citizens Alliance has
21 standing as a protestant. They held a duly
22 called meeting on July 7 to consider the protest

1 petition. Notice was given to the voting body
2 and to the applicant and the applicant and the
3 applicant's attorney did attend the meeting on
4 July 7.

5 The Meridian Hill Neighborhood
6 Association is granted standing. They held a
7 duly called meeting to consider the protest on
8 July 21, 2015. And notice was given to the
9 voting body and to the applicant within seven
10 days before the meeting and the applicant and
11 representative were present for the meeting.

12 Ms. Richmond, with respect to your
13 group of 19, the Regulations do require that
14 designations are made in writing. And so the --
15 and I know that you hand-delivered the petition
16 on behalf of the group. And I don't know if you
17 recall, but when you were here, I mentioned that
18 you should at least try to get the signatures of
19 at least five people from your group to designate
20 you as their representative, so that we could at
21 least grant standing to a group of five from your
22 group.

1 MS. RICHMOND: Yes.

2 AGENT FLETCHER: The Board's Agent
3 does not have the authority to make exceptions to
4 the rules. So I'm going to have to dismiss the
5 group of 19 as protestants, but you may petition
6 the Board to reconsider.

7 So please stay and you will get an
8 order from the Board dismissing your protest for
9 the reason that I just stated. And petition the
10 Board for reconsideration.

11 MS. RICHMOND: Okay.

12 AGENT FLETCHER: And in your petition,
13 you can explain what you just explained to me.

14 MS. RICHMOND: Yes.

15 AGENT FLETCHER: It's just that I
16 don't have the authority to make an exception to
17 the rules. Okay? But still put your contact
18 information on that sheet.

19 MS. RICHMOND: Yes.

20 AGENT FLETCHER: Okay. Thank you.

21 MS. RICHMOND: Thank you.

22 AGENT FLETCHER: So we have three

1 protestants, ANC-2B, the Shaw Dupont Citizens
2 Alliance and the Meridian Hill Neighborhood
3 Association as protestants. We need to schedule
4 a mediation, a Status Hearing and a Protest
5 Hearing.

6 I'll give you the dates for the Status
7 and Protest Hearings first. The Status Hearing
8 is scheduled for October 14, 2015 at 9:30. And
9 you will receive written notice as well. The
10 Status Hearing is set for October 14, 2015 at
11 9:30. The Protest Hearing is set for November 4,
12 2015 at 1:30. That's November 4, 2015 at 1:30.

13 We need to set a date for mediation.
14 I'll give you the next day that is available.
15 The next available day for mediation is September
16 10, 2015 at 9:00, 10:00, 11:00 or 1:00, if that's
17 good for anyone? Not? For all?

18 MR. FELDSTEIN: What day of the week
19 would that be?

20 AGENT FLETCHER: That is on a
21 Thursday. Thursday, September 10 at 9:00, 10:00,
22 11:00 or 1:00.

1 MR. YOUNG: 9/20 you said?

2 MR. FELDSTEIN: 9:00, 10:00, 11:00 or
3 1:00.

4 AGENT FLETCHER: At 9:00, 10:00, 11:00
5 or 1:00.

6 MR. YOUNG: Okay.

7 MR. BROWN: Excuse me, could we look
8 at the following week?

9 AGENT FLETCHER: Yes. Moving down to
10 the week of September 14, the next available day
11 is Thursday, September 17, still at 9:00, 10:00,
12 11:00 or 1:00.

13 MR. BROWN: That's fine for us.

14 MR. FELDSTEIN: I'm not going to be in
15 town that week myself.

16 AGENT FLETCHER: Okay.

17 MR. FELDSTEIN: If the parties were to
18 meet separately before this process --

19 AGENT FLETCHER: Yes.

20 MR. FELDSTEIN: -- would that
21 mediation be necessary if everyone came to
22 agreement in advance?

1 AGENT FLETCHER: No, it would not be.
2 We can just put a date out there the week after
3 in case it's necessary.

4 MR. BROWN: That's fine.

5 AGENT FLETCHER: So we are looking at
6 the week then of the 21st of September?

7 MR. FELDSTEIN: Is that all right?

8 MR. HADDAD: Yes, that's fine.

9 MR. FELDSTEIN: I definitely don't
10 want to delay this or I could -- or we could --
11 it could be someone other than me who attends on
12 the 17th.

13 AGENT FLETCHER: No.

14 MR. FELDSTEIN: We could do it either
15 way.

16 AGENT FLETCHER: That --

17 MR. BROWN: We could go to the week of
18 the 21st and then we will be conferring in
19 advance.

20 MR. FELDSTEIN: That's all right.

21 MR. BROWN: And Mr. Blanchard will be
22 back.

1 MR. FELDSTEIN: Okay.

2 AGENT FLETCHER: Okay.

3 MR. FELDSTEIN: And --

4 AGENT FLETCHER: Well, then for the
5 week of September 21st it can either be on
6 Tuesday, September 22nd or Thursday, September
7 24.

8 MR. FERRIS: Either one is fine.

9 AGENT FLETCHER: So then let's make it
10 the 22nd then. Any preference for morning or
11 afternoon?

12 MR. FERRIS: I would prefer afternoon,
13 if that's --

14 MR. BROWN: That's fine.

15 MR. FERRIS: -- fine with you?

16 AGENT FLETCHER: Is 1:00 good?

17 MR. FERRIS: That's great.

18 AGENT FLETCHER: Okay.

19 MR. BROWN: 1:00.

20 AGENT FLETCHER: So then mediation is
21 scheduled for Thursday, September 22nd at 1:00.
22 Ms. Richmond, do you have any questions about

1 what is going to happen next for your group?

2 MS. RICHMOND: No. I just need I
3 guess direction on the process how that is done
4 in terms of petitioning the -- it's the Board,
5 right?

6 AGENT FLETCHER: Right. That's right.
7 The -- you are going to receive a Board Order.

8 MS. RICHMOND: Okay.

9 AGENT FLETCHER: This is a very short
10 order. It just says that I just said that the
11 protest was dismissed because the designated
12 representative was not designated in writing.

13 MS. RICHMOND: Right.

14 AGENT FLETCHER: And it will tell you
15 that you have 10 days upon receipt of that --

16 MS. RICHMOND: Okay.

17 AGENT FLETCHER: -- order to petition
18 the Board for reinstatement. Just explain --

19 MS. RICHMOND: I understand.

20 AGENT FLETCHER: -- your reason and
21 then submit it to the Board.

22 MS. RICHMOND: Okay.

1 AGENT FLETCHER: And you will address
2 your submission to the ABC Board and our address
3 is in the order. It will go on the Board's
4 agenda for consideration. If the Board
5 reinstates your group as a protestant, then I'll
6 contact you and we will include you in the
7 mediation process.

8 MS. RICHMOND: Thank you.

9 AGENT FLETCHER: And the Board is in
10 recess until September the 9th, so it will be
11 after that. Okay. Any questions at all? Okay.
12 Well, thank you for coming.

13 MR. YOUNG: Thank you.

14 MR. BROWN: Thank you.

15 MR. FELDSTEIN: Thank you.

16 AGENT FLETCHER: Thank you. The Roll
17 Call Hearing is concluded.

18 (Whereupon, the Roll Call Hearing in
19 the above-entitled matter was concluded at 10:17
20 a.m.)
21
22

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