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

(9:39 a.m.)

CHAIRPERSON MILLER: The next case is Case No. 13-PRO-00094, Habana Village located at 1834 Columbia Road, N.W., License No. 24197, in ANC-1C.

Good morning. Would you identify yourselves for the record when you are ready?

MR. LUJAN, JR.: Pedro Lujan, Jr., owner of Habana Village.

CHAIRPERSON MILLER: Okay.

MR. LUJAN, SR.: Pedro Lujan, Sr., owner of Habana Village.

CHAIRPERSON MILLER: All right.

MR. JAMES: Denis James representing the Kalorama Citizens Association. Madam Chair?

CHAIRPERSON MILLER: Yes?

MR. JAMES: We are facing a similar situation to the first case. The ANC is involved in this case and they are -- I just got a text -- oh, there he is.

1 CHAIRPERSON MILLER: Okay.

2 MR. HART: I'm here. I'm sorry.

3 CHAIRPERSON MILLER: Good, good,
4 good. Okay. So everyone is here. If you
5 want to introduce yourself for the record,
6 sir?

7 MR. HART: Yes, I'm Brian Hart,
8 Commissioner for ANC-1C01.

9 CHAIRPERSON MILLER: Okay. So
10 this is a Protest Hearing involving a
11 termination of a settlement agreement. Are
12 there any issues you need to bring to my
13 attention? Otherwise I'm going to just
14 schedule this for the Protest Hearing.

15 Okay. Not hearing any, the
16 Protest Hearing -- yes, sir?

17 MR. LUJAN, JR.: Do I mention that
18 I sent a proposal to the ANC on behalf of my
19 settlement agreement, a new settlement
20 agreement? Do I give that to you now or --

21 CHAIRPERSON MILLER: You can put
22 that on the record, but you don't really need

1 to if it doesn't affect the scheduling, at
2 this point --

3 MR. LUJAN, JR.: Okay.

4 CHAIRPERSON MILLER: -- of this
5 hearing. Okay. So we will schedule the
6 hearing for October 16, 2013 at 4:30 p.m., in
7 the event that there isn't a signed settlement
8 agreement in this case.

9 And I just want to remind you that
10 if this goes forward to a hearing, you will
11 need to submit a Protest Information Form,
12 commonly known as a PIF, seven days before the
13 date of the hearing. And that needs to be
14 submitted to ABRA and opposing parties in the
15 case.

16 If we don't receive a copy of your
17 PIF, your application or your protest may be
18 subject to dismissal. The Board finds this
19 extremely important for narrowing the protest
20 issues and keeping the parties on focus during
21 the case.

22 If you have any questions between

1 now and the hearing, you can contact Tesha
2 Anderson at 442-6942. Okay?

3 MR. LUJAN, JR.: Could you repeat
4 that date, please?

5 CHAIRPERSON MILLER: The date is
6 October 16 at 4:30 p.m.

7 MR. LUJAN, JR.: Thank you very
8 much.

9 CHAIRPERSON MILLER: Okay. Thank
10 you very much.

11 MR. EMES: Thank you.

12 (Whereupon, the Protest (Status)
13 Hearing in the above-entitled matter was
14 concluded at 9:42 a.m.)

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|---|--|---|--|---|
| <p style="text-align: center;">A</p> <p>above-entitled 5:13 ABRA 4:14 affect 4:1 agreement 1:10 3:11,19,20 4:8 ALBERTI 1:20 Alcoholic 1:2,14,14 ANC 2:20 3:18 ANC-1C 1:8 2:6 ANC-1C01 3:8 Anderson 5:2 application 4:17 Association 2:17 attention 3:13 a.m 2:2 5:14</p> <hr/> <p style="text-align: center;">B</p> <p>behalf 3:18 Beverage 1:2,14,14 Board 1:2,14 4:18 Brian 3:7 bring 3:12 BROOKS 1:21 Building 1:15</p> <hr/> <p style="text-align: center;">C</p> <p>case 1:9 2:3,4,20,21 4:8,15,21 Chair 2:17 Chairperson 1:16 1:19 2:3,11,14,18 3:1,3,9,21 4:4 5:5 5:9 Citizens 2:16 Columbia 1:1,7 2:5 Commissioner 3:8 commonly 4:12 concluded 5:14 contact 5:1 Control 1:2,14,14 copy 4:16 CR 1:8</p> <hr/> <p style="text-align: center;">D</p> <p>date 4:13 5:4,5 days 4:12</p> | <p>Denis 2:15 dismissal 4:18 DISTRICT 1:1 DONALD 1:21 D.C 1:15</p> <hr/> <p style="text-align: center;">E</p> <p>EMES 5:11 event 4:7 extremely 4:19</p> <hr/> <p style="text-align: center;">F</p> <p>facing 2:19 finds 4:18 first 2:20 focus 4:20 Form 4:11 forward 4:10</p> <hr/> <p style="text-align: center;">G</p> <p>give 3:20 goes 4:10 going 3:13 good 2:7 3:3,3,4</p> <hr/> <p style="text-align: center;">H</p> <p>Habana 1:6 2:4,10 2:13 Hart 3:2,7,7 hearing 1:7,15 3:10 3:14,15,16 4:5,6 4:10,13 5:1,13 HERMAN 1:21</p> <hr/> <p style="text-align: center;">I</p> <p>identify 2:7 important 4:19 Information 4:11 introduce 3:5 involved 2:21 involving 3:10 issues 3:12 4:20</p> <hr/> <p style="text-align: center;">J</p> <p>James 2:15,15,19 JONES 1:21 Jr 2:9,9 3:17 4:3 5:3,7</p> | <p style="text-align: center;">K</p> <p>Kalorama 2:16 keeping 4:20 known 4:12</p> <hr/> <p style="text-align: center;">L</p> <p>License 1:8 2:5 located 2:5 Lujan 2:9,9,12,12 3:17 4:3 5:3,7</p> <hr/> <p style="text-align: center;">M</p> <p>Madam 2:17 matter 1:5 5:13 MEETING 1:3 Member 1:20,21 1:21,22 mention 3:17 met 1:14 MIKE 1:22 Miller 1:16,19 2:3 2:11,14,18 3:1,3,9 3:21 4:4 5:5,9 morning 2:7 Multi-Managem... 1:6</p> <hr/> <p style="text-align: center;">N</p> <p>narrowing 4:19 need 3:12,22 4:11 needs 4:13 new 3:19 NICK 1:20 NW 1:7 N.W 1:15 2:5</p> <hr/> <p style="text-align: center;">O</p> <p>October 4:6 5:6 oh 2:22 Okay 2:11 3:1,4,9 3:15 4:3,5 5:2,9 opposing 4:14 owner 2:10,13</p> <hr/> <p style="text-align: center;">P</p> <p>parties 4:14,20 Pedro 2:9,12 PIF 4:12,17</p> | <p>please 5:4 point 4:2 PRESENT 1:18 presiding 1:17 proposal 3:18 protest 1:6 3:10,14 3:16 4:11,17,19 5:12 put 3:21 P-R-O-C-E-E-D-... 2:1 p.m 4:6 5:6</p> <hr/> <p style="text-align: center;">Q</p> <p>questions 4:22</p> <hr/> <p style="text-align: center;">R</p> <p>ready 2:8 really 3:22 receive 4:16 record 2:8 3:5,22 Reeves 1:15 remind 4:9 repeat 5:3 representing 2:16 Retailer 1:8 right 2:14 Road 1:7 2:5 Room 1:15 Ruthanne 1:16,19</p> <hr/> <p style="text-align: center;">S</p> <p>schedule 3:14 4:5 scheduling 4:1 sent 3:18 September 1:13 settlement 1:10 3:11,19,19 4:7 seven 4:12 signed 4:7 SILVERSTEIN 1:22 similar 2:20 sir 3:6,16 situation 2:20 sorry 3:2 Sr 2:12,12 Status 1:8 5:12</p> | <p>Street 1:15 subject 4:18 submit 4:11 submitted 4:14 Suite 1:15</p> <hr/> <p style="text-align: center;">T</p> <p>termination 1:10 3:11 Tesha 5:1 text 2:22 Thank 5:7,9,11 t/a 1:6</p> <hr/> <p style="text-align: center;">V</p> <p>Village 1:6 2:4,10 2:13</p> <hr/> <p style="text-align: center;">W</p> <p>want 3:5 4:9 Washington 1:15</p> <hr/> <p style="text-align: center;">P</p> <p>p 1:4,11</p> <hr/> <p style="text-align: center;">#</p> <p>#13-PRO-00094 1:9</p> <hr/> <p style="text-align: center;">1</p> <p>11 1:13 13-PRO-00094 2:4 14th 1:15 16 4:6 5:6 1834 1:7 2:5</p> <hr/> <p style="text-align: center;">2</p> <p>2000 1:15 20009 1:16 2013 1:13 4:6 24197 1:8 2:6</p> <hr/> <p style="text-align: center;">4</p> <p>4:30 4:6 5:6 400S 1:15 442-6942 5:2</p> <hr/> <p style="text-align: center;">9</p> <p>9:39 2:2</p> |
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9:42 5:14